

TUKWILA METROPOLITAN PARK DISTRICT

September 12, 2011 – 6:00 p.m.
Council Chambers – Tukwila City Hall

BOARD OF COMMISSIONERS MEETING MINUTES

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Council President Ekberg called the Tukwila Metropolitan Park District meeting to order at 6:02 p.m.

TUKWILA METROPOLITAN PARK DISTRICT COMMISSIONERS

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

CITY OF TUKWILA OFFICIALS

Shawn Hunstock, Interim City Administrator; Shelley Kerslake, City Attorney; Lisa M. Marshall, Proposed Park District Attorney, Rick Still, Parks and Recreation Director; Peggy McCarthy, Acting Finance Director; Stephanie Brown, Human Resources Director; Mary Miotke, Information Technology Director; Kimberly Matej, City Council Analyst; Melissa Hart, Acting City Clerk.

Council President Ekberg explained this is the first meeting of the Board of Commissioners for the Tukwila Pool Metropolitan Park District. The purpose of the meeting is to establish the foundation of the Park District. The Board will elect a President of the Board, a Clerk of the Board, appoint an Executive Director, review several resolutions as required by state statute, and Interlocal Agreements that provide support services and a loan to the Park District by the City of Tukwila. He explained the Executive Director will work with the Board as a whole, and report directly to the Board of Commissioners. Mr. Ekberg stated that City staff will continue to report to their specific Department Directors and staff will not report to the Park District Executive Director. At this time, the City Administrator will identify the staffing support for the MPD as approved in the Interlocal Agreement.

Mr. Ekberg stated the Board will take citizen comments after the business section of the agenda.

BUSINESS ITEMS

a. Elect a President of the Board of Commissioners.

MOVED BY HERNANDEZ, SECONDED BY DUFFIE TO ELECT ALLAN EKBERG AS THE PRESIDENT OF THE BOARD OF COMMISSIONERS.*

Commissioner Seal explained the resolution listed on page 6 of the agenda packet should be amended to specify the President of the City Council of the City of Tukwila will be the President of the Board of Commissioners, and she asked that the duties of the Clerk of the Board be defined.

The Commissioners exchanged comments to include: duties of the Clerk of the Board should be defined within the proposed resolution; the language in Section 4 of the draft resolution as listed on page 6 of the agenda packet should be amended to read "every odd-numbered year"; the Clerk of the Board should be the next junior member; the term of the first President of the Board term should be no longer than 1 year.

***MOTION CARRIED 7-0.**

b. Elect a Clerk of the Board of Commissioners.

MOVED BY QUINN, SECONDED BY EKBERG TO ELECT VERNA SEAL AS THE CLERK OF THE BOARD OF COMMISSIONERS. MOTION CARRIED 7-0.

AMEND AGENDA

MOVED BY QUINN, SECONDED BY DUFFIE TO AMEND THE AGENDA TO MOVE ITEM J; AUTHORIZE THE PRESIDENT OF THE BOARD OF COMMISSIONERS TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH LISA M. MARSHALL FOR THE PROVISION OF LEGAL COUNSEL SERVICES FOR THE TUKWILA METROPOLITAN PARK DISTRICT; UP TO ITEM #2-C ON THE AGENDA. MOTION CARRIED 7-0.

c. Authorize the President of the Board of Commissioners to sign a professional services contract with Lisa M. Marshall for the provision of legal counsel services for the Tukwila Metropolitan Park District.

Shelley Kerslake, City Attorney, introduced Lisa Marshall to the Park District Commissioners. She explained Ms. Marshall was a partner with Kenyon Disend for many years, and she has municipal experience having been the City Attorney for the cities of Burien and Newcastle.

Lisa Marshall explained she was a City Attorney for 17 years and has experience with special purpose districts. She was actively involved with the incorporation of the cities of Maple Valley and Edgewood.

The Commissioners exchanged comments and asked clarifying questions of Ms. Marshall.

MOVED BY ROBERTSON, SECONDED BY QUINN TO AUTHORIZE THE PRESIDENT OF THE BOARD OF COMMISSIONERS TO SIGN A PROFESSIONAL SERVICES CONTRACT WITH LISA M. MARSHALL FOR THE PROVISION OF LEGAL COUNSEL SERVICES FOR THE TUKWILA METROPOLITAN PARK DISTRICT. MOTION CARRIED 7-0.

d. Appoint an Executive Director for the Tukwila Metropolitan Park District.

Board President Ekberg nominated Kimberly Matej as the Executive Director for the Park District. He explained Ms. Matej has an established relationship with the Board, and the duties for this position include taking direction from the Board and do not include overseeing other staff.

Commissioner Hougardy asked who will be directing City staff to perform the duties outlined in the support services Interlocal Agreement that begins on page 11 of the agenda packet.

Commissioner Robertson concurred with Board President Ekberg and clarified the Park District Executive Director will be the interface between the Metropolitan Park District Board and the City of Tukwila's Administration. The Director will have no management or work assignment responsibilities over City staff. The Council Analyst has no staff management duties. He feels Ms. Matej is qualified to be the interface between the Board and City Administration.

Commissioner Quinn feels the City Administrator is the individual responsible for directing City staff to perform the support services as defined in the Interlocal Agreement.

Commissioner Hernandez stated City staff had recommended the City's Parks and Recreation Director as the Executive Director for the Park District, and she asked if staff was comfortable with the Board's recommendation.

Shawn Hunstock, Interim City Administrator, clarified the information presented in the staff report was a recommendation only, and City Administration defers the final decision for the appointment of Executive Director to the Board of Commissioners.

Commissioner Seal asked if the roles and duties for an Executive Director are defined in RCWs.

Ms. Marshall clarified the RCW identifies that an Executive Director is required for a Park District. Board President Ekberg feels the Park District Board of Commissioners should identify the roles and duties of the position.

Commissioner Hougardy asked that the role of Executive Director be defined prior to voting on an appointment of that position.

Commissioner Robertson proposed the position description for the Executive Director state "serve as the interface between the Metropolitan Park District Board and Tukwila City Administration."

Commissioner Seal suggested the last sentence of Section 3, "Officers" of the draft resolution listed on page 6 of the agenda packet be amended to read as follows: "An Executive Director shall be appointed by the Park District Board and will serve as an interface between the Board and Administration." She stated the additional duties for this position could be defined at a later date.

Commissioner Hernandez asked if the duties of the Executive Director are compatible with the duties as the Council Analyst, and if there could be a conflict of interest with this appointment.

Stephanie Brown, Human Resources Director, explained the position would have to be defined in order to determine if the appointment would be a conflict of interest.

Board President Ekberg suggested the position title be amended to "Interim Executive Director" until such time that roles and duties are assigned and a position analysis can be conducted.

MOVED BY EKBERG, SECONDED BY QUINN TO RENAME ITEM D TO "INTERIM EXECUTIVE DIRECTOR OF THE TUKWILA METROPOLITAN PARK DISTRICT" AND APPOINT KIMBERLY MATEJ AS INTERIM EXECUTIVE DIRECTOR. *

Commissioner Hernandez requested clarification on the Executive Director and Interim Executive Director position and whether the position would be 0.25 full time equivalent (FTE) and if that would be funded by the Metropolitan Park District.

Board President Ekberg clarified the positions of President, Clerk of the Board and Executive Director are non-paid functions.

Commissioner Robertson stated he was Council President when the position of Council Analyst was created. He feels the position description for the Council Analyst fulfills the role the Board is envisioning for the Executive Director. He clarified the position is not a director or a personnel management position. This position requires senior level capabilities and he is comfortable with the nomination. The Park District Board will work with City Administration to create the positions required to continue operating the pool.

***MOTION CARRIED 7-0 TO APPOINT KIMBERLY MATEJ AS INTERIM EXECUTIVE DIRECTOR.**

e. A resolution establishing the operations and governance of the Tukwila Metropolitan Park District.

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

Melissa Hart, Acting City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA POOL METROPOLITAN PARK DISTRICT PROVIDING FOR THE ORGANIZATION OF THE DISTRICT AND OTHER MATTERS PROPERLY RELATED THERETO.

MOVED BY SEAL, SECONDED BY QUINN, TO AMEND SECTION 4, "OFFICERS – ELECTION" OF THE RESOLUTION, TO READ "AT THE LAST PUBLIC MEETING OF THE PARK DISTRICT EVERY ODD-NUMBERED YEAR, THE CITY COUNCIL, ACTING IN ITS EX-OFFICIO CAPACITY AS THE PARK DISTRICT BOARD, SHALL ELECT FROM AMONG ITS MEMBERS APPOINT THE INCOMING COUNCIL PRESIDENT AS THE PRESIDENT OF THE BOARD, AND THE SUBSEQUENT INCOMING COUNCIL PRESIDENT AS THE CLERK OF

THE BOARD A PRESIDENT AND ANOTHER OF ITS MEMBERS A CLERK OF THE BOARD BY MAJORITY VOTE OF THE QUORUM OF THE PARK DISTRICT BOARD IN ATTENDANCE AT THE MEETING.” MOTION CARRIED 7-0.

MOVED BY SEAL, SECONDED BY EKBERG TO AMEND SECTION 6B, TO READ “THE EXECUTIVE DIRECTOR SHALL BE THE CHIEF EXECUTIVE AND ADMINISTRATIVE OFFICER OF THE PARK DISTRICT, AND WILL SERVE AS AN INTERFACE BETWEEN THE BOARD AND ADMINISTRATION.” MOTION CARRIED 7-0.

MOVED BY HERNANDEZ, SECONDED BY QUINN, TO AMEND SECTION 12, “MEETINGS,” OF THE RESOLUTION TO READ “THE MEETINGS OF THE PARK DISTRICT BOARD SHALL BE HELD ON THE SECOND MONDAY OF EACH MONTH AT 6:00 PM AT TUKWILA CITY HALL, UNLESS OTHERWISE NOTICED.” MOTION CARRIED 7-0, WITH RESOLUTION NUMBER 1 ADOPTED AS AMENDED.

f. Authorize the President of the Board of Commissioners to enter into an Interlocal Agreement between the City of Tukwila and the Tukwila Metropolitan Park District for support services through 1/15/2012.

MOVED BY ROBERTSON, SECONDED BY SEAL TO AUTHORIZE THE PRESIDENT OF THE BOARD OF COMMISSIONERS TO ENTER INTO AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF TUKWILA AND THE TUKWILA METROPOLITAN PARK DISTRICT FOR SUPPORT SERVICES THROUGH 1/15/2012. MOTION CARRIED 7-0.

g. Authorize the President of the Board of Commissioners to sign a land lease agreement between the Tukwila School District and the Tukwila Metropolitan Park District.

MOVED BY QUINN, SECONDED BY HOUGARDY TO AUTHORIZE THE PRESIDENT OF THE BOARD OF COMMISSIONERS TO SIGN A LAND LEASE AGREEMENT BETWEEN THE TUKWILA SCHOOL DISTRICT AND THE TUKWILA METROPOLITAN PARK DISTRICT. MOTION CARRIED 7-0.

h. A resolution selecting an insurance provider.

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

Melissa Hart, Acting City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT SELECTING WASHINGTON CITIES INSURANCE AUTHORITY (WCIA) TO PROVIDE INSURANCE FOR THE DISTRICT.

MOVED BY SEAL SECONDED BY HOUGARDY THAT THE PROPOSED RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 2.

i. A resolution authorizing the establishment of a bank account for the Tukwila Metropolitan Park District.

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

Melissa Hart, Acting City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT AUTHORIZING OPENING A DISTRICT BANK ACCOUNT WITH _____

Shawn Hunstock, Interim City Administrator explained City staff is recommending the Park District open a district bank account with US Bank.

MOVED BY DUFFIE, SECONDED BY HERNANDEZ THAT THE PROPOSED RESOLUTION BE ADOPTED WITH THE ADDITION OF US BANK IN THE RESOLUTION. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 3.

j. A resolution authorizing a procedure for the payment of Tukwila Metropolitan Park District invoices.

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

Melissa Hart, Acting City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT AUTHORIZING A PROCEDURE FOR THE PAYMENT OF PARK DISTRICT INVOICES.

MOVED BY SEAL, SECONDED BY QUINN THAT THE PROPOSED RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 4.

j. A resolution authorizing acceptance of a loan from the City of Tukwila and establishing repayment terms.

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

Melissa Hart, Acting City Clerk, read the proposed resolution by title only.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TUKWILA METROPOLITAN PARK DISTRICT ACCEPTING A LOAN FROM THE CITY OF TUKWILA IN AN AMOUNT NOT TO EXCEED \$1.1 MILLION FOR OPERATING EXPENSES AND AUTHORIZING AN INTERLOCAL AGREEMENT SPECIFYING REPAYMENT TERMS FOR SAID LOAN.

MOVED BY QUINN, SECONDED BY SEAL THAT THE PROPOSED RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NUMBER 5.

MISCELLANEOUS

Board President Ekberg called for comments from the audience. He reminded the speakers to limit their comments to five minutes.

Christine Neuffer, 13813 37th Avenue South, stated she is speaking on behalf of the "Save the Pool" committee. She felt the committee was not provided an opportunity to review and comment on the agreements in the agenda packet. The formation of the Metropolitan Park District (MPD) is an opportunity to begin a new chapter in the community, and there is a responsibility to the taxpayers and they do not want to conduct business as usual. The committee wants the MPD to be successful, and that means not being saddled with unnecessary expenses from the beginning. They are very concerned with the cost associated with the Interlocal Agreement with the City, and appointment of the MPD Attorney. She urged the Board to authorize the creation of a Citizens' Advisory Board to assist the Board of Commissioners with making the necessary decisions in operating the Tukwila Pool. She asked the Board to research the neighboring MPDs and use those examples as a model for operating the Tukwila Pool.

Vanessa Zaputil, 15171 52nd Avenue South, #5, stated she agrees with the comments from the previous speaker. She stated the Des Moines Metropolitan Park Pool District operates with a small subsidy of \$120,000 per year. She would like the Board to aggressively research and perform a feasibility study

using a third-party operator for the Tukwila Pool. She has conducted a lot of research on this option that she is willing to share with the Board. She reminded the Board of their commitment to the Save the Pool Committee, about fiscal responsibility. In her opinion, a third-party operator would significantly reduce the Board's role in the day-to-day operations of the Tukwila Pool. Ms. Zaputil said all contracts for support/services of the pool need to be in the best interest of the citizens.

Board President Ekberg asked if the Board of Commissioners was interested in directing the Interim Executive Director to create an application for a Citizens' Advisory Group. The Board concurred with Board President Ekberg, and he directed the Interim Executive Director to create a citizen application process for applicants interested in serving on a Citizens' Advisory Group. He requested the application materials be complete no later than the end of September 2011.

Commissioner Robertson asked that the role for the Citizens' Advisory Committee be included with the application materials.

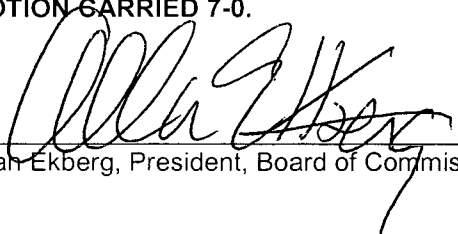
Board Present Ekberg asked that a budget document be created for the MPD separate from the City's budget so the Board can review the pool's budget. He also directed the Interim Executive Director to draft roles and responsibilities for the President and Clerk of the Board, the Interim Executive Director and any existing position that currently supports the operation of the Tukwila Pool.

Commissioner Quinn asked Ms. Marshall to provide a report to the Board on the surrounding Metropolitan Park Districts and a suggested list of items that should be completed.

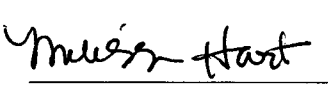
Commissioner Robertson suggested the President of the Board, Clerk of the Board, Interim Executive Director and the MPD Attorney conduct a work session to discuss the next steps for the MPD.

ADJOURNMENT

7:04 p.m. MOVED BY HERNANDEZ, SECONDED BY DUFFIE THAT THE TUKWILA METROPOLITAN PARK DISTRICT BOARD OF COMMISSIONERS MEETING BE ADJOURNED. MOTION CARRIED 7-0.



Allah Ekberg, President, Board of Commissioners



Melissa Hart, Acting City Clerk