

VASHON PARK DISTRICT BOARD OF COMMISSIONERS

MEETING MINUTES

Teleconference, 7:00 pm
DATE: Tuesday, May 12, 2020

Commissioners attending: Hans Van Dusen, Bob McMahon, Doug Ostrom, Karen Gardner, Abby Antonelis.
 Staff attending: Elaine Ott-Rocheford

ISSUE	DISCUSSION AND OUTCOME	FOLLOW UP
Call To Order	Hans called the meeting to order at 7:00 p.m. and reviewed the agenda.	
4.28.20 Minutes; 4.25.20 – 5.8.20 Preliminary Vouchers	Bob: Motion to accept. Abby: Second Pass 5-0	Motion to accept 4.28.20 Minutes; 4.25.20 – 5.8.20 Preliminary Vouchers Pass 5-0
COVID-19 –related Issues 1) VPD Re- opening 2) Randy’s Pool Proposal 3) Picnics in the Park	<p>Elaine: VPD re-opening – the most recent Inslee press conference discussed four phases for opening the economy. We are currently in Phase 1. Phase 2 is estimated to be June 1 where groups of five or less can gather, including office environments. I envision Eric, Sue, Marshall coming back at that time with the odd maintenance guy coming and going. Since we still cannot reinstate any sport or recreation activities, Sue will remain very PT still while Marshall just works on office projects (like scanning documents from the very cluttered storage room). June 22 will be Phase 3 where groups of 50 can gather. This is where we can reinstate public meetings and resume many sport and recreational activities. Robin is contacting renters to learn of their plans to be COVID compliant. Sailing camp is cancelled. Many folks are saying they will not come back. Baseball is cancelled. Big question is Concerts in the Park. We are trying to be creative about how we might manage that. Abby: What is the lead time Vashon Events would need for scheduling? Elaine: We are actually looking at doing local talent this year. We won’t need as much lead time. If something has to be cancelled, it won’t be as complicated. It gives the local folks something to look forward to. Elaine: Randy’s Pool proposal – while phase 3 allows pool opening, the industry is hesitant, as evidenced by Randy’s research. He is still proposing lap swim only and by reservation. The lifeguard issue is still a concern, as he can’t hire or get folks certified. Open swim likely will not happen. In a recent poll of the Tri County Director’s group, 29% said they would likely open public pools, 52%</p>	

	<p>were moderately, and 19% were unlikely to open pools.</p> <p>Bob: I think Randy’s plan makes a lot of sense. The real danger is coming and going through the locker room. I don’t think the open air pool will be as bad.</p> <p>Elaine: Metro Parks Tacoma shared their plan, which will be similar to ours: Phased in programming based on demand -- Lap swim, small Water Fitness classes, upper-level swim lessons, and very limited Rec Swims. By reservation only. No locker room use. Lots of regular sanitizing.</p> <p>Doug: Is there a provision for wearing masks around the pool? And where are things regarding the bubble?</p> <p>Elaine: The front desk people will be wearing masks. The industry has not decided if lifeguards should wear a mask in the stand. The critical issue with lifeguards is any life-saving concern. If it’s Randy and Madi for the most part, they can manage pretty well. There will be nobody on the deck – just swimmers in the water. I would think as people are coming and going, they will have to wear masks.</p> <p>Doug: That is part of the regulation, isn’t it?</p> <p>Elaine: Yes, public spaces starting the 18th. We will incorporate that in appropriately. We will have guidance from Inslee’s Outdoor Recreation advisor when the time comes. And the bubble is still up – can’t be taken down until phase 3, because we need minimum 12 volunteers. We have communicated that with the fire marshall, and he is fine with that.</p> <p>Bob: That will be interesting to take it down with social distancing. It will have to be choreographed.</p> <p>Elaine: I would think with masks and gloves, we can manage it.</p> <p>Elaine: Picnics in the Park – Not going to happen in the same way as years past. VISD’s morning food distribution stops 6/19. They have been doing 400 meals per day. Food Bank wants to pick up where they left off starting 6/22 (through 8/28). They hope to hit the same major distribution points as VISD, but do it at lunch time: Burton Mercantile, North ferry parking lot, Lisabeula church, Gold Beach bus stop, and they were hoping Ober, but I suggested VES to avoid the onslaught of vehicles coming and going at Ober in our parking lot.</p> <p>Abby: Having it at VES is a really good idea.</p>	
<p>Staff Reports</p>	<p><u>Tramp Harbor Dock</u></p> <p>Elaine: I spoke with our attorney last week. Remember, she wished to review the sediment sampling report in full before offering her opinion about any concerns. She stated that she does not have concerns based on the location of the samples. That said, they only did surface testing down to 10 cm. Erosion can still occur that exposes pockets, but that is unlikely. Sheen worried her, but DNR has indicated there is a dissipation standard that is expected and allowable.</p> <p>Abby: Existing sheen?</p> <p>Elaine: No, what gets stirred up from construction. We are going to get sheen, but there are no action requirements other than what comes from booming during construction, but that is typical. We could still be liable to MOTKA, as that trumps the lease, but odds are slim we would be tagged. The DOE has seen the report and indicated no concerns. That said, it is still possible.</p> <p>She feels the contractor Best Management Practices during construction are straightforward.</p> <p>Regarding insurance, a big concession was putting the Pollution Liability Insurance on the contractor, which is common. We must still have General Liability Insurance (which we have) and Property</p>	

Insurance, which should not be a problem on a new or improved structure. Our attorney cautioned that any insurance would not insure unknowns, such as pockets of contamination not found in the sediment sampling, but she feels that is not a viable risk.

Our attorney requested a change to a section that would require us to remove the dock within the timeframe recommended by a Structural Assessment report like the one we had done in 2015 or within 11 years of the lease date, whichever date comes first. The 2015 assessment stated a number of pilings should be replaced immediately. DNR agreed to add a provision to require we keep the pier closed to public access until the pier is replaced. I believe they might be removing the 11 year requirement, but that was not clear.

There were a few changes in the draft that DNR's attorney agreed to that DNR still needs to approve, but we believe they will be approved and are pretty straightforward.

All-in-all, our attorney feels the lease looks solid. DNR made the appropriate deviations from their standard lease we asked for; they are being good landlords.

Next steps:

- Obtain the new draft lease from DNR once the changes are all completed. I will forward to you for your review.
- Forward to our insurance for their blessing
- Decide if we want to sign it (there is still some risk – full liability on us and some potential MOTKA)
- If we do sign it:
 - Funding
 - Design – shorten the dock or obtain tribe permission

Abby: That is the part I am most curious about. If we have a shortened dock, it doesn't seem we should move forward with this. When in this process do we reach out to the tribe? I remember from a prior Board meeting that the State was mandating that the geoduck bed not be covered?

Elaine: The state is mandating that, because the tribe is mandating. I don't know if it's a two part process. When we met with DNR, I was led to believe that if the tribe agrees, DNR would agree, as well. But back to your question about when in the process, we would approach the tribe, first we need to make sure we are good with insurance, then based on liability and risk, we decide whether or not to sign the lease. If we make the decision to sign the lease, but without doing it yet, that is when we would approach the tribe.

Abby: That makes sense.

Karen: DNR has been much more positive than when we first started this.

Elaine: I agree! I think the right move was getting an experienced attorney who can navigate this.

Hans: And there is no payment associated with the lease?

Elaine: No, it is rent free. I will forward the draft to you once it is presented.

Hans: How long will the lease last?

Elaine: 12 years.

Doug: If we think the lease is okay, and we sign it, the dock would not be opened, correct?

Elaine: Yes, that is a major issue. We must keep the dock closed until we replace it or pile wrap it.

Hans: And that will be a stipulation in the lease?

Elaine: Yes.

Doug: And then we would have to resolve the geoduck issue.

Local Taxing District

Elaine: I received word that Library cancelled their August ballot measure. So now it depends upon HD for determining our fate.

Abby: Did you see that Neighborcare pulled out? What’s up with that? They are not renewing their lease.

Doug: Community care centers are in deep trouble, since people aren’t going to doctors. I’m sure this will affect any group the HD will want to hire. Whatever they were asking for a few months ago, they will be asking for more now.

Karen: That was my interpretation, as well.

Elaine: They are still months away from deciding on their rate, but they are aware of both ballot measures having been cancelled. If they take 45 cents, we are fine with 11 cents to spare. If they take 75 cents, we are hit 18 cents, which translates to \$600k. We don’t have months to wait until they make a decision, so are we in agreement that we forge ahead with the state bill? You already approved the bill, but it is my sense we get this in the hopper and get the lobbyist working on it.

Karen: Yes

Hans: Sounds great. It is a House Bill. What is your sense on the Senate side? It was pretty much a non-response last time.

Elaine: He has been pretty quiet. My sense is that if Fitzgibbon and Cody get behind it and promote it, he will get behind it, as well. We need to get ahead of this in 2021, because we will be hit full on in 2022. We can’t waste time.

Agren Field Repair

Elaine: The repair has been completed. Next steps are construction fencing to stay in place until the field is reestablished. Jason is researching gates, but so far the vendors have been closed. Rotary has offered to potentially pay through a grant I will apply for – only \$1,000 or so.

Ober Playground

Elaine: getting close. I sent out the playground options today, but it bounced back – too large. There are five options. Hopefully, the exercise equipment will be soon. I will send all to the Board, as well.

**Adjourn
7:30 pm**

Doug: Motion to Adjourn
Bob: Second
Pass 5-0

Minutes by: Elaine Ott-Rocheford