

## TUKWILA POOL METROPOLITAN PARK DISTRICT

June 25, 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 Pool Metropolitan Park District (TPMPD) to order at 5:35 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 Commissioners Joe Duffie, Dennis Robertson, Allan Ekberg, Verna Seal, De'Sean Quinn, Kathy Hougardy and Kate Kruller.

#### TUKWILA METROPOLITAN PARK DISTRICT OFFICIALS

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

#### CITIZEN COMMENTS

**Vanessa Zaputil, 15171 52<sup>nd</sup> Avenue S**, speaking on behalf of the Sustain Tukwila Pool group, thanked the Board Chair and the Executive Director for inviting Steve Burke, Executive Director of the William Shore Memorial Pool Metropolitan Park District, to the annual retreat. Everyone at the retreat enjoyed the interaction with the new concepts and ideas exchanged. The William Shore Pool received the 2014 Spotlight Award for Special Use Facility by the Washington Recreation and Park Association.

**Christine Neuffer, 13813 37<sup>th</sup> Avenue South**, also speaking on behalf of Sustain Tukwila Pool (STP), remembered that when the campaign to save the pool in 2011 was launched, the citizens favored offering swimming as part of the curriculum of the schools. However, at the joint meeting of the City Council and School Board it was announced that the School District's high school swim program would not be offered in the next school year. Sustain Tukwila Pool believes that by working cooperatively with the TPMPD, the School District, Tukwila Pool Advisory Committee (TPAC), STP and other stakeholders, the high school swim program can be reinstated.

#### CONSENT AGENDA

- a. Approval of Minutes: 4/23/14 (Regular)
- b. Approval of Vouchers:
  - May 5: #366167, 366170, 366171, 366252, 366253 and 366261 in the amount of \$7,138.59
  - May 19 : #366293, 366397, 366604, 366350 and 140400 in the amount of \$4,286.02
  - June 2: #366415, 366425, 366491 and 366500 in the amount of \$5,405.68
  - June 16: #366597, 366598 and 366620 in the amount of \$5,133.00
  - June 23: #366661 and 140500 in the amount of \$20,666.24

**MOVED BY SEAL, SECONDED BY HOUGARDY TO APPROVE THE CONSENT AGENDA AS SUBMITTED. MOTION CARRIED 7-0.**

#### REPORTS

##### a. Commissioners.

Commissioner Seal reported that she attended the TPMPD Executive Director Committee meeting on June 19th and it was a very good meeting.

Commissioner Kruller thanked Commissioner Seal for attending the meeting.

**b. Executive Director.** Ms. Cargill submitted her report and was available to answer any questions.

Commissioner Ekberg acknowledged that Ms. Cargill did receive the Aquatic Facility Operator (AFO) Certification.

**c. Executive Director Committee (EDC) Report.**

- EDC agenda and summary minutes

Ms. Cargill explained this report covers the meeting that took place in May; the June meeting was held after this report was written.

**e. Financial and Support Services.**

- January through April financial report
- April and May support services detail

Commissioner Seal asked where the Lady of Letters charges were reflected in the budget.

Ms. Cargill replied that this charge was not reflected in the financial reports the Commissioner had seen up until now because the charges had not shown up until February, but as of March and from now on it will be included under Administration and Overhead.

**d. Operator**

Commissioner Ekberg wanted to acknowledge the good work of the pool staff with the 21 students in the PE class who couldn't swim when the class started and passed their swim test at the end of the class.

**f. Tukwila Pool Advisory Committee (TPAC).**

- TPAC Chair report (May and June)
- TPAC meeting minutes (April, May and June draft)

Vanessa Zaputil, Vice-Chair of TPAC, stated that the highlights of the May meeting were election of officers, discussion of a TPAC barbeque and a recommendation that TPAC agendas be posted at the TPMPD pool. The June meeting included planning and discussions regarding the TPAC barbeque on July 26th, updates from the director on the retreat and notifying the committee that the TPAC agenda can be posted. She gave a brief outline of the barbeque event. This will be a community event in conjunction with Touch-A-Truck and a \$1 swim, which may help raise community awareness of the pool and its ongoing events. Hamburger meals will be \$5 and hot dog meals will be \$4 with proceeds going to the TPMPD Scholarship fund. TPAC is requesting authorization of the proposed budget which includes food. Requests are being made of local businesses for sponsorships. Included in the budget are funds for permits and a heavy duty banner that can be reused for multiple events. Other members of TPAC are in charge of arranging for other requirements needed for the event. Commissioner Seal has volunteered to be the liaison for volunteers between the Commissioners and TPAC.

Commissioner Seal generally approves of the event, but feels the funds for the banner could come out of the pool's advertising budget.

Ms. Cargill is supportive of this event, but thinks the entire advertising budget has already been dedicated for other expenditures later in the year and there will not be money from that particular budget line available for the banner.

Board President Quinn shared his assumption that there was a general consensus to support this event and that it was just a matter of figuring out how to fund it.

Commissioner Kruller feels that if there are not enough funds to support this event in the budget for this year, she would personally offer some monetary support and hopes others will follow.

Commissioner Ekberg supports any event that contributes to scholarships. He also pointed out that there is a miscellaneous line on the budget that may be available to help fund the event.

Board President Quinn suggested that Ms. Cargill work out the logistics with TPAC of the event budget and put any further questions to all Commissioners in an email so that everyone is informed and their timelines are met.

Referring to the Operator's Report, page 11, Program Revenues, Commissioner Robertson noted April revenues dropped about \$1,000, which is about 5%, but May dropped about 20%, and asked is that a trend or whether anyone knows what happened in this case.

Rick Still, Director of Parks and Recreation, had no explanation as to why the trend was down. He feels this was just temporary and that revenues will increase in the future.

### **CITIZENS COMMENT**

Alma Villegas from Global to Local wanted to make a couple of comments concerning the barbeque. While she is looking forward to the event, she suggested offering an alternative to pork hot dogs and also some healthier menu items like fruit. In addition, she wanted to discuss issuing passes for families to use the pool. She stated that there seems to be a capacity issue surrounding issuing passes and she hopes this can be cleared up so that more families can use the pool. She also offered Global to Local's help in supporting the barbeque and asked members of TPAC to reach out to her to arrange that.

Board President Quinn said that he was certain TPAC heard the issue of healthy alternatives and they would take that into consideration. He would like to have the administration follow-up with the second issue regarding passes.

### **BUSINESS ITEMS**

#### **a. Interlocal Agreement update.**

Mr. Snure stated that the Interlocal Agreement (ILA) memo that was circulated last week is the most recent version and presented it to the Board. It is his understanding that the City presented their version to the City's Community Affairs and Parks Committee which is different from this one so there may have been some miscommunication between himself and the City.

Commissioner Kruller said that in the meeting that she, Commissioner Ekberg, Board President Quinn and the TPMPD attorney attended, a lot of what the City requested is what the TPMPD acquiesced to and were happy to do so.

Commissioner Hougardy, in referring to the ILA, sees two changes: Paragraphs 2.5 and 2.4. She also asked about 4.1.

Mr. Snure explained that paragraphs 2.4 and 2.5 are designed to come up with agreeable language between the two parties to see how this Board can control and monitor costs. So it was decided that when the information came in each month, the parties would work together to monitor and discuss costs. Paragraph 4.1 is designed to clarify the requested annual operations work plan and to separate it from what staff has already been providing in the operations report.

Commissioner Ekberg asked if any of the guidance provided at the meeting referenced by Commissioner Kruller has not been included in this memo.

Mr. Snure stated that the intent was to include all the guidance provided in that meeting in the document.

Board President Quinn said that since committees do not make decisions for the entire Board, it was important to have this draft of the ILA before the Board before it was submitted to the City.

Mr. Snure asked for permission to share the memo with the City.

Board President Quinn asked if there were any other changes Mr. Snure felt should be brought to the attention of the Board.

Mr. Snure said he would like to also highlight for the Board paragraph 6, which concerns the TPMPD's authority to adopt operational policies and the City's role in that. The TPMPD agrees that the City has to have veto power over policies dealing with wages and working conditions. The City requested to have input into other operational policies; therefore, language was included to accommodate collaboration between the City and the Board in adopting new policies. The only other change relates to Dispute Resolution. Both attorneys have different philosophies of dispute resolution; however, should the City and Pool District get into a dispute, arbitration is still available to each as well as going to court if necessary.

Board President Quinn summed up the requests from the Board to say: redlined copies of the ILA need to be sent to the Board via email and the Board is comfortable sharing this version of the ILA with the City.

**b. Expanded report from Operator regarding maintenance and staffing plans.**

At the April 23, 2014 TPMPD Board meeting there was significant discussion regarding how the Board would like the City to report more information regarding the maintenance plans and staffing plans. The City would like to participate in a discussion that provides clarification from the TPMPD Board regarding information they would like to see in the Maintenance Plan, Staffing Plan, and Operator Report.

Board President Quinn stated that the Board made a request with specific items outlined that was researched by Ms. Cargill. That information was passed along and a response was provided which was taken up at the last TPMPD Meeting.

Commissioner Seal pointed out that the Pool Policies and Procedures Manual that Mr. Still provided already has a very detailed maintenance plan in it.

Mr. Cline felt it would be best to have a discussion about some of the questions that were not fully answered in the written report of the May meeting. He requested Mr. Still attend this meeting to address any specific concerns the Board has about who does what in maintaining the pool and its operating parts.

Commissioner Hougardy recalled that one of the questions around maintenance was if the person performing the equipment maintenance was qualified to do that particular job.

Mr. Still agreed that one of the items the Board had questions on was who was performing the work and were they qualified to do so. Robert Eaton and Amy Kindell are Certified Pool Operators (CPOs). Both Amy and Malcom are Aquatic Facility Operators (AFOs).

There was some question on who is on the pool staff. There are three categories to staffing: contracts, lifeguards and pool staff. Pool staff is whoever Mr. Still assigns to the work and is qualified to do that work. Work that is above what can be done by current staff is contracted out to make the pool as self sustaining as possible. If there is handyman type of work that Amy or Malcom cannot do, there are other people on staff that can.

Mr. Still began his presentation by showing the four different categories of maintenance of the pool. First is the equipment itself; anything related to air and heat is contracted out. The fire and burglar alarm systems are also contracted out. The pool equipment, such as chemicals and systems that run the pool, is contracted out and is performed monthly. General facility maintenance, i.e., filter, chemical balancing, cleaning the liner, etc., is handled by qualified pool staff.

Commissioner Kruller asked about how the comments on the maintenance problems are addressed, who takes care of things that are broken or not functioning correctly?

Mr. Still said that this is communicated to them in the log book; full time staff will see it and make sure it is addressed.

Commissioner Ekberg received communication that there is a slippery spot on the pool surface and people are still falling. What is the procedure to get a permanent solution to this issue? This issue has been brought up before.

Mr. Still stated the flooring is consistent and there was no extra safety issue involved with that. That area has been acid washed frequently to remove any possible soap residue. If people are still falling, it may be different feet are not gripping the surface well.

Commissioner Kruller appreciated how much work has gone into this area, however she felt there could be other solutions that could be applied to this spot on the surface to make it better.

Mr. Still said that they will look into it further to see if something else can be put on the surface to help alleviate the problem. The coating was put on according to specs when the pool was refurbished.

Commissioner Hougardy said in regards to the pool surface and cold showers, she is wondering if the information about how these issues are currently being handled and the costs involved was sent to the patrons; perhaps they could give feedback as to whether or not the pool should spend the money to do those repairs. Safety and comfort are on the forefront of the patrons' minds.

Mr. Still then proceeded to staffing issues and the questions revolving around who is in charge when full time staff are not on duty. The standard is the person in charge must be eighteen or older. Currently all lead lifeguards are twenty to twenty-two years old and have four to six years experience as a lifeguard. Qualifications include: good decision making, leadership skills, trustworthy, able to follow directions, work with little direct supervision and works well with others. These lifeguards also receive additional training from full-time staff on opening and closing procedures, cash handling, and some maintenance. They are also responsible for the call-out procedure to get subs to fill in for absences. Currently, there are six lead lifeguards and more are eligible to become leads. Some tasks, like marketing, aren't happening right now due to the Aquatic Specialist's absence, but everything else is being taken care of.

Commissioner Duffie would like to see more cooperation and support from the Board towards the staff and the younger people that are working at the pool.

Commissioner Kruller appreciates the clarification from Mr. Still about how leave of absences are covered as that was one of her concerns. Members of the Board receive questions about the pool from citizens so the more communication the Board gets from the pool staff the better the answers they can give to citizens. She suggested reports or memos covering issues as they arise so that the Commissioners are informed and able to answer citizens' concerns. There could also be regular communication methods to the community for things like emergencies and closures. She also inquired as to whether or not there is a backup plan should a number of staff be unable to make it into work and who is the main contact should this happen?

Mr. Cline said that this communication issue is an excellent topic for the EDC Committee to discuss the appropriate level of communication for this Board.

Mr. Still explained that the pool has never come to a critical point in staffing. There are local back-up lifeguards if full-time staff could not make it in and it would be their responsibility to make sure there is enough staff to open the doors. They know who to call out, and they know if they need another lead or a lifeguard.

**c. A resolution reframing TPAC (revised).**

Since the Citizens Pool Advisory Committee was originally established by Resolution #8 in 2011, several amendments have been authorized and proposed. Now the majority of Commissioners have requested that TPAC expand from five up to six members and allow for the addition of up to two voting student representatives.

Ms. Cargill referred them to the memo, under *Attorney Action*; this version has not been reviewed by the TPMPD attorney. It essentially involves two small changes that were discussed at the April meeting,

basically accepting TPAC's recommendation to have the membership consist of six full voting members and up to two student members with voting privileges.

Board President Quinn said that this needs to be reviewed by the attorney before the Board can act on it, but the changes are consistent with the Board discussions.

Commissioner Robertson feels that the two minor changes do not have legal implications so he is ready to go ahead and vote rather than putting it off another month.

Ms. Cargill stated that the Board reviewed this and came back with the request that TPAC provide a recommendation on membership. In the April meeting the Board agreed with TPAC's recommendation. The changes are under *Membership*, Section 2 and Section 3b.

Commissioner Ekberg reviewed Section 2 and 3b with regard to student representatives voting and that resolved his concerns. He supports the resolution with the two changes.

Mr. Snure has no objection to the resolution with the two changes mentioned.

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

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

**MOVED BY ROBERTSON, SECONDED BY KRULLER THAT THE RESOLUTION BE ADOPTED AS READ. MOTION CARRIED 7-0 TO ADOPT RESOLUTION NO. 20.**

**d. Approval to transfer ownership of the Tukwila Pool from the City of Tukwila to the Tukwila Pool Metropolitan Park District.**

It is recommended that the Board of Commissioners consider a motion authorizing the Board President and the Clerk of the Board to execute the attached Intergovernmental Transfer Agreement and the Bargain and Sale Deed transferring legal ownership of the Tukwila Pool to the TPMPD.

Ms. Cargill stated that at the last meeting it was requested that a revision relating to an inspection of the property be eliminated. Both parties agreed to delete that language, which is the version before the Board now.

Commissioner Seal requests language in the Transfer Agreement that states that the TPMPD was formed with the purpose of maintaining and operating the Tukwila Pool for recreation purposes and to remain a community pool.

By request, Commissioner Seal read the entire proposed phrase into the record: "Whereas the TPMPD was formed in 2011 with the purpose of maintaining and operating the Tukwila Pool for recreation purposes and to remain a community pool."

The Board agrees with the above addition to the Transfer Agreement.

**MOVED BY SEAL, SECONDED BY EKBERG TO AMEND THE FOURTH WHEREAS IN THE INTERGOVERNMENTAL TRANSFER AGREEMENT TO INCLUDE THE LANGUAGE AFTER THE WORD PURPOSES, TO READ "AND TO REMAIN A COMMUNITY POOL." MOTION CARRIED 7-0.**

**MOVED BY ROBERTSON, SECONDED BY KRULLER THAT THE BOARD PRESIDENT AND THE CLERK OF THE BOARD SIGN THE INTERGOVERNMENTAL TRANSFER AGREEMENT BETWEEN THE CITY OF TUKWILA AND TUKWILA POOL METROPOLITAN PARK DISTRICT. MOTION CARRIED 7-0.**

**e. Next meeting is July 23, 2014.**

**MISCELLANEOUS**

Commissioner Robertson stated that from the retreat there were three items for the Board to work on in the future. One was to continue clarifying roles. The second item was to come to a governance decision by the end of the year. The third was to deal with the operation issue. Since the retreat, the City administration has informed the City Council the City would like to discontinue operating the pool by the end of the current year. He feels the Board should start discussing what the plan is now. He suggests that creating a new operation model and putting it into action is a high priority.

Commissioner Duffie is not in favor of the ILA and does not feel the City should step out of the operations role. He suggests asking the citizens how they feel and what they think should be done.

Commissioner Kruller wants to clarify that the ILA is not in its final state yet and is still open for amendment. She also feels the City's direction is already set and would hope that the transition will be as seamless as possible to the public. She also feels the work towards a new operational model needs to happen now with workshops and making agreements towards that goal.

Board President Quinn would like to have the representative from the City administration articulate the City's position and how this decision was made to this body.

Mr. Cline stated the current Interlocal Agreement is a two year agreement. The City administration discussed whether or not another Interlocal Agreement was the best use of their resources. The City came to the conclusion from an administration point of view that if an Interlocal Agreement is presented to the Council with a termination clause as it was on Monday night, the City would most likely exercise that termination clause by the end of the year. This would be a September 1<sup>st</sup> notification, with conclusion by the end of the year.

Mr. Cline said this would be a gracious and seamless transition to the next model that is useful for the TPMPD. The City has always been committed to a community pool. The City has subsidized the pool during the past two and half years mainly because of the capital investment. The City would like to transition out of being the service provider.

Commissioner Hougardy stated that the main concern with the transition would be that it be seamless for the patrons and that their pool experience is unchanged.

Commissioner Ekberg feels the Board has the best interest of the pool at heart and wants this to be a well-planned and friendly transition. In his opinion, there are three options available: One is to possibly join another district's pool resources, which is unlikely, two is to change to another operator model, or third is to become self-operating.

**MOVED BY EKBERG, SECONDED BY ROBERTSON TO DIRECT THE EXECUTIVE DIRECTOR TO BRING FORTH TO THE FULL TPMPD BOARD AT THE JULY TPMPD MEETING A HIGH LEVEL PLAN FOR CHANGING THE TUKWILA METROPOLITIAN PARK POOL TO A SELF-DIRECTED AND MANAGED ADMINISTRATION AND OPERATION SUPPORT MODEL. THIS HIGH LEVEL PLAN SHOULD CONTAIN A SERIES OF TASKS, TIMELINE, RESPONSIBILITIES AND EXPECTED COSTS TO ACHIEVE SUCH A MODEL. THE BOARD WILL THEN DISCUSS THE PLAN AND GIVE DIRECTION FOR THE NEXT STEP.\***

Commissioner Seal feels that she would need more information before she can support this motion and would vote against it at this point. She feels there needs to be a workshop on this issue. If the self-operator model discussion is to happen, she would like to have either Steve Burke or Kevin Johnson, who are experts in the field, lead the Board through a discussion on this transition.

Board President Quinn at this time agrees with Commissioner Seal that the Board needs to move towards a process and believes that they should work with a seasoned professional such as Mr. Burke. He thinks

the Board may be too young to do this without someone with his experience. There should be a series of workshops to work out which way to go - operator model versus self-operator.

Commissioner Kruller agrees that someone with experience would help with this process. The Executive Director was responsible for inviting Mr. Burke to the retreat. She would like to continue to have the Executive Director find people who might also be interested in assisting the Board with this transition.

Commissioner Hougardy also agreed with Commissioner Seal about the need to look at other models and that Mr. Burke would be a great choice in leading the discussion of this transition.

Board President Quinn stated that this transition issue wasn't a topic at the retreat. The transition issue was being worked on when the City made it clear that they no longer wanted to be the service provider.

Commissioner Ekberg stated that there is a motion on the table and he anticipated there would be a discussion about this. He is willing to remove the motion if Commissioner Robertson is willing to withdraw his second. Commissioner Robertson concurred.

Commissioner Hougardy feels there may not need to be a motion for this as it is very prescriptive. The Board can indicate that they would like work sessions to review models and leave it more fluid.

**\*MOTION ABOVE IS WITHDRAWN**

Board President Quinn stated that there is a process to follow which involves choosing a day for a work session and identifying a format for those work sessions. He feels Mr. Burke would be the best choice at this point to lead the Board in this conversation.

Commissioner Robertson inquired if there is a contract worked out with Mr. Burke.

Board President Quinn stated that there is no contract or agreement, but this is a process to get someone under contract.

Commissioner Robertson felt that without a contract, they should wait until one is chosen before naming someone. There are also budget concerns with hiring a consultant. He suggests that the Board direct the Executive Director to put together a plan for the Board to review for the next meeting. This should include a report and a plan with steps to arrive at a decision on the operations model. Action needs to be taken now as time is short.

Board President Quinn also has no interest in delaying things, but the Board needs to have a work session through this process.

Commissioner Kruller stated that this is a new chapter in the TPMPD and it is exciting. She is all for workshops and knows the Executive Director will continue to lead the way, as she has so far, to help this process.

Commissioner Hougardy likes the idea of a work session and directing the Executive Director to prepare a report. She is comfortable with having a work session and suggests they start soon.

Commissioner Ekberg agrees with Commissioner Hougardy and would like to see a consensus to direct the Executive Director to work with the Board President to define a workshop and bring it to the Board before the next meeting.

Commissioner Duffie feels a decision needs to be made and move forward on this issue.

Board President Quinn would like to see if Mr. Burke is interested in assisting the Board to work collaboratively with himself and the Executive Director to put forth a work session in the month of July.

Commissioner Kruller wanted to add that if Mr. Burke is not interested or unavailable, to have the Executive Director find the best alternative so this issue can move forward.




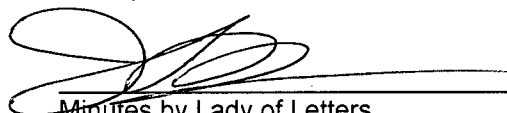
Commissioner Robertson reiterated that the Board President and the Executive Director are going to work to put together a workshop in July to discuss the operation alternatives and a plan for moving forward. The idea is that by the July TPMPD meeting there will be a decision on which operations model to follow and start working out a schedule.

Board President Quinn stated that if Mr. Burke is not available, the next best choice will be chosen. There is no intent to delay on this issue as by the end of the year the City will not be willing to operate the pool.

**ADJOURNMENT**

**7:59 p.m. MOVED BY SEAL, SECONDED BY DUFFIE THAT THE TUKWILA POOL METROPOLITAN PARK DISTRICT MEETING BE ADJOURNED. MOTION CARRIED 7-0.**

  
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De Sean Quinn, President, Board of Commissioners

  
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Minutes by Lady of Letters  
Reviewed/edited by Jennafer Price Cargill, Executive Director