

TUKWILA METROPOLITAN PARK DISTRICT

February 26, 2014 – 5:30 p.m.
Council Chambers – Tukwila City Hall

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Board President Quinn called the Regular Meeting of the Tukwila Metropolitan Park District (MPD) to order at 5:36 p.m. and led the audience in the Pledge of Allegiance.

ROLL CALL

Jennafer Price Cargill, Executive Director, called the roll of the Board of Commissioners. Present were Board Members Joe Duffie, Dennis Robertson, Allan Ekberg, Verna Seal, Kathy Hougardy, De'Sean Quinn and Kate Kruller.

TUKWILA METROPOLITAN PARK DISTRICT OFFICIALS

Brian Snure, Park District Attorney; Jennafer Price Cargill, Executive Director.

CITY OF TUKWILA OFFICIALS

David Cline, City Administrator.

AGENDA AMENDMENT

MOVED BY QUINN, SECONDED BY KRULLER, TO AMEND THE AGENDA TO ADD NEW ITEM 4B. THE TOPIC WILL BE A BRIEF DISCUSSION ON STUDENT POSITIONS AND VOTING. MOTION CARRIED 6-0, WITH ROBERTSON ABSENT.

CITIZEN COMMENTS

Karla Belmonte, (no address given), feels that the gender specific swims could be seen as imposing other people's values and beliefs on the public of Tukwila.

Christine Neuffer, 13813 37th Avenue South, feels that the gender specific swims enforce religious practices on employees of the City and utilizes public dollars for private uses. This restriction forces employees of either sex to work hours set by the religious beliefs, which is unfair. The practice also causes issues of caregivers of disabled persons not being allowed to carry out their duties to their clients.

5:46 p.m. Board Member Robertson entered the Council Chambers.

Rosario Santiago, 14224 37th Avenue South, #104, (translated by Virginia Herriera) thanks the Board for the services of the pool because it helps the community focus on being healthy. She would like to see a program to take care of the smaller children so that mothers can join in on the classes.

Virginia Herriera, (no address given), thinks the community needs to continue to embrace the diversity that is Tukwila. She also hopes that a program to take care of smaller children can be done.

CONSENT AGENDA

a. Approval of Minutes: 1/22/14 (Regular)

b. Approval of Vouchers:

January 27: #365454 and 365485 in the amount of \$10,238.86

February 3: #365495, 365522 and 365523 in the amount of \$6,549.41

February 18: #365586, 365607, 365618 and 365625 in the amount of \$4,025.78

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

BUSINESS ITEMS

a. A resolution repealing Resolution Nos. 8, 10 and 11 and re-establishing the Tukwila Pool Advisory Committee (TPAC).

Since the Citizens' Pool Advisory Committee was originally established by Resolution 8 in 2011, several amendments have been authorized and proposed. One such amendment changed the committee name to the Tukwila Pool Advisory Committee (Res. 11), and another provided a clarification of how Officers were elected (Res. 10). It has been recommended that all prior TPAC-related resolutions be repealed and a new resolution be authorized that re-establishes TPAC and includes all of the amended language as well as the new membership guidelines.

MOVED BY EKBERG, SECONDED BY SEAL TO READ THE RESOLUTION BY TITLE ONLY. MOTION CARRIED 7-0.

Jennafer Price Cargill, Executive Director, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA POOL METROPOLITAN PARK DISTRICT REPEALING RESOLUTION NOS. 8, 10 AND 11 AND AUTHORIZING THE REVISED ESTABLISHMENT OF THE TUKWILA POOL ADVISORY COMMITTEE.

MOVED BY DUFFIE, SECONDED BY SEAL TO APPROVE THE RESOLUTION AS READ.*

Board President Quinn called for comments.

Kim McCoy, 14202 56th Avenue South, reported that TPAC discussed the proposal of adding student participation to TPAC. A part of the discussion was regarding voting and since the student representatives may not be of voting age, this could be an issue. The students really want to be involved and to receive the community service credit. Mr. McCoy's personal recommendation is to have two student representatives. The reasoning behind this recommendation is adding more than two students to the TPAC Committee may make it too large to work well. TPAC has not had an opportunity to discuss the proposed resolution, and the members have not been asked for their opinions on expanding the size of the committee.

Christine Neuffer, 13813 37th Avenue South, is speaking on behalf of Sustain Tukwila Pool (STP) and voiced support for the comments from the previous speaker. STP is in support of student involvement in TPAC and supports up to four non-voting student representatives. At the last TPAC meeting, the consensus of the committee was to make these student positions non-voting. There were multiple considerations such as length of terms, voting as an incentive to participate along with the possible imbalance in the committee. The parents that were present at the last meeting felt that the credit the students would be receiving for being on the committee was more important than voting. Sustain Tukwila Pool recommends that this resolution be tabled for further vetting.

(The Board moved forward with discussion on student representation below).

b. Discussion on student representation and voting. (Per agenda amendment on page 1).

Board Member Duffie said the students did not request to be part of the committee, rather the Board asked for their input. He supports the students being voting members of the committee.

Board President Quinn felt that the issue of adding student representatives with the right to vote or not cannot be separated, therefore, the discussion of this resolution by the Board needs to involve both aspects. The reason for the amendment in the agenda was to allow for Board discussion on this issue.

The original intent of the resolution of up to four student members was to handle the possible attrition of students leaving or not participating.

Board Member Robertson stated that there are three items to discuss here; the total size of TPAC, the number of student representatives and the issue of student voting. He agrees with Board Member Duffie that voting is reasonable for the students. He agrees that thirteen members in a committee are too many. Two students should be all that is needed and everybody would be allowed to vote.

Board Member Seal researched several different commissions and committees with student representatives and found a mix of voting and non-voting student positions.

Board Member Hougardy stated that the resolution contains many other items besides voting so she is hopeful that the rest of the items will not be lost. She agrees that thirteen on the committee is too many. There are models on other committees that involve students and votes. The committee could appoint just one student to vote.

Board Member Kruller feels there is no reason to make a decision. This is the middle of the school year so it would be unlikely that a student would be on the committee this school year. TPAC should not feel rushed and has time to consider what the Board and the citizens have to say about the student positions. She considers all people who live in Tukwila citizens whether or not they are of voting age. One of the ways to help raise good citizens is to get them involved at a young age in their community through good schools, good daycare and available, safe opportunities for exercise. If the student representatives do not have a vote, then who are they representing? One must have the right to vote to be a representative. She does not like the idea of four students on the committee having a vote, but perhaps one student could vote.

Board Member Ekberg said after listening to the discussion, he feels there may be a way to put this resolution forward or remand it back to the committee by removing some words and one 'where as' clause. On the top of section two, if 'up to nine' is stricken, that does not limit the number of voting members. When looking at the section for student representatives, strike the word 'voting' there, which would not mean they are not going to have a vote. With those five words modified, that would reconstitute TPAC with four student representatives and no less than five voting members. Then TPAC can have a discussion about how voting can work, possibly sharing votes with the student representatives. This would let TPAC come up with an internal process to manage student voting and participation. The fourth 'where as' on the front page would no longer be required if the changes proposed are implemented.

Board President Quinn summarized the discussion on this issue, and he feels there is consensus on a number of items. There are a number of options for the Board to consider, but would like to avoid editing from the dais. He recommends remanding this resolution back to the staff and TPAC with the three options; five committee members, seven members and Board Member Ekberg's option.

Board Member Hougardy would also like to include the option that TPAC could come up with their own solution for solving the number of members and how the voting is handled within the committee.

Board Member Duffie agrees with remanding the resolution back to TPAC for further refinement.

Board Member Robertson feels that since school is half over for this year, it is not important to make a decision tonight and is comfortable with sending the resolution back to TPAC. He disagrees with refraining from editing from the dais as this has resulted in resolving problems quickly in the past, but in this case there is no rush.

Board Member Hougardy commented that perhaps there could be just one voting student. She also thought Board Member Ekberg's idea of talking to the students to see how they feel about voting was an excellent suggestion.

Board Member Seal thought that the students should have a voice by voting. By giving the student representative a vote it would show the students respect and that their input is valuable.

Board President Quinn feels the student representatives should have a vote, but the infrastructure of having that would need to be decided and brought forth in the new resolution. The Board needs to work together with TPAC to resolve these issues.

Board Member Duffie wants TPAC to be honored for the work they do. When he attended meetings with the students, it was clear that the students want to be heard. He feels that in order to encourage people in the community to participate, they need to be involved.

***BOARD MEMBERS DUFFIE AND SEAL WITHDREW THEIR ORIGINAL MOTION.**

MOVED BY KRULLER, SECONDED BY SEAL TO POSTPONE ANY ACTION ON THIS UNTIL THE NEXT TPMPD MEETING. MOTION CARRIED 7-0.

c. Recommendations from the Tukwila Pool Metropolitan Park District's Executive Director and Attorney on possible amendments to the Interlocal Agreement with the City of Tukwila.

An Interlocal Agreement with the City of Tukwila was approved in December 2013. At the January 2014 meeting Board Member Robertson proposed a process by which amendments could be made to the agreement. Board Member Robertson and Board Member Kruller each put forward suggestions for areas which should be reviewed. Ultimately, the Board voted to have the Executive Director and Attorney recommend amendments for the Board to consider at the February meeting.

MOVED BY ROBERTSON, SECONDED BY EKBERG TO DIRECT THE EXECUTIVE DIRECTOR AND THE ATTORNEY TO DRAFT AMENDMENTS THAT THE BOARD CAN REVIEW AND POTENTIALLY VOTE ON AT THE MARCH MEETING AND THE AMENDMENTS WOULD BE:

- 1) DISPUTE RESOLUTION
- 2) TERMINATION – FOR NON-PAYMENT, LACK OF INSURANCE, OR MATERIAL BREACH OF CONTRACT
- 3) ACCOUNTABILITY & REPORTING – INCLUDING A WORK PLAN WITH MEASURABLE GOALS, FINANCIAL & OTHER REPORTS, AND PERFORMANCE AUDITS
- 4) COST CONTROLS – SETTING AN ANNUAL CAP ON SPENDING BEYOND WHICH ADDITIONAL APPROVAL WOULD BE REQUIRED
- 5) POLICIES AND PROCEDURES – RESERVING TPMPD'S RIGHT TO ADOPT REASONABLE POLICIES IN THE FUTURE THAT SET A HIGHER DIFFERENT STANDARD AND WOULD SUPERSEDE CITY POLICIES ONCE ADOPTED.

MOTION CARRIED 7-0.

Ms. Cargill stated that the word '*higher*' was used to ensure that certain policies did not go below certain state and federal standards that are required.

Board Member Robertson stated that there were certain policies that are not related to laws and in those cases the Board may want to set a different policy. It would be helpful to be able to change those policies without needing to modify the contract. Any changes would not be done without discussion with the operator.

d. Pool cover discussion.

TPMPD applied for and received a grant from Puget Sound Energy for a pool cover in 2012. Due to mechanical and other issues, it has not been used as required by the terms of the grant. Recently, repairs were made and a demonstration was organized for the Board Members and the public on February 15, 2014.

Mr. Cline stated that the pool cover is now being used daily and the cost benefits will be looked at in the next budget cycle.

Board Member Kruller asked Mr. Cline if the City will be consulting other pools with covers as to how best instruct employees to put on and remove the cover so as to not injure themselves.

Mr. Cline responded that the City is committed to operating a safe pool, so all ideas for safety, as well as daily operations, will always be investigated to ensure efficiency and safety.

Board President Quinn would like to see the cost effectiveness of the pool cover as soon as possible. Everything the pool does should be benchmarked and considered for costs.

Board Member Seal requested that Mr. Cline will pass along the Board's thanks and appreciation to the pool staff for all their hard work.

e. A resolution to create an Executive Director Committee.

The Board reviewed a proposal at their January 2014 meeting to establish an Executive Steering Committee. A vote by the Board Members recommended that the proposal should be put to forward as a resolution. In the interim, the name "Executive Director Committee" was found to be a more accurate reflection of the committee's charge. The proposed committee would have four members: the sitting Board President, the Clerk of the Board, another Board Member (to be determined) and the Executive Director.

**MOVED BY EKBERG, SECONDED BY DUFFIE TO READ THE RESOLUTION BY TITLE ONLY.
MOTION CARRIED 7-0.**

Jennafer Price Cargill, Executive Director, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA POOL
METROPOLITAN PARK DISTRICT AUTHORIZING THE CREATION OF THE TUKWILA POOL
METROPOLITAN PARK DISTRICT EXECUTIVE DIRECTOR COMMITTEE.

MOVED BY SEAL, SECONDED BY DUFFIE TO APPROVE THE RESOLUTION AS READ.*

Jacqueline Carroll, 16241 49th Avenue South, spoke on behalf of Sustain Tukwila Pool to support open committee meetings and reserving the right to schedule closed meetings as needed to discuss HR and personnel issues.

Board Member Robertson referred to the packet the Board was given and referred to page 16, section 4; last sentence concerning vacancies. It states that vacancies on the committee are to be filled as soon as possible. He will propose an amendment to the agenda to accomplish filling this position tonight.

The Board exchanged comments on this topic, and provided clarification that the proposed committee meetings are open to the public. It was noted that the proposed committee would be allowed to discuss certain topics in an executive session, where the public would not be present.

***MOTION CARRIED 7-0. TO ADOPT RESOLUTION NUMBER 19.**

**MOVED BY KRULLER, SECONDED BY ROBERTSON TO AMEND THE AGENDA TO ADD AN
AGENDA ITEM F TO FILL VACANCIES ON THE EXECUTIVE COMMITTEE. MOTION CARRIED 7-0.**

f. Appointment of a Board Member to fill the vacancy on the newly formed Executive Committee.

**MOVED BY ROBERTSON, SECONDED BY KRULLER TO APPOINT BOARD MEMBER HOUARDY
TO THE OPEN POSITION ON THE EXECUTIVE DIRECTOR COMMITTEE. MOTION CARRIED 7-0.**

g. Status report and recommendations for implementing high priority KJ Design's items.

Ms. Cargill submitted the report from KJ Designs with some added comments. Her advice is to embrace transparency. No subject that relates to the business of this park district should be taboo. This report is her opinion, based on her background. Changes that impact operational issues should to be done from a policy standpoint.

KJ Designs is a well-respected local consultancy hired by the TPMPD to assess the administration, operation and programs being provided at the Tukwila Pool. Their assessment was delivered in September 2013 and included approximately 124 distinct recommendations.

The Board President requested that the ED review those recommendations and evaluate which should be acted upon most urgently by the TPMPD. The ED has included an update on the status of all the recommendations (page 19) of the agenda packet).

Board President Quinn commented that the Board needs to provide clarity to Ms. Cargill on some of the items and suggested that each Board Member review the report and provide comments. These items would be discussed at the retreat. The Board's comments could be presented in a matrix form so everyone's comments are addressed.

Board Member Kruller suggested considering asking the Executive Director to choose some items in this report that might be resolved in a monthly meeting to advance the priorities faster than waiting for the retreat.

Board President Quinn stated that it would be helpful to Ms. Cargill if the Board Members helped to prioritize the list.

Board Member Ekberg supports Board President Quinn's suggestion. He feels there are some items that Ms. Cargill can move forward on such as the marketing plan.

Board Member Robertson would like to raise the issue of improving managerial staff coverage, which is on page 17 of the memo. He feels that should be done as soon as possible. He would like the Executive Director to explore the alternatives with the operator for having a manager on duty during all business hours and come back with solutions to make this happen.

Board President Quinn feels addressing the staff coverage should be a policy decision. Perhaps it could be presented as the Metropolitan Park District has concerns about safety and wants to ensure that this is prioritized by the (pool operator) City.

Board Member Hougardy concurred with Board Member Kruller's suggestion that the Board Members could review the highlighted items that could be addressed at the next meeting instead of waiting until the retreat.

Board President Quinn stated that he does not believe Ms. Cargill had the intention of having a full discussion and resolutions proposed tonight, she was identifying items that she only wanted to bring to the Board's attention as discussion topics.

Ms. Cargill agreed with Board President Quinn's comment and if there are specific items that require a policy solution, then those items need to be specifically identified so the process of creating policy can begin.

Board President Quinn suggested to start with Board Member Kruller's approach first. If there are three things that Ms. Cargill feels can be solved now, identify them and then, go forward.

Board Member Duffie asked Ms. Cargill if there were any more opinions she needed from the Board right now.

Ms. Cargill responded that she did not believe any of the highlighted items need to be solved within the next month. A few of those items will be brought forward to the Board by the operator in the next couple of months. One of those items would include going to a membership based philosophy.

Board President Quinn stated that the Board Members need to take the time to go through these items and produce individual opinions in preparation for the retreat. All items need to be resolved; however, the

Board needs time to articulate individual opinions to give Ms. Cargill a sense of direction and then have the discussions to resolve these issues.

Board Member Robertson is still concerned about the manager on duty during business hours and current management staff being over extended. He is not comfortable with waiting two and a half months to resolve those kinds of issues.

Board President Quinn said that he is not suggesting that the Board wait in addressing these issues, but that they need to be presented in a policy framework with operator input.

Board Member Seal said this issue of pool staff management stems from the KJ report and the three quarter time position needs to be filled.

Ms. Cargill stated the most of the list of items that need addressing came from the KJ report and she used their wording.

Board Member Kruller feels there should be some way to fill the gaps in the staff. It is known that one of the managers will be on leave for some time and she would like to know what the policy is going to be to fill that position during that absence.

Board President Quinn asked Mr. Cline if he has a sense of the direction the Board wants to go in making policy to solve this issue.

Mr. Cline told the Board that he'd like to work with the Executive Director Committee on the more immediate issue and bring back some policy options to the next meeting.

Board President Quinn feels that the Board has been heard regarding the safety issues.

REPORTS

a. Board Member Kruller thanked the pool operator for arranging the demonstration on the pool cover and thanked the Board for the appointment to the Executive Director Committee.

b. Executive Director

Jennafer Price Cargill, Executive Director, referenced the Executive Director report (page 27 of the agenda packet). Regarding the enrollment into PERS, she feels this would be very expensive and she is reviewing other alternatives.

Ellen Gengler, 13727 Macadam Road South, referencing page 29 of the agenda packet under Revenues, stated it is noted that January 2014 total was \$23,055 compared to \$11,000 in January 2012. In last month's report it was noted that there was a large rental in December. Sustain Tukwila Pool would like to know if the rental involved the school district. Also, on page 33, it is noted the total revenue for 2013 exceeded expenses by \$263,305. She pointed out that on Attachment A there was an operating loan for \$250,000 included in the revenue.

c. Staff:
Operating report
Financial report

d. Tukwila Pool Advisory Committee:

Kim McCoy gave the report on behalf of TPAC Committee, and referred the Board to the report on page 39 of the agenda packet. As noted in the report, Ms. Cargill presented draft resolutions to TPAC to replace Resolutions 8 and 11 and they were discussed in detail. Ms. Cargill is working on directions for TPAC and fundraising plans. A new meeting location was discussed as there are some scheduling issues that need to be worked out. The committee discussed placing staff identification photos in the

lobby and prepared a recommendation on that. The committee was asked to go through the KJ Design report.

TPAC recommends that the TPMPD consider a policy whereby the pool operator posts all active pool staff images and names in a prominent location at the pool. TPAC further recommends that where minors are involved, parental consent be obtained. The next TPAC meeting will be this Saturday at 8:00 a.m. at Tukwila Community Center and copies of the January minutes will be available.

Board Member Ekberg thanked Mr. McCoy for attending and presenting the TPAC report. His question is how does the Board respond to a recommendation from TPAC?

Board Member Robertson felt there should be a process to respond to TPAC's recommendations. Perhaps it could be an agenda item in the next meeting that would automatically deal with the TPAC recommendations.

Commission Seal felt this recommendation is a pretty easy one to handle, but in the future, there should be a process for recommendations and how to handle those that come from TPAC.

Board President Quinn said this recommendation is a policy issue and if we agree to put it on the agenda, it is also important to hear from the operator about the process for implementing said recommendations.

Board Member Robertson suggests that when the Board has recommendations from TPAC, those should be put on the agenda and discussed after the TPAC presentation during each meeting.

Board Member Kruller mentioned that in other meetings she attends, they have Executive Director report and Advisory Committee report after the minutes are approved from the last meeting. If the Board adopted this practice it would do two things; one, it would let people go home earlier instead of waiting to give their reports; two, it would make the Board Members aware of any issues as the meeting progresses.

e. Next meeting is March 26, 2014.

MISCELLANEOUS

Mr. Snure announced he will not be able to attend the March 26, 2014 meeting.

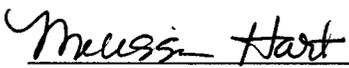
Board Member Kruller brought up the (2013) Strike-Out Hunger bowling challenge from that has not been satisfied.

ADJOURNMENT

7:50 p.m. MOVED BY SEAL, SECONDED BY HOUARDY THAT THE TUKWILA METROPOLITAN PARK DISTRICT MEETING BE ADJOURNED. MOTION CARRIED 7-0.



De Sean Quinn, President, Board of Commissioners



Minutes by Lady of Letters
Reviewed/edited by Jennafer Price Cargill, Executive Director
and Melissa Hart, Deputy City Clerk