

## TUKWILA METROPOLITAN PARK DISTRICT

December 10, 2013 – 7:00 p.m.  
Council Chambers – Tukwila City Hall

### BOARD OF COMMISSIONERS SPECIAL MEETING MINUTES

#### CALL TO ORDER

Board President Seal called the Regular Meeting of the Tukwila Metropolitan Park District (MPD) to order at 7:02 p.m.

#### TUKWILA METROPOLITAN PARK DISTRICT COMMISSIONERS

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

**MOVED BY QUINN, SECONDED BY HOUGARDY TO EXCUSE BOARD MEMBER EKBERG.  
MOTION CARRIED 6-0.**

#### CITY OF TUKWILA OFFICIALS

David Cline, City Administrator; Rick Still, Parks and Recreation Director; Amy Kindell, Aquatics Program Specialist; Malcolm Neely, Aquatics Program Coordinator; Brian Snure, MPD Attorney; Peggy McCarthy, MPD Treasurer; Melissa Hart, Deputy City Clerk.

Board President Seal stated that citizen comments would all be limited to 2 minutes to ensure the MPD has the ability to deliberate on all items on the agenda.

#### CITIZEN COMMENTS

Ellen Gengler, 13727 Macadam Road S., stated that the community group Sustain Tukwila Pool (STP) has declined to take a position on the single gender swims. She announced that the group meets at Friendz Café at 9:00 a.m. on most Saturdays and the public is welcome to attend.

Robert Neuffer, 13813 37<sup>th</sup> Ave S., commented that a human rights investigation is in process regarding the gender specific swims at the Tukwila Pool.

Alma Villegas, with Global to Local, 10627 63<sup>rd</sup> Ave S, Seattle, thanked the Board for their position on gender specific swims in accordance with the community's desires. She also wanted to thank the pool staff and hopes the pool will continue to be managed in the same way that it has been.

Vanessa Zaputil, 15171 52<sup>nd</sup> Avenue S., #5, asked that signage or information be made public when the citizen comment time allotment is reduced from five minutes during Board meetings.

#### BUSINESS ITEMS

7:09 p.m. Board President Seal stated her daughter is a part-time lifeguard at the Tukwila Pool and she recused herself from the discussion for the next agenda item, and Clerk of the Board Quinn will facilitate the discussion on item 3a. Board President Seal exited the Council Chambers.

**a. Authorize the Board President and Clerk of the Board to sign an Interlocal Agreement with the City of Tukwila for support services.**

The option being presented for a new agreement assumes costs will decrease to approximately \$6,600 per month, mainly due to stabilizing support services. The \$6,600 was originally based on the actual costs seen in May and June 2013. All of the support services provided will be charged on an hourly basis, which will allow the City to recover costs incurred for providing the services. This will provide the MPD Board more control over support services expenses.

**MOVED BY ROBERTSON, SECONDED BY DUFFIE TO AUTHORIZE THE BOARD PRESIDENT AND CLERK OF THE BOARD TO SIGN AN INTERLOCAL AGREEMENT WITH THE CITY OF TUKWILA FOR SUPPORT SERVICES.\***

David Cline, Tukwila City Administrator, explained the MPD Attorney and City Attorney discussed and approved the legal language in the proposed agreement. The City is committed to doing a two year agreement as that would be best for the stability of the pool staff and the resources available.

Board Member Kruller inquired if the directive to submit a one year proposal was followed, and stated there are typographical errors in the agreement.

Mr. Cline stated he was not aware there was a majority directive to that effect; and the City would not be interested in a one year agreement. He responded that the scrivener's errors in the draft agreement would be corrected.

Board Member Kruller asked about the list of duties presented (pages 9-18 of the agenda packet) and if there was anything missing from the list.

Mr. Cline responded the list of services included in the agenda packet provides greater detail on the services currently provided to the MPD. The list is not meant to be an exhaustive list of duties. He commented that the proposed support services agreement is a cost per service agreement relating to the support services provided to the MPD by the City.

Board Member Kruller asked if the dollar figure (monthly cost) of the proposed agreement would be provided to the Board this evening.

Mr. Cline responded that in the past the total cost for support services was not provided (in the agreement) and has not been included.

Board Member Kruller asked if the MPD payments to the City are credited to the General Fund. Mr. Cline answered in the affirmative; payments from the MPD to the City for support service reimbursement goes into the City's General Fund.

**Vanessa Zaputil, 15171 52<sup>nd</sup> Avenue S., #5**, feels that the City's proposed two year agreement should be negotiated to one year. The fact that the City did not offer a one year contract as requested by the MPD Board is concerning. This new structure is a fee-for-service model and does not have a cap which means it will require constant monitoring. A one year contract would allow for cost adjustments after just one year instead of waiting for two years. Saving money for Tukwila's pool should start now, not two years from now.

**Ellen Gengler, 13727 Macadam Road S.**, stated that in January 2010, the City Council declared the pool was unsustainable in the City budget. The citizens stated swimming in the community was important and formed a separate entity, the MPD, to fund the pool. The levy to fund the pool is in perpetuity; however, the building is not and will need replacement in the future. The current contractor, the City, is insisting on a non-compete two year contract, which she feels is not in the best interest of the MPD.

**Christine Neuffer, 13813 37<sup>th</sup> Ave S.**, stated a two year contract is not in the best interest of the pool. She said she is representing Sustain Tukwila Pool (STP), and she read a statement to the Board. "*Sustain Tukwila Pool Committee strongly believes that the prudent and appropriate length of time for the Interlocal Contract to be one year.*" It was suggested and supported by several commissioners at the October meeting that a one year option be provided. The one year contract would allow an Executive Director time to advise the Board about the Interlocal Agreement. She feels a one year agreement provides the necessary stability for the operator.

**Robert Neuffer, 13813 37<sup>th</sup> Ave S.**, stated citizens saved the pool, and the City is still operating the pool and he feels changes should be made. He recommends shortening the contract and using a proper RFQ process for a pool operator.

**Jacque Carroll, 16241 39<sup>th</sup> Ave S.**, stated that she is speaking on behalf of STP. She is involved with the pool and thanked the pool staff for their work. She voiced her support for a one year contract to see how the new model will work for the pool.

**Kim McCoy, 14202 56<sup>th</sup> Ave S.**, said he appreciates the current pool management, and stated there is always room for improvement. He feels the two year contract is too long and recommends a shorter time period.

Board Member Duffie voiced his support for the proposed two year agreement.

Board Member Robertson distributed a list of proposed edits for the Board to consider relating to the draft agreement. He explained that he is not requesting the changes be made this evening, rather they be discussed at the January 2014 MPD meeting. He commented that most of the proposed changes relate to the language of the agreement, while some are more significant, and will require Board discussion. He asked City Administration how often changes could be made to the support services agreement.

Mr. Cline stated as long as both parties agree to proposed changes, amendments could be made as often as requested.

Board Member Robertson asked who is responsible for signing contracts for the City.

Mayor Haggerton stated that the Mayor signs contract for the City. The Council is responsible for setting policy and the Mayor's Office is responsible for administration of the policy.

Board Member Hougardy said she would like to know the reasons why the proposed two year contract is best for the MPD.

Mr. Cline replied that at the last MPD meeting the comments were that the Board was happy with the current pool operations. That was the key reason the daily operations were in the contract. The consultants hired by the MPD suggested a two year support services contract. He believes the Executive Director will take over some of the support services for the Board that the City now provides. A two year contract will provide stability while transitioning to the new fee-for-services model.

Board Member Hougardy concurred that the two year agreement is reasonable.

Board Member Kruller feels there is a need for more information so the Board is able to make better decisions. She stated she recently submitted questions to the City, and feels many of the questions were not answered. In her opinion, there may be conflicts of interest in the way the pool policies and procedures are being set up, and the Board needs additional time to read and understand the report submitted by the consultants. She said she is not supportive of a two year agreement. However, she would have considered extending the current contract until a baseline is established identifying cost versus savings. She distributed several suggested edits to the agreement for the Board to review. She said she is willing to approve the agreement this evening, although she stated her preference is a one year agreement with the ability to extend the term one additional year.

Board Member Quinn clarified that there has not been a request to make a decision this evening on the proposed changes, rather to have a discussion on them at a future MPD meeting. He stated that he is comfortable with the two year contract, and that the Board and the City need to work together to best serve the taxpayers.

Board Member Quinn asked for consensus to close the discussion on this item and vote on the motion.

**\*MOTION CARRIED 6-0.**

**b. Tukwila Pool Advisory Committee (TPAC) appointments:**

**1. Confirm the reappointment of Jeri Frangello-Anderson to Position #1 on the Tukwila Pool Advisory Committee, with a term expiring 12/31/2015.**

**MOVED BY ROBERTSON, SECONDED BY HOUGARDY TO CONFIRM THE REAPPOINTMENT OF JERI FRANGELLO-ANDERSON TO POSITION #1 ON THE TUKWILA POOL ADVISORY COMMITTEE, WITH A TERM EXPIRING 12/31/2015. MOTION CARRIED 6-0.**

**2. Confirm the reappointment of Vanessa Zaputil to Position #2 on the Tukwila Pool Advisory Committee, with a term expiring 12/31/2015.**

**MOVED BY HOUGARDY, SECONDED BY QUINN TO CONFIRM THE REAPPOINTMENT OF VANESSA ZAPUTIL TO POSITION #2 ON THE TUKWILA POOL ADVISORY COMMITTEE, WITH A TERM EXPIRING 12/31/2015. MOTION CARRIED 6-0.**

**3. Discussion and direction to staff regarding a future revision to Resolution #8 to expand the committee to 9 members, including a student.**

Vanessa Zaputil, TPAC Vice-Chair, stated that the committee is supportive of student participation in the committee. Ms. Zaputil read from the TPAC recommendation. *"The committee has the following change to Resolution #8, which says the TPAC recommends adopting a change to Resolution #8 that amends language to include recruiting up to four student representatives in addition to the appointed positions. It is the committee's hope that students could choose to participate in a rotation, or concurrently, and that they be high school students residing in Tukwila. It is also the committee's hope that the amendment is adopted exponentially and the MPD Board request be made to the school district for interested students for the remainder of the 2013 - 2014 school year with reappointment and/or new appointments requested each September. Attendance would be documented in the TPAC minutes and forwarded electronically to designated school officials as determined by the School District and the MPD Board."*

Board Member Quinn suggested there may have to be a discussion about the time the TPAC Committee meets in regards to students attending the meetings. Ms. Zaputil responded that the committee is aware of this and they are discussing how to adjust the date and time to include the students.

Board Member Kruller asked if the language in the recommendation is similar to other City committees that include student participation. Ms. Zaputil stated that TPAC reviewed language from other City committees and adjusted it to suit the TPAC Committee.

Board Member Kruller asked if the students have a right to vote in the committee. Ms. Zaputil said that TPAC had a discussion on this issue, and they feel the term "representative" indicates that they are a student representative, not voting members. However, they will have a strong voice in the committee.

Board Member Robertson feels the four students having a vote on a committee would be too many in a committee of this size, but there should be some form of vote for the students. He would like TPAC to draft a new resolution that includes a way of giving the students a vote within the committee.

Board Member Hougardy said she has attended several different seminars on youth representation and the youth voice. She learned that the youth does want to have a voice, whatever form that entails. TPAC is going to be experimenting with youth impact and making sure that whatever adjustment is crafted is amenable to everyone.

Board President Seal found there is consensus for TPAC to bring a recommendation that can be implemented as a revision to Resolution #8 to the next MPD meeting. The question remains as to who will be reaching out to the school district.

Board Member Quinn suggested Board President Seal contact the school district to begin the process.

Mr. Cline stated the City is currently meeting with the school district and offered to ask these questions at his next meeting. The key is how to get the youth involved in the committee.

Board Member Kruller asked Ms. Zaputil if she needed direction on the workflow needed to craft the document required. Ms. Zaputil indicated she would like some direction from the Board. She feels fairly confident in language, but connecting with the school district is unclear.

Board President Seal said she would contact Ms. Zaputil via email with information she receives from the school district. The next part of this discussion is about expanding the committee to nine members including a student.

Board Member Robertson voiced his support to expand TPAC to nine members; the more citizen involvement the better for the community.

After Board discussion, Board President Seal directed staff to prepare a draft resolution to increase the membership of TPAC to nine members.

**c. Authorize the adoption of the Suggestion Box Policy.**

In June 2013, the Tukwila Pool Advisory Committee (TPAC) proposed the MPD install a suggestion box at the pool. The box was installed in August and the first suggestions were reviewed by members of TPAC. The MPD Board Attorney was requested to review the procedures to ensure the MPD is meeting requirements as they relate to public access and adherence to public records laws and responsibilities. On October 1, 2013, the Board received legal advice on procedures for the suggestion box at the pool. The draft policy incorporates the input and advice of the MPD Board Attorney.

Board Member Robertson asked if there was any legal reason that the box would have to be accessed by a Board Member or if the Executive Director would be able to access the suggestion box.

Brian Snure, Commission Attorney, stated that there is a blank in the proposed policy to let the Board identify who will be authorized to access the suggestion box.

Board Member Robertson suggested the policy read as follows: **“Access to Suggestion Box:** The MPD Board shall retain the ability to access the suggestion box. ~~An~~ The MPD Board member will be designated as the primary custodian of the suggestion box and who shall collect and log all suggestions on a monthly basis.” Additionally, he suggested one change in the first sentence under “Tracking System and Suggestion Review” as follows: “The designated ~~Board member~~ person opening the suggestion box shall provide a tracking report to the MPD Board at a regularly scheduled occurrence.” With the proposed edits he is comfortable with the rest of the proposed policy.

Board Member Quinn feels it would be a good policy for Board Members to rotate responsibility, be involved with opening the suggestion box with the Executive Director to ensure Board Members are familiar with the process.

Board Member Kruller feels it may be better to open the suggestion box every two weeks in alignment with the vouchers.

Board Member Hougardy inquired if PDFs are made of the suggestions.

Board President Seal commented that TPAC makes copies of any suggestions received and then they email the comments/suggestions to the MPD Board with the TPAC report.

**MOVED BY KRULLER, SECONDED BY ROBERTSON TO AUTHORIZE THE ADOPTION OF THE SUGGESTION BOX POLICY AS AMENDED. MOTION CARRIED 6-0.**

**d. Authorize a new meeting date and time to begin in January 2014 and direct staff to prepare a resolution for the December 16, 2013 meeting.**

There has been a suggestion to change the MPD Board Regular meeting day. This was discussed at the October MPD Board Meeting with the request that it be an agenda item for discussion at the November meeting. At the November meeting, the Board decided they would provide the Board President with

dates that would not work for them to have a regularly scheduled meeting and a date would be selected from that effort.

The draft resolution would set the fourth Wednesday of each month for the MPD Board Regular Meetings at 5:30 p.m.

**MOVED BY HOUARDY, SECONDED BY DUFFIE TO AUTHORIZE A NEW MEETING DATE AND TIME TO BEGIN IN JANUARY 2014 AND DIRECT STAFF TO PREPARE A RESOLUTION FOR THE DECEMBER 16, 2013 MEETING.\***

Board Member Kruller asked for clarification on how the holidays will be handled if they interfere with the new meeting date and time.

Mr. Snure stated that the draft resolution contains language concerning holidays and if the meeting falls on a holiday, the meeting would automatically move to the next day.

**\*MOTION CARRIED 6-0.**

**e. Discussion regarding the contract for an Executive Director.**

The Executive Director job description was originally distributed to the Board in June (as part of the June agenda packet) and has been revised to meet the current needs of the Board. At the October MPD meeting, the Board directed the subcommittee to finalize the job description and seek a qualified candidate. The Executive Director subcommittee interviewed three finalists and held a "meet and greet" with the finalist on December 2, 2013. The next step is to finalize a contract for services as the instrument to hire the Executive Director.

**Vanessa Zaputil, 15171 52<sup>nd</sup> Avenue S., #5**, voiced her support for the MPD to hire an Executive Director, and the candidate that is under consideration has the qualifications for the position. Clear communication will be the key to the future.

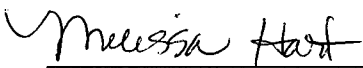
Board Member Robertson proposed to extend the contract for the Executive Director from 2014 to 2015 due to the amount of duties listed in the Executive Director position description. There will be a termination clause in the contract that allows either party to terminate the agreement. He feels extending the contract term to 2015 would provide greater position stability.

After Board Member discussion, there was consensus to extend the term of the proposed contract to 2015. Board President Seal asked staff to prepare a contract to include the new two year term for the December 16, 2013 meeting.

**ADJOURNMENT**

**9:01 p.m. MOVED BY KRULLER, SECONDED BY DUFFIE THAT THE TUKWILA METROPOLITAN PARK DISTRICT BOARD MEETING BE ADJOURNED. MOTION CARRIED 6-0.**

  
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Verna Seal, President, Board of Commissioners

  
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Minutes by Lady of Letters  
Reviewed/edited by Melissa Hart, Deputy City Clerk