

TUKWILA METROPOLITAN PARK DISTRICT

November 18, 2013 – 8:00 p.m.
Council Chambers – Tukwila City Hall

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

CALL TO ORDER

Board President Seal called the Regular Meeting of the Tukwila Metropolitan Park District (MPD) to order at 8:02 p.m.

TUKWILA METROPOLITAN PARK DISTRICT COMMISSIONERS

Present were Joe Duffie, Dennis Robertson, Allan Ekberg, Verna Seal, Kathy Hougardy, De'Sean Quinn, Kate Kruller.

CITY OF TUKWILA OFFICIALS

David Cline, City Administrator; Rick Still, Parks and Recreation Director; Amy Kindell, Aquatics Program Specialist; Malcolm Neely, Aquatics Program Coordinator; Peggy McCarthy, MPD Treasurer; Vicky Carlsen, Deputy Finance Director; Brian Snure, MPD Attorney; Christy O'Flaherty, City Clerk.

AGENDA AMENDMENT

MOVED BY EKBERG, SECONDED BY KRULLER TO AMEND THE AGENDA TO REMOVE ITEM 4B (Tukwila Pool operations consultant report and follow-up), ITEM 4D (Resolution adopting the annual budget); ITEM 4F (Tukwila Pool Advisory Committee (TPAC) Positions #1 and #2) FROM THE AGENDA DUE TO EMERGING INFORMATION FOR CONSIDERATION AT A FUTURE MEETING AND MOVE ITEM 4I (Executive Director Job Description) UP IN THE AGENDA AS THE NEW ITEM 4B AND MOVE ITEM 7-EXECUTIVE SESSION TO OCCUR DIRECTLY AFTER CITIZEN COMMENTS. MOTION CARRIED 7-0.

Board President Seal stated that there are currently 40 people signed up to speak this evening. Board consensus existed to limit citizen comments to 2 minutes to ensure the ability to deliberate on all items on the agenda.

CITIZEN COMMENTS

Jamila Farole, 14610 46th Avenue South, says as a long time resident she hopes to persuade the Board to continue the female only swims. Tukwila has been her home for eleven years like many other immigrants that reside here. Ms. Farole handed two petitions to the City Clerk.

Board Member Quinn suggested if some speakers would like to submit written comments, those would be considered by the Board.

Laura Jimenez, 13328 56th Avenue South, stated that she is a resident and did not realize that the pool had gender only swims, but is thrilled with that program. She feels swimming is important for exercising and for the community. The Board should continue to grow, develop and grasp the diversity of the community. Ms. Jimenez is for keeping the women only swim program at the pool.

Anab Abdi, 14201 42nd Avenue South, #214, said she wants to support the all woman's swim because as a pregnant mom, it puts her at ease when swimming. The women only swim is for all women in the community.

Val Thomas-Matson, 5817 So. 144th St., told the Board that she is excited by the strategic plan for the pool and believes that the gender swims help to carry out the strategic plan. Although she is not a swimmer yet, she will be taking lessons at the pool. Gender swims are a way to get more people swimming and involved in healthy activities.

Scott Matson, 5817 South 144th St., said he attended the gender swim for the men; it was not as well attended as the women's. He viewed a video of someone speaking about Brown vs. The Board of Education and the separate but equal issue. He read a quote that stated "I'm all for equal access and co-ed as society's default setting and public space for personal modesty is wrong." So please continue the gender swim.

Omar Abdulalim, 4713 South 124th Place, said that as a veteran he feels the community should embrace all cultures and women may be more comfortable around other women. The pool should continue with the gender swims.

Jeanelle Baldwin, 5827 South 144th St., stated she agrees with what Ms. Thomas-Matson said. She appreciates the gender swim and hopes the Board will continue to support this program.

Woax Gardherc, 14729, NE 8th St, #1, Bellevue, says she is here tonight because she is opposed to closing the women's only swim. Women's swim is about inclusion, not exclusion.

Board Member Kruller clarified that there is no proposal to close the gender swims.

Monica Davalos, 3700 Southcenter Blvd., is an eight year resident and does not know how to swim. The gender only swim is important because it offers an inviting environment where she can feel confident and comfortable as she learns how to swim.

Rosario Santiago, 14224 37th Avenue South, #104, read her statement to the Board. It is important to have the women's only swim as it is more comfortable to learn how to swim among other women.

Jen Calleja, 8844 34th Avenue SW, Seattle, stated she has started three gender swim programs in Seattle and is here to support the effort that is happening in the City of Tukwila. The program is going very well and was adopted by four pools in Seattle.

Ellen Gengler, 13727 Macadam Road South, just wanted to announce that as in all MPD meetings, the Sustain Tukwila Pool (STP) group is in attendance. The STP's mission is to ensure a sustainable pool as a valuable resource in Tukwila. The group meets every Saturday morning at 9:00 a.m. at Friendz Café and the public is invited.

Trang Hoang, 7723 26th Pl., Seattle, is here to support the gender only swim. She is swimming more now due to gender only swims and the women she has met there inspire her to come back.

Nimco Abdirahman, 6429 29th Avenue SW, Seattle, has been swimming since the age of five; she is now seventeen. Please keep the single gender swim in the Tukwila pool. Some people do not feel comfortable in a co-ed pool.

Rabeya Suraka, 3810 South 158th St., Apt G, shared that she needs to learn how to swim as a safety issue when out by the water and the women only swim gives her the opportunity to learn with other women.

Fareeha Siddiqui, 1133 Lake Washington Blvd., #F406, Renton, is here on behalf of participants in the Mobile Health Project. The project gives iPhones to participants to help manage their diabetes and institute lifestyle changes. Many participants agree that the gender only swims are very important to them to help manage their new lifestyles. Gender only swims are more comfortable for many people regardless of age, sex or ethnicity.

Fetia Shufi, 3962 South Chicago St., Seattle, came in to support swimming lessons and gender only swim sessions.

Martina Vargus, 3700 Southcenter Blvd, is supporting the women's swim group because it is very difficult to show her body with men present. Tukwila is a diverse community and needs to respect the space for women only swims.

Rosario Sulcedo, 3700 Southcenter Blvd., who has been a resident for ten years, supports the gender only swim because she wants to learn to swim and feels comfortable around just women.

Faisa Farole, 4015 Southcenter Blvd., said she and her sister have rented the pool for two hours every Sunday in past years for women only swims. A few months ago the pool staff saw the need and created a program for women and they are grateful. Creating this program empowers women, who would not otherwise use this pool, to become more active.

Board Member Ekberg asked Ms. Farole about where she was getting the information that the program may be shutting down. There is no proposal being considered for closing the program.

Ms. Farole responded that there is a rumor that a group of people are urging the Board to shut the program down. At the last meeting there was some mention of the Jim Crow law which seems ridiculous.

Board Member Robertson stated that he was the Board Member who commented about the fact that many of the new immigrants who come to Tukwila do not stay. He has been trying over the years to change that fact as the City wants people to stay. He went on to say that separate but equal did not work for a long time. He then related a story on discrimination he experienced in an organization he was involved in.

Board Member Duffie said that this is not a civil rights issue. He was glad to see everybody came to this meeting and warned against jumping to conclusions. He emphasized that the Board is here to listen to the people.

Board Member Kruller agreed with Board Member Duffie that this is not a civil rights issue. She has benefitted from being able to swim and had seen friends drown because they did not know how to swim. Swimming is a very important issue. The Board is here to support the citizens, however it is necessary that what the Board does is also legal and does not subject the City to any unknown liabilities.

Board Member Quinn appreciates the passion in the room and the comments that have been made. The information presented here gives the Board more to deliberate and the guidance to make the right choices.

Laura Flores, 14014 24th Ave. South, was not present, but her written comments were read into the record. She has been a resident for six years and supports the women's only swim.

Alma Villegas, 10627 53rd Avenue South, Seattle, presented two letters in support of the gender swim from people who work very closely with the community and its programs. She thanked the Council and stated that this is not a civil rights issue. The people here represent the diverse community of Tukwila. She handed in a petition with 354 signatures supporting the gender only swim.

Reverend Jan Bolerjack, 13832 Military Road, stated that she knows all of the Board Members and respects all they do. She has lived in communities that do not have these types of programs and knows that this Board will do what is in the best interest of the community.

Helber Moo, 14132 37th Avenue South, #107, settled in Tukwila five years ago and is in support of the gender program. The gender swims support a healthy lifestyle.

Halima Dahir, 3722 Southcenter Blvd., #3, stated that she has lived here for a long time and that gender swims support everyone in the community.

Hafso Abdulla, 3730 South 148th St., #63, had to leave the meeting so her sister, Ethant, 14911 57th Avenue South, spoke in her stead and stated that they both participate in the gender swims. Their religion does not allow swimming with men, so they are very glad to have the gender only swim times.

Hajirah Adem Farah, 14630 46th Avenue South, did not speak, but provided her written comments for the Board.

Ehler Tha Win, 3515 South 146th St., #111, is a sophomore at Foster High School and she is here to support the gender only swim. She is uncomfortable swimming with the opposite gender.

Jacqueline Carroll, 16241 49th Avenue South, had some policy questions regarding programming and finances. The Parks and Recreation brochure shows the gender segregated swim sessions have been expanded to include Monday through Friday from 1:30 – 2:30 p.m. She feels it may be unwise to expand before a policy is in place. She asked what entity is subsidizing the lower cost for these lessons and swim sessions and whether there are any other groups that were interested in using the pool during those time frames.

Kim McCoy, 14202 56th Avenue South, is a member of the Tukwila Pool Advisory Committee and the STP and swims at the pool three or four days a week. Some patrons are anxious about the gender swims expanding during standard hours and suggest they be limited to seven to fourteen hours a week.

Rahwa Habte, 1438 South 120th St., Burien, spends most of her time and money in Tukwila and is here in support of gender only swims. She works for the YWCA dealing with women and girls who are victims or survivors of domestic or sexual abuse. There is a reason why there are women only, men only and family shelters. Women and girls feel more protected in a women's only swim.

Mohamed Mohamud, 9714 9th Pl. SW, #202, Seattle, asked what the City is doing to make the City more diverse. He would like to see the Board go out and meet the people in the community. The program of gender only swims is very important to this community.

Dave Puki, 3748 South 152nd St., stated that when the pool was about to close, a plan was conceived to save the pool. He was part of the group behind the plan and it was quite a struggle; however, it was successful. The second goal, once it was restored, was to have the community be an integral participant in the pool's future.

Board President Seal thanked everybody for speaking and sharing their thoughts because the Board represents the citizens.

Virginia Herriera, 13737 37th Avenue South, is supportive of the gender swim.

EXECUTIVE SESSION – 15 minutes (*Per agenda amendment on Page 1*)

Board President Seal announced, the Board will now be going into Executive Session - Pursuant to RCW 42.30.110(1)(i) to discuss with District legal counsel, in a forum that maintains the attorney client privilege, the legal risks of a proposed action or current practice that will likely result in adverse legal or financial consequences if the discussion is held in public.

The Executive Session will begin at 9:35 p.m. and run for 15 minutes. The Board left the Council Chambers and entered the Judge's Chambers to conduct the Executive Session.

Start: 9:35 p.m.

Attendees: Brian Snure, MPD Attorney; MPD Board Members Joe Duffie, Dennis Robertson, Allan Ekberg, Kathy Hougardy, Verna Seal, De'Sean Quinn, Kate Kruller.

Extension: 9:50 p.m. – Board President Seal entered the Council Chambers and announced the Executive Session would be extended for 10 minutes.

End: 9:59 p.m. – Having concluded the Executive Session, the Board Members entered the Council Chambers. Board President Seal reconvened the meeting and relayed the following.

The operational staff has created a gender only swim program. An issue has arisen as to whether or not that is legal. After seeking the advice of legal counsel and listening to patrons, the gender only swim program will be left as is.

No decision or consensus occurred during the Executive Session.

AGENDA AMENDMENT

MOVED BY EKBERG, SECONDED BY KRULLER TO AMEND THE AGENDA TO REMOVE ITEMS 4E (Suggestion Box Policy) and 4H (Preliminary Long-Term Agenda) FOR CONSIDERATION AT A FUTURE MEETING. MOTION CARRIED 7-0.

CONSENT AGENDA

a. Approval of minutes: 10/21/13

b. Approval of vouchers:

November 4 #131005, 364681, 364687, 364740, 364736, 364738, 364765, 364798, 364776 in the amount of \$11,437.27

November 18 #131000, 364900 in the amount of \$53,070.29

MOVED BY DUFFIE, SECONDED BY KRULLER TO APPROVE THE CONSENT AGENDA AS SUBMITTED. MOTION CARRIED 7-0.

BUSINESS ITEMS

a. Tax levy legislation:

(1) A resolution of the Board of Commissioners of the Tukwila Metropolitan Park District levying the general taxes for the fiscal year commencing January 1, 2014, on all property both real and personal within said district.

MOVED BY ROBERTSON, SECONDED BY QUINN THAT THE PROPOSED RESOLUTION BE READ BY TITLE ONLY. MOTION CARRIED 7-0.

Christy O'Flaherty, City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT LEVYING THE GENERAL TAXES FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2014, ON ALL PROPERTY BOTH REAL AND PERSONAL WITHIN SAID DISTRICT.

MOVED BY QUINN, SECONDED BY DUFFIE THAT THE PROPOSED RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 15.

(2) A resolution of the Board of Commissioners of the Tukwila Metropolitan Park District increasing the regular levy from the previous year, commencing January 1, 2014, on all property, both real and personal, in compliance with RCW 84.55.120.

MOVED BY ROBERTSON, SECONDED BY DUFFIE THAT THE PROPOSED RESOLUTION BE READ BY TITLE ONLY. MOTION CARRIED 7-0.

Christy O'Flaherty, City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT INCREASING THE REGULAR LEVY FROM THE PREVIOUS YEAR, COMMENCING JANUARY 1, 2014, ON ALL PROPERTY, BOTH REAL AND PERSONAL, IN COMPLIANCE WITH RCW 84.55.120.

MOVED BY QUINN, SECONDED BY DUFFIE THAT THE PROPOSED RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 16.

b. Executive Director job description.

Board Member Ekberg stated that the job description in the packets is the current one that was provided to all candidates that applied to ensure they were still interested in the position. The only real changes in the job description were based on the consultant's report. There were three qualified candidates and they were all still interested in the position. The committee consisting of Board Members Kruller, Ekberg and Robertson interviewed all three candidates. The top two candidates were then evaluated by the Board and notified that a preferred candidate had been selected. The contract is being drawn up by staff and Human Resources and it will go through legal counsel. Once finished, the aim is to hire by January 1, 2014. To facilitate that, it is proposed that a meet and greet with the candidate be held the first week of December.

Board Member Duffie asked if the Board would be meeting all the candidates or just the one that was chosen. Board Member Ekberg replied that they would only meet the one that was selected by the Committee. The Board will read the contract before it is signed by the candidate. There is consensus to move forward with a meet and greet of the candidate.

Dave Puki, 3748 South 152nd St., asked the Board if there was an attempt to have public input on the decision on this candidate and why the process that has been accomplished is not on the agenda.

Board Member Robertson stated that it has not been the procedure to have public input on hiring decisions as there are many legal complexities.

Board Member Kruller said that this is the first time the Board has gone through the hiring procedure.

c. An Interlocal Agreement for 2014 support services (updated scope of services).

David Cline, City Administrator, explained the updated the Scope of Services Agreement. When the City entered into the contract to support the pool, it was believed that the administrative support would decrease; however, that has not been the case. The operations of the pool are highly admired. There is an increase in the number of people using the pool and the diversity is outstanding. The City also supports the hiring of the Executive Director for the pool. The contract before the Board tonight provides more accountability on decisions on how the Board wants to utilize the City staff time. The City is hopeful that when the Executive Director is hired, some of the direct administrative duties will be the responsibility of that position. This would free up City staff time and then any work performed by City staff would be charged on a fee for services basis.

The thought is that the administrative time will decrease for City staff as the Executive Director assumes the position's duties, and the City will gain stability in staffing requirements instead of having to constantly increase and decrease staff in response to pool needs. The City is offering two options for the Board to consider. Option one is for a two year agreement and that is based on the KJ Design consultant's report that recommended two years may be needed to get the operations well incorporated. Option two is a six month agreement that allows the Board and the Executive Director to find other service providers and the City will ease back from the administrative support.

Board Member Robertson stated that he agrees with Attachment A, but would like to propose an alternative for a one year agreement to allow for limited stability and allow the Executive Director to feel comfortable in the position before undertaking any significant actions such as RFPs. A one year agreement would allow the Executive Director to understand operations and the administrative support needed to manage the pool.

Board Member Duffie expressed preference toward the two year agreement.

Board Member Hougardy asked Mr. Cline why he feels the two year recommendation is preferable. Mr. Cline replied that the staff and the Mayor felt it would take another two years to stabilize the transition period and wanted to be sure the pool is set up for success. It was the consensus of the staff and Mayor that a two year period was a reasonable amount of time with a two year budget.

Board Member Quinn asked for clarification that with the six month option, the City would no longer need to assist in the administration of the pool at the end of six months. Mr. Cline responded in the affirmative.

Board Member Kruller supported the one year proposal because the Executive Director will need some time to understand the whole program, where it is heading and make recommendations to the Board. She felt that committing to two years is troubling because the Executive Director may want to make recommendations and changes in that second year. She asked Mr. Cline if moving to a direct cost rather than a fixed rate puts more risk on the Board. Mr. Cline replied that there is a budget item for the Executive Director, but using a fee for services program helps defray costs. There have been too many staff members attending meetings, and since the Executive Director can perform many of the duties of the staff, it would help reduce costs to the pool while still allowing staff to help when needed.

Board Member Kruller asked Mr. Cline if he feels the Board and pool will self-optimize by doing this. Mr. Cline said that the City wants to make sure the operational support the Board needs is provided. The day to day operations like technology and payroll are the City's top priorities. The Executive Director will interface with the City and the hope is that costs will be significantly lower. Board Member Kruller also has concerns about the contract and wants to ensure that legal counsel has reviewed it.

Board President Seal asked Mr. Snure about page two of the agreement where the amendment states the contract can be decreased if there is consensus of both parties.

Brian Snure, MPD Attorney, stated that Board President Seal is correct. Both sides would have to agree to go from a two year contract to a one year contract.

Board Member Robertson stated that the term of the contract is really about stability as both sides would be amenable to shortening or lengthening the contract in the best interest of all parties. He is willing to commit to a one year contract the way it is written currently.

Board Member Hougardy feels this discussion should be moved to next month because the legal department has stated that there may be some things in the contract that could be tweaked.

Mr. Snure requested some direction from the Board as to what they would like to see in the final contract; term can be decided later. He is interested to know if the Board would like to see options that are available.

Board Member Kruller said she would be willing to offer language through the Board President to share with the City Attorney to use as he sees fit. The City does a great job in many ways and deserves to know what the Board is going to ask of them.

Board Member Quinn stated that the Board needs to move along in the process, and he would appreciate getting the City's response to a one year agreement.

Vanessa Zaputil, 15171 52nd Avenue S., asked to verify if the support services contracts presented are for two years or six months. The cost of a city administered MPD is very expensive. Changing the current model to direct hourly costs without a cap could severely impact the MPD's budget. The Executive Director will help to alleviate some costs. Quarterly meetings are not a reality, at least not in the next couple of years for the MPD. She feels that two items should be added to the Interlocal Agreement: marketing and the development of a more appealing website.

Dave Puki, 3748 152nd St., said on this item he noticed that MPD meetings were to be quarterly, which is what the City wants to support, instead of monthly meetings. Looking at the thickness of the agenda and items that were brought forward, quarterly meetings would not be acceptable. He would like to see that the attorney has a chance to add his comments also.

Reverend Jan Bolerjack, 13832 Military Road, said that this is all new to her, and she cautioned about moving too quickly to contract out services even if it is a money saving move.

Ellen Gengler, 13727 Macadam Road South, would like to point out that the MPD does not have employees, everything is contracted out. The MPD receives most of its money through taxes and revenue. She suggests the Board review all costs and give the citizens the best service possible.

Board Member Robertson feels ready to have the contract reviewed by the attorneys. He is in agreement that quarterly meetings are not likely in the near future.

Board Member Quinn appreciates the staff and all the time spent on the MPD's behalf. The MPD needs to be certain that it is paying for the services it uses. Having a cap may make the assumption that these services are easy to perform and do not take up time. He is very optimistic that these costs will decrease once the Executive Director is working. It is important that the MPD is clear about the services it is getting from the City and the cost of those services.

**MOVED BY HOUGARDY, SECONDED BY KRULLER TO MOVE THIS ITEM TO THE DECEMBER MEETING TO HAVE FURTHER DISCUSSION INCLUDING STAFF AND LEGAL REPORTS.
MOTION CARRIED 7-0.**

Board Member Ekberg inquired if Mr. Snure had received the direction he was asking for from the Board. Mr. Snure replied that he would like to have one member of the Board as the contact person to answer questions.

Board Member Ekberg asked Mr. Cline if it was the intent of the City to go to a quarterly meeting system. Mr. Cline's response was that there was not a conversation about what 2014 will look like. The key thing in this contract is to make sure that operations in the pool are well served and stable. That is what the two year commitment from the City is about.

Board Member Ekberg stated that if the MPD goes to the direct cost model, there may not be enough money budgeted. He is not in support of the six month contract.

d. A discussion on the Regular Meeting date and time.

The City Attorney is unable to attend meetings on the first Wednesday, the third Monday and the third Wednesday of each month. Board President Seal asked for suggestions from the Board Members.

Board Member Quinn suggested getting the dates when the attorney is available, and then see what conflicts there may be with Board Member schedules. Perhaps if the Board Members saw a calendar in writing, they could then decide on which dates are appropriate.

Board President Seal will send out a calendar for everyone to fill in their availability, and she will provide options at the next meeting.

Board Member Robertson suggested the Board think about setting up two or three committees that would deal with finance, operations, etc. Each committee would have three members that will meet on off weeks. The committees would report findings at the full meetings.

Dave Puki, 3748 152nd St., prefers Thursdays for meetings and more than once a month to get through the work and get the meetings down to a more manageable time period. He feels the subcommittees are a great idea and may give the public more involvement.

Board Member Duffie is concerned about the reports of behavior issues at the pool and looks forward to a discussion at the next meeting.

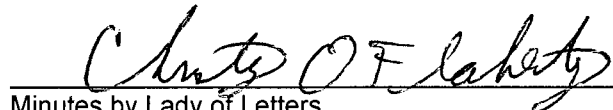
REPORTS – Due to the lateness of the hour, reports were dispensed with.

ADJOURNMENT

11:00 p.m. MOVED BY HOUGARDY, SECONDED BY DUFFIE THAT THE TUKWILA METROPOLITAN PARK DISTRICT BOARD MEETING BE ADJOURNED. MOTION CARRIED 7-0.



Verna Seal, President, Board of Commissioners



Minutes by Lady of Letters
Reviewed/edited by Christy O'Flaherty, City Clerk