

Board of Park Commissioners
Retreat Minutes
December 13, 2007
Annual Retreat

Board of Park Commissioners:

Present:

Neal Adams
John Barber
Terry Holme
Donna Kostka
Christine Larsen
Jackie Ramels
Amit Ranade, Chair

Seattle Parks and Recreation Staff:

Tim Gallagher, Superintendent
Christopher Williams, Deputy Superintendent
Sandy Brooks, Coordinator
Susan Golub, Strategic Advisor

Facilitator:

Norma Straw, Facilitator, MacDonald, Boyd & Associates

Other City Staff:

Wayne Barnett, Executive Director, Ethics and Elections Commissioner
Gary Smith, Assistant City Attorney, City Attorney's Office

The Board of Park Commissioners held its annual retreat on Thursday, December 13, from 2:00-8:00 pm at Miller Community Center. Norma Straw of MacDonald Boyd & Associates helped plan the retreat and facilitated.

Objectives of the retreat were listed on the agenda as:

- Develop common intent and operating values for the Board of Park Commissioners
- Clarify the roles and responsibilities of Commissioners
- Build understanding of common processes and expectations
- Establish foundational elements of effective meetings and communication
- Get to know fellow Commissioners

Welcome and Introductions

Commissioner Ranade called the meeting to order at 2:00 pm. Commissioners Adams and Barber worked with Ms. Straw and Parks staff to develop the retreat agenda. The Department and the Board have undergone many recent changes: Superintendent Gallagher was confirmed by City Council in early December and soon after appointed

Christopher Williams as his Deputy Superintendent, and four of the seven Commissioners have been on the Board less than a year.

Commissioner Adams believes the agenda addresses various issues the Board has discussed this year. Commissioner Barber reflected that this is a fairly new Board. The agenda was developed to help members determine how to best become an effective group with a true voice in Seattle Parks Department's decision-making processes.

Commissioners, the consultant, and staff spent the next 30 minutes or so telling about their background and what drew them to public service with Seattle Parks Department. Ms. Straw took notes during this discussion and listed the various responses. (See attached.)

Superintendent Gallagher's Remarks

- Superintendent Gallagher has been scheduling one-to-one meetings with each Commissioner. He feels it is important to get to know each member on an individual basis.
- Although this is an advisory board, he sees it as having quite a bit of authority.
- The Commissioners all have a passion for Seattle's parks and that passion makes it easy to work with the Board.
- He sees the Board as the Department's ambassador to the community. Commissioners are "always on the job" and they encourage citizen participation in the Department's processes.
- He would like to have unanimous or near unanimous votes of approval from the Board for projects/issues the Board is asked to vote on. If the Board has a close or split vote, the discussion can be tabled while the Department goes back and asks more questions, re-thinks the proposal, and tries to resolve the issue. The Department will not move the project ahead while the Board holds further discussions. He really wants to hear the Board's feedback and whether it believes the Department is taking the correct or incorrect approach. Commissioners also have the opportunity to call or e-mail him or Deputy Superintendent when they have concerns about a project.
- Staff will give the Commissioners earlier "heads up" on projects coming before the Board. The Department will not bring issues to the Park Board and ask for a recommendation two weeks later just because the Department needs to move the project ahead.
- If Commissioners hear concerns from community members about the Department's operational issues, Commissioners should contact Superintendent Gallagher or Deputy Superintendent Williams by e-mail or telephone.

Commissioner comments:

- Hopes Superintendent is always clear that the Board is advisory; sometimes Boards forget this.

Action Items:

- *Staff will schedule one-to-one meetings with Superintendent Gallagher and the two Commissioners who have not yet met with him (Commissioners Kostka and Ranade.)*

Ethics and the Board

Wayne Barnett, Executive Director of the City's Ethics and Elections Commission, next updated the Commissioners on the City's Ethics Policy, as it relates to Boards and Commissions. The most important thing to remember is that he welcomes ethics questions from the Commissioners. His e-mail is wayne.barnett@seattle.gov and phone is 684-8577.

Mr. Barnett stated the best policy is transparency. If a Board member has a financial interest in a project that comes to the Board for a vote, they should recuse themselves from both the discussion and the vote. If a Board member has a past relationship with a project/proposal that comes before the Board for a vote [but has no financial or other interest] they should disclose that information to the Ethics Commission and to the Park Board by filling out a

disclosure form. Once the relationship is disclosed, the Commissioner does not have to recuse themselves from the discussion and vote. The form goes on file in the Park Board's file at the Ethics Commission. Disclosure forms are only filed when Commissioners are asked to vote on an issue. Commissioner Holme stated that when he became a Commissioner, he resigned from his previous sports affiliations.

Park Board members can testify to City Council on issues, but should not use their role as a Commissioner to try to sway the Council. If it is widely known that they are a Commissioner, they should identify themselves as such and state that they are testifying as a private citizen and are not speaking for the Board. During Park Board meetings, Commissioners should be at the table as a Commissioner and not as an individual arguing a position because Seattle Parks could show more deference to their opinion because of their role as a Commissioner. Commissioners were also cautioned about assisting others who come before the Board. Any assistance should only consist of sharing information. Commissioner Ramels has a personal affiliation with a school that has an indirect impact from one of the Department's proposals. Can she assist the school in any way? Mr. Barnett answered that she can only share general information that is available to anyone.

Commissioner Larsen reported that she was working as a private citizen to lead an outdoor pool initiative when she became a Park Board member. The proposal came before City Council soon after. She came to the Board and asked for its support of the initiative. The Board asked her to testify as a private citizen as it had not had previous information on the proposal. How best can new initiatives come before the Board? Commissioner Barber reported that he had testified before City Council as a private citizen on an issue the previous Park Board had voted on. He wondered if current Commissioners are required to support the votes of previous Park Boards. Mr. Barnett stated that this is an internal decision that the Park Board must make.

The Commissioners thanked Mr. Barnett for attending the retreat and reviewing the ethical guidelines.

Open Public Meetings Act

Gary Smith, Assistant City Attorney, next presented information on the Open Public Meetings Act (RCW 42.30.) [http://apps.leg.wa.gov/RCW/default.aspx?cite=42.30.](http://apps.leg.wa.gov/RCW/default.aspx?cite=42.30)

Although the Board of Park Commissioners is an advisory body, it was created by City Council legislation and thereby abides by the Public Meetings Act.

- When is the Board in "meeting"?: Generally, the Board is not in meeting unless a majority of the governing body participates. So, less than a majority of the members can discuss agency business by exchanging e-mails, having phone conversations, or in person and they would not be conducting a "meeting" and would not be subject to the Open Public Meetings Act.
- Committees: A committee of the Board that includes less than a majority of the total Board members may be subject to the OPMA if the committee acts on behalf of the board. A committee acts on behalf of the Board when it conducts hearings, takes public testimony or comment, or has actual or de facto decision-making authority. So, if the board designated three Board members to perform a site selection process and then decide upon a park location, those three members are probably subject to the OPMA.
- "Rolling majority" or "walking majority": Board members must be careful that they do not form what is called a "rolling majority" or "walking majority" where a collective decision is made without a majority participating at one time. For example, if one Board member has an e-mail exchange with two others about agency business, and then forwards that e-mail exchange to another two Board members, there may be an OPMA issue. Another example would be an individual Board member calling other Board members in order to reach a decision on an issue without a public vote.
- Essentially, Board members should be careful about any action deliberately designed to result in a collective decision by a majority of the members while avoiding a meeting where a quorum is present.

In addition, the Board's public records are subject to the OPMA. Mr. Smith suggested that each Commissioner set up an individual e-mail account for their Park Board correspondence, rather than having it mixed in with their personal e-mails, thereby making all their electronic correspondence subject to a public disclosure request.

The Board may, on occasion, hold special meetings. When it does so, it must provide a 24-hour notice to its media list, provide an agenda, and may take no action that isn't listed on the agenda. In addition, the Board can call an executive session if it is considering real estate transactions or discussing a matter with its attorney.

No secret ballots may be cast when the Board is voting. Any actions the Board takes which violate the OPMA are null and void and must be re-opened and discussed. There is a \$100 fine for each violation. In addition, if the Board is challenged in court and the plaintiff prevails, the plaintiff's court costs must also be paid.

Mr. Smith urged the Board to err on the side of openness. Members should communicate with each other about Board business in regular open meetings and communicate with each other outside the meetings about non-Board business.

Commissioners asked about the work of subcommittees and Mr. Smith answered that two-person committees, whether formal or informal, can be subject to the OPMA. Commissioners commented that it is difficult, at best, for the Board's committees to meet and do its work in advertised public meetings.

In addition, Parks staff members sometimes schedule a "sector" tour for Commissioners that include brief stops at a variety of parks and facilities. Are these tours considered a public meeting? Mr. Smith answered yes. Board members agreed that 24-hour notice of the tour will be sent to the media list and the public is welcome to attend; however, they must provide their own transportation. No business decisions should be made on the tours. Superintendent Gallagher believes the Board should follow the intent of the Open Public Meetings Act. Staff will work to set up a workshop to help Commissioners better understand how the Board can carry out its work, while still abiding by OPMA.

Action Item:

- *Staff will schedule a workshop to better understand how the Board effectively operates under the Open Public Meetings Act.*

What Does It Mean to be an Advisory Body?

Commissioners spent the majority of the retreat discussing how they see their role as a Board of Park Commissioner and how the Board most effectively utilizes the public meetings. The first portion focused on the question of what it means to be an advisory body.

Ms. Straw noted the following themes during this discussion:

- The Board serves as a connector from the public to the Department
- As advisors, Board members are required to be informed and must go out of our way to get all the information
- Bring good ideas to the table
- We are here to look out for the whole – not pet projects
- Should have an opportunity to be involved in the Department's mission/vision
- We bring individual professional and volunteer experiences to the table
- We are proponents and boosters for Parks – its "Ambassadors"

Commissioners agreed that most members bring their own interests with them when they join the Board. Commissioner Holme commented that these varied interests are of great benefit to the group and to the Department. He is not on the Board to put out fires or to battle the system – there will always be some public criticism of the Parks Department. Rather, he is on the Board as a booster and proponents of parks. Commissioner Adams referred to the Superintendent's comment that the Board is the Park Department's ambassadors and he believes the

Commissioners are responsible to look at the overall good of the parks system and not there to bring pet projects forward. Commissioner Ramels agreed with this. Commissioner Larsen commented that she hopes other Commissioners have good faith in the members who do have more specific interests.

Commissioner Barber commented that he brings his values and experiences to the Board. Those values have focused on building community and building a sense of neighborhood. He is an avid user of the park system and that has helped develop his perspective as a Board member.

Commissioner Adams stated that he has been on a number of boards, most of them advisory. His experience has been that these board's recommendations were mostly ignored by the director. He believes that at Parks there is a good chance that the Board's advice is heard and taken seriously by the staff and Superintendent. Commissioner Ranade commented that although the Board is advisory, the public's perception is that it is a conduit to the Parks Department.

Commissioner Barber stated that the Board should make sure it is asking the right questions and oversee the Parks Department. Commissioner Ramels asked if overseeing the Department is the correct role for the Board. Superintendent Gallagher noted that there is a fine line between oversight and being demanding. The Board should not look at itself as a watchdog for the Department. His goal is that problems are brought before the Board, and then the Board and Department will work together for a solution.

Commissioner Holme commented that the Board is a first line of communication to the Department. The Board must look at the park system as a whole, take the city in perspective, be well versed in parks issues, and make judgments on a citywide basis. If it doesn't do this, it will fail in its role.

Ms. Straw strongly agreed with Commissioner Holmes – it is very important and significant that the Board has an executive-level view of issues before it. The Board must look out for the wholeness of the park system all the time.

The Board provides seven extra sets of eyes and perspectives to the Superintendent. Ms. Straw noted that the Board can be the Superintendent's best advisors. And, as his advisors, the Board wants to hear all the perspectives and have ongoing communication with him.

Developing the Board's Agendas

Discussion next moved to determining what types of issues on which the Board will advise the Superintendent. The Superintendent stated that this is a big question. Is it only the topics the Superintendent brings to the Board? Only those 45 or so issues that are going before City Council? Only controversial issues? The Board agreed that this is a good question.

Ms. Straw noted the following themes in the discussion:

- The Board is a first line of public process for the Department
- It helps City Council and others with its decisions
- Brings a wider view
- What do we advise on?
- How do we get issues on the agenda?
- What drives the agenda?
- How do we check in on the master plans?
- How do we entertain/hear new ideas?
- Ask the right questions to assure continual improvement.

Previously, the Board felt it had limited input as to what briefings and public hearings were brought to it. Superintendent Gallagher stated that the most effective way for the Board to be useful to him is to give it complete information and have it help select the agenda. He does not want to just bring forth Department issues that he feels the Board will agree with.

The Department will not bring previously-unheard-of projects to the Board and then ask it to make a recommendation two weeks later. Instead, the Board will have earlier and regular information on projects as they are being developed. Deputy Superintendent Williams commented that the Mayor and City Council frequently ask if the Board has been briefed on parks issues. The Park Board is an important conduit to the public for the Department, Mayor, and City Council.

Commissioner Larsen asked the Superintendent about his vision for the Board and how it will move forward. Superintendent Gallagher answered that he views the Board as a link to the public that will help guide the Department's decisions. It is important that he get the Board's input on a variety of issues.

Tonight's discussion focused on what types of issues the Board wants to review. Actual agenda items cannot be set tonight, but will be worked on jointly by Parks staff and the Board, both in regular meetings and the monthly planning meeting so that Commissioners make the most effective use of the meetings. Commissioners would like to have the following topics brought to them.

- Strategic Action Plan (Superintendent Gallagher stated that once this plan is developed and adopted, it will supersede the Department's other plan.) Commissioners want opportunities to comment on and help develop the plan.
- Controversial issues
- New issues that arise from the Board's communications with the public. These may come from several sources: Oral Communications at the Board's meetings, written testimony, or conversations with the public out in the communities.
- Status reports (i.e., master plans)
- Review the remaining Pro Parks Levy projects to determine which should come to the Board
- New projects
- Calendar of major maintenance work
- Opportunities (how do we engage Friends of groups and others?)
- Refresher briefing when staff bring ongoing, big projects before the Board (Magnuson Park, Discovery Park, etc.)
- Neighborhood Matching Fund projects that might become controversial
- Education (on specific parks, parks issues)
- Revisit controversial issues if needed and if new information arises.
- Stronger relationship with Seattle Public Schools
- New sources for park land: reservoir lids, highway lids, rent space
- Committee reports
- New values of Board (e.g., several Board members were strong proponents of permeable surfaces in parks and this became a value of the entire Board)
- Board weigh in on neighborhood planning update that has park-related elements
- Annual review of ARC, Seattle Parks Foundation, Woodland Park Zoo

Ms. Straw reviewed what the Board agreed to during this discussion:

- Staff will develop a draft matrix of agenda items from tonight's discussion. The matrix will also include dates of previous briefings on the same subject.
- Staff will also develop an issues log of items the Board has addressed and wants more information on
- Over the next three months, Commissioners will use 30 minutes or so of each meeting to discuss and determine a framework for how it best works together.
- The Chair and Vice-Chair will meet monthly with the Superintendent, Deputy Superintendent, and other Parks staff to help set agenda items.
- A new and regular topic will be added to New/Old Business "Agenda Items for Consideration", with all Commissioners having input for future agenda items. This will be the venue where Commissioners would introduce new proposals and discuss with each other and the Department.
- When Commissioners learn about a maintenance/operations problem from the community, they will notify the Superintendent or Deputy Superintendent directly.
- Board members will consider attending park-related conferences and workshops.

General Board Operations

Meeting Time: The Board had earlier voiced interest in changing its meeting hours from the current 6:00-8:00 pm to 7:00-9:00 pm. Commissioners agreed to this change, to be effective with the January 10, 2008, meeting. Staff will notify the public.

Monthly Planning Meetings: Previously the Chair has met with the Superintendent, Deputy Superintendent, Strategic Advisor, and Coordinator to review upcoming agendas. In 2008, the Vice-chair will join these meetings.

Election of Chair and Vice-chair: The Board does not have a policy for electing its chair and vice-chair.

Commissioners briefly discussed whether to have a nominating committee to bring names forth or to have nominations from the floor on the night of elections. **Commissioner Larsen moved that the Board use a process to determine the chair and vice chair of nominating from the floor and voting without committee.**

Commissioner Barber seconded. Commissioner Adams asked that the Board table this until its January 24 meeting. He volunteered to be the lead in the process and will meet with Parks staff to develop options.

Commissioner Larsen requested that the process be developed and approved in the near future.

Chair: It was suggested that the role of chair rotate from member to member, and no member would serve as chair for more than one term. **Commissioner Holme moved that the chair be elected for a one-time only, two-year term that runs January 1 of the first year and ends December 31 of the second year. Commissioner Adams seconded. The vote was taken and motion carried unanimously.**

Commissioner Ranade has served as chair during 2007. **Commissioner Larsen moved that Commissioner Ranade continue serving as chair through 2008 while the Board develops a process for electing its chair. Commissioner Holme seconded. The vote was taken and motion carried unanimously.**

Vice-chair: **Neal moved that Commissioner Ramels continue as vice-chair until the Board has approved a process for electing its vice-chair. Commissioner Holme seconded. The vote was taken and motion carried with Commissioner Ramels abstaining.**

Briefing paper template: Ms. Golub recently updated the briefing paper template staff use to prepare written briefings for the Board. She distributed copies for the Board's review.

Addressing One Another in Board Meetings: Commissioners prefer a more informal manner of addressing each other in meetings than by the current "Commissioner Holme, Commissioner Barber" and prefer to call each other by first name. Staff will order new nameplates with first name/last name. The minutes will continue to refer to speakers as Commissioner Holme, Commissioner Barber, etc.

Meeting Minutes: The Board agreed that the minutes of their meetings should continue with the current level of detail.

Logistical Needs: Staff will work on a different layout for the Board room to allow Commissioners to see one another during their discussions.

There being no other business, the retreat adjourned at 8:05 p.m.

APPROVED: _____

Jackie Ramels, Vice-chair
Board of Park Commissioners

DATE _____

What drew you to the Park Board?

- Greenspace preservation
- Walk in the parks every day
- Volunteers in the parks
- Open space advocate
- Environmental & community activist
- Public Service
- Land use & environmental law
- Environmental issues important across city
- Social justice
- Pleasure of volunteering
- Sports coach
- Parks are a source of earliest memories of joy
- Public space
- Outdoor recreation
- Youth activities & programs
- “Big picture” learning experience
- Service: if you can, you should
- Community activism and organizing
- Concern/frustration with local park condition
- Parks are democratic – they offer equal access to all
- Has always been in public service
- Health
- Always been at my best outside
- Runner
- Parks Levy committee
- Loves parks
- It’s about people
- Parks help give young people hope
- Preserve & protect open space access
- Parks touch the lives of every day people
- Cheerleader for staff and citizen volunteers
- Environmental sustainability
- Health & fitness
- Youth
- If you want things done, you must do it yourself
- National Parks Service – community trails
- Habitat preservation
- Seattle’s fabulous parks are a great equalizer
- Obligation to give back