

## **DRAFT TUKWILA POOL METROPOLITAN PARK DISTRICT**

March 13, 2017  
6:00 p.m.  
Valley View Sewer District Conference Room

### **BOARD OF COMMISSIONERS REGULAR MEETING MINUTES**

#### **CALL TO ORDER**

President of the Board: President Frangello-Anderson called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

#### **TUKWILA METROPOLITAN PARK DISTRICT COMMISSIONERS**

Present were Commissioners Gengler, Commissioner Tyson, Commissioner Zaputil, Commissioner Neuffer and President Frangello-Anderson.

#### **TUKWILA METROPOLITAN PARK DISTRICT REPRESENTATIVES**

Jennafer Price Cargill, Executive Director

#### **AGENDA**

MOVED BY COMMISSIONER ZAPUTIL TO APPROVE THE AGENDA AS PRESENTED, SECONDED BY COMMISSIONER GENGLER. MOTION CARRIED (5-0).

#### **CITIZEN COMMENTS**

None

#### **CONSENT AGENDA**

- a) Approve Minutes Tukwila Pool Metropolitan Park District (TPMPD) Board of Commissioners (BOC) Regular Meeting February 13, 2017
- b) Approve Voucher(s)

Commissioner Gengler noted one grammatical error where Commissioner Tyson was referred to as she instead of he on page 9, second paragraph to the bottom.

**MOVED BY COMMISSIONER ZAPUTIL TO APPROVE THE MINUTES FOR FEBRUARY 13, 2017 AS AMENDED, SECONDED BY COMMISSIONER NEUFFER. MOTION CARRIED (5-0).**

**MOVED BY COMMISSIONER GENGLER TO APPROVE THE VOUCHERS AS PRESENTED, SECONDED BY COMMISSIONER ZAPUTIL.\***

Commissioner Tyson asked for clarification on the invoice amount \$137.02 and the processed amount having the decimal point in the wrong place. Ms. Price Cargill stated that Rec 1 charge is 1% of total sales and both the charge and the total sales numbers are included on the voucher.

Commissioner Gengler asked to correct the spelling of Aquatic Specialty Services and Ms. Price Cargill said she would have the bookkeeper adjust the spelling accordingly.

Commissioner Gengler asked for clarification on the amount paid for background checks, does that include that backlog of background checks. Ms. Price Cargill said that did include the majority of the staff who were all submitted to the WSP at once.

**\* MOTION CARRIED (5-0).**

## **REPORTS**

### **a. Commissioners**

Commissioner Gengler reported that she attended the Finance Committee and the review of the financial policies is going well.

Commissioner Tyson stated the he contacted the State Auditor by letter to ask for an audit to ensure compliance with RCWs and procedures, but he has no response thus far.

Commissioner Zaputil asked if this contact was made as a citizen and not on behalf of the Board. Commissioner Tyson confirmed that was his intent.

President Frangello-Anderson noted that Commissioner Tyson handed a copy of his letter to her and a copy to Ms. Price Cargill.

Commissioner Gengler commented that it appeared that Commissioner Tyson signed the letter as a commissioner of position #5. Commissioner Tyson stated that he did write the letter as a commissioner.

Commissioner Gengler asked President Frangello-Anderson if a copy of this letter could be sent to the attorney to keep him up-to-date should anything arise.

Commissioner Neuffer asked if the request in the letter's final paragraph for a copy of the last audit was directed to Ms. Price Cargill or the State Auditor's Office. Commissioner Tyson verbally corrected a typo in the letter to clarify that the request was made to the State Auditor's Office.

Commissioner Zaputil updated the Board about that Legislative Substitute House Bill 1456 and Substitute Senate Bill 5138 have each passed their respective chambers and are making their way through to the floor of the other chamber. She also attended the Finance Committee Meeting and reminded everyone that the Egg Hunt event at the pool is March 18<sup>th</sup>. She also thanked Lolli and Pops for donating the first-place prize basket.

President Frangello-Anderson reported that she attended the Marketing Meeting and was excited to see so much staff involvement.

b. Executive Director

Ms. Price Cargill stated the Ad-Hoc Hiring Committee has hired Michelle Simpson as the Aquatics Manager and she will begin working on Wednesday March 15th. Ms. Simpson is highly qualified and the committee feels she is an excellent choice for the pool.

The representative from WCIA has been scheduled to perform their annual audit on April 21, 2017. Ms. Price Cargill requested this year's audit focus of the facility and primarily on potential safety hazards.

Ms. Price Cargill has been updating the information in Rec1 to transition to the 3.0 version. She is also training the staff on this new version and progress is being made.

The update on the Tukwila School District Interlocal Agreement is that Ms. Price Cargill confirmed that the pool district's attorney information was forwarded to TSD's attorney. She asked the TSD if their attorney was informed of the urgency of this matter, but had not received a response. She wanted to note for the record that the present agreement with the TSD was put in place by the former Board of Commissioners prior to her current tenure as Executive Director.

Commissioner Zaputil asked about the status of the situation with the school district thinking the pool would be providing lifeguards for the Foster High School swim classes. Ms. Price Cargill spoke to Alfonso Melton at the school district and learned that while he previously believed that the pool had offered to provide lifeguards, he had been corrected on this. Ms. Price Cargill also provided him with the draft agreement she developed as a result of their conversations so that he could review pool's understanding of their negotiations and perhaps provide it to the TSD attorney.

Commissioner Neuffer asked if there is a time frame for getting this agreement finalized and Ms. Price Cargill stated that the negotiations had been turned over to the respective attorneys.

Commissioner Zaputil said that somehow the urgency of this agreement needs to be pressed upon the school district, perhaps daily, if necessary.

Commissioner Gengler stated that there is a school board Meeting at Tukwila Elementary tomorrow. The school board Meetings are the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month.

Commissioner Tyson commented that this agreement is competing with other priorities within the school district.

Commissioner Neuffer feels that a Special Meeting may be needed to expedite signatures once an agreement is reached. Ms. Price Cargill acknowledged the board's wishes on this and agrees with them.

Commissioner Neuffer expressed that she is very uncomfortable with how long this process is taking.

Commissioner Gengler stated that school district is in the process of creating course catalogs for next year and feels it would be a good idea to let the school board know the importance of getting this completed. She agrees with Commissioner Zaputil that more pressure needs to be applied to get this resolved quickly for all involved.

Commissioner Neuffer will be at the school board meeting tomorrow night; however, she will be speaking on another matter. She will attempt to speak to someone on the board either before or after the meeting.

Ms. Price Cargill feels the attorneys have to be told that this agreement is of maximum importance, but that word has to come down from the people they work for, not from this board.

Commissioner Zaputil stated that as a commissioner, she would like to give direction to the Board's attorney that this is high priority, so anything he can do to communicate that point to the other legal counsel would be beneficial to all involved.

President Frangello-Anderson inquired if the Boards' attorney has contacted the TSD's attorney. Ms. Price Cargill said that the TPMPD attorney had not been provided with the TSD attorney's contact information at this time. However, the School District attorney does have the pool attorney's contact information.

Commissioner Gengler stated that the attorney for the school board is public information, so a records request can be done if needed. She feels the head of HR, Dr. Rick Maloney, for the school district would give the information necessary to contact the School district's attorney. Ms. Price Cargill agreed to make that request; and noted that she was told that Dr. Berry is the person who worked directly with the attorney.

Commissioner Gengler thinks that Dr. Maloney may be more accessible.

Ms. Price Cargill update on Human Resources is that there are two new hires for the front desk attendants, one started today, one starts tomorrow, both have been trained. Also, the last thing in her report is the Exposure Control Plan and Policy item. A revised policy has been developed and will appear on the April agenda.

Commissioner Zaputil was pleased that the assistant managers will be getting their AFO or CPO certifications, and noted that WCIA will reimburse the pool for one of those courses. Looking at the notes from patrons, there seems to be lots of interest in the pool. It was nice getting kudos for improvements to the pool; however, she is also concerned about the negative comment. Ms. Price Cargill could not confirm the source or specific issue they were referring to, but noted that the comment was an exact replica of a verbal comment made by a former staff member.

c. Pool Operations

Ms. Price Cargill reported that Mike from Ironclad come out to survey the work needed for the bathroom flooring and he feels it is going to be a quick and easy job. They have already cleared the areas on the deck that were blocking the drainage.

President Frangello-Anderson asked if an estimate had been received for the flooring in the bathroom. Ms. Price Cargill responded that it will be sent to her shortly.

Ms. Price Cargill provided updates on the status of Accounts Receivable which were that WhiteWater ORCAS Aquatic Club had sent in a check for \$5,000. Also the response from the invoice to Washington Kayak Club was that they wanted to pay the outstanding balance and pay a year in advance. She is still pursuing the proper person in charge of the account balance for Kennedy High School balance.

Commissioner Gengler asked that if the number of swim lessons are being reduced, will that trigger a reduction in staffing as well? Ms. Price Cargill stated that the reduction in lessons is only temporary and as new staff are coming on board, new lessons will be offered.

President Frangello-Anderson asked for clarification in regards to swim lessons and losing a member of staff. How are they connected? Ms. Price Cargill said that person who left was one of the swim instructors and that person's departure meant fewer people were available to teach.

Commissioner Gengler is excited about Aquarobics adding a second deep water class and wondered if it is getting more customers? Ms. Price Cargill stated that the decision to add another deep water class was based on the idea that it gets a better turn out than the shallow water class.

d. Financial

Ms. Price Cargill stated that the bookkeeper was able to get the \$150,000 reconciliation off the books because it did not exist. There is a correction to the final paragraph of the report, it should read "weekly distribution of accounts payable invoices", not "accounts receivable". The State Department of Revenue contacted the pool concerning the lack of payment on the B&O taxes. An email was written

back explaining that the law states that pool does not pay B&O taxes because less than 50% of annual revenue comes from enterprise sales. Their response was that they do not have this information in their records. Ms. Price Cargill submitted a request for the state to review the district's exemption status.

Commissioner Zaputil noted that on the January tax return on page 56, it said 499 tax exempt non-enterprise pool and lesson activity was the status the City had which was inherited by the pool district.

Ms. Price Cargill feels this is a miscommunication within the state tax office and that the request to provide a ruling should clear things up.

Commissioner Tyson asked if the pool is collecting sales tax from the patrons? Commissioner Zaputil clarified that this was to do with B&O taxes, not sales taxes.

Ms. Price Cargill noted the error which created an L&I overpayment in employment taxes was done by Paychex and that she would work with them to help them clear it up.

Commissioner Gengler asked if Paychex was offering any reimbursement for errors made by them. Ms. Price Cargill stated that now that the Aquatics Manager has been hired, Ms. Price Cargill will have time to look into this matter.

President Frangello-Anderson wanted to clarify on weekly distribution of the accounts payable to confirm if they are being sent to the Board on Fridays or Mondays. Ms. Price Cargill said they are sent to the Board on Fridays and then to King County on Mondays.

e. TPAC Report

Aaron Shipman reported this month's discussion was centered around signage. Things like getting a variance from the City about what time we could turn on the sign, looking into preventing vandalism, lighting behind the sign and consideration of putting the sign on the side of the building to prevent vandalism and reduce of cost of sign installation. The other main topic was about the mural and Jacque Carrol spoke with 4Culture about grant options for that project. She was told the best way to do that would be to get an artist and have the artist apply for the grant.

Ms. Price Cargill said she spoke with the Beth, the Girl Scout who bought this idea to the Board and she stated that what she has been approved to do for her project does not involve hiring an artist to do the work, so that route does not seem to be available as an option.

Mr. Shipman stated the TPAC was looking for placement of the mural and will bring the concepts to the Board for primary and final approval. He feels the cost of the mural could be as much as \$15,000 or more.

Commissioner Gengler wanted to ensure that everyone is aware that the \$15,000 budget amount for the monument sign does not include the Girl Scout mural. Mr. Shipman said he understood that and that was the reason grant opportunities were being pursued.

Mr. Shipman said the committee also discussed programming, marketing and talked about the brochure. There was more discussion about the brochure in the marketing meeting and putting things together for the summer session. This would be a good opportunity to promote swim lessons and lifeguarding programs.

Ms. Price Cargill noted that the monthly Tukwila Reporter column highlighted Kay Mulliner, one of the volunteers at the pool.

Commissioner Zaputil thanked TPAC for all the work they do for the pool and the community.

## **BUSINESS ITEMS**

### **a. Scheduling the BOC Retreat**

President Frangello-Anderson said she heard back from two commissioners approving of April 29<sup>th</sup> to hold the retreat. However, finding a place to have the retreat may prove difficult. The dates that on the list were April 29<sup>th</sup>, May 13<sup>th</sup> or June 10<sup>th</sup>.

Commissioner Zaputil suggested that they look into using Valley View for the retreat.

Commissioner Gengler said April 29<sup>th</sup> is fine with her.

Commissioner Tyson suggests the Board asked the school district about using their conference room.

President Frangello-Anderson agrees that April 29<sup>th</sup> would be the day of the retreat.

Commissioner Zaputil appreciates Commissioner Tyson suggestion; however, she and Ms. Price Cargill were part of a conversation with the School District and were told that the conference room was being temporarily repurposed as a base of operations for the new construction projects and would not be available.

Ms. Price Cargill said that they could submit a request to use Showalter Library which has been used before.

Commissioner Gengler will look to see if that is booked and let people know.

Ms. Price Cargill said she could get an answer tomorrow if the space at Valley View is available, but the school district will take more time.

President Frangello-Anderson asks the commissioners to email any items they would like to see on the agenda for the retreat to her.

### **EXECUTIVE SESSION**

TPMPD Board of Commissioners will recess into Executive Session per RCW 42.30.110(g) to discuss the performance of a public employee. President Frangello-Anderson called for the Executive Session at 6:51p.m. for 30 minutes to return at 7:21 p.m. The Executive Session was extended by another 20 minutes and again for an additional 5 minutes. President Frangello-Anderson called the meeting back to order at 7:47 p.m.

**MOVED BY COMMISSIONER ZAPUTIL TO INCREASE THE EXECUTIVE DIRECTOR'S SALARY FROM STEP A OF THE TPMPD SALARY & WAGE SCHEDULE TO STEP B, SECONDED BY COMMISSIONER GENGLER. MOTION CARRIED (3-2) WITH COMMISSIONER TYSON AND PRESIDENT FRANGELLO-ANDERSON VOTING "NAY".**

### **MISCELLANEOUS**

There were no miscellaneous items.

### **ADJOURNMENT**

**MOVED BY COMMISSIONER GENGLER, SECONDED BY COMMISSIONER TYSON, TO ADJOURN THE MEETING AT 7:48 P.M. MOTION CARRIED (5-0).**

A handwritten signature in black ink, appearing to read 'W. A. Neuffer', written over a horizontal line.

Commissioner Neuffer, Clerk of the Board of Commissioners