



Peninsula Metropolitan Park District

PO Box 425 – Gig Harbor, WA 98335
253-858-3400 – info@penmetparks.org
www.penmetparks.org

REGULAR MEETING AGENDA

December 07, 2021, 6:00 PM

ZOOM

ATTENTION: Park Board meetings are being held online via Zoom to ensure District business may be conducted in an environment that is safe for Commissioners, staff, and members of the public. Members of the public are encouraged to join the study session and/or regular meeting by using the Meeting ID 884 3838 6194 Password: PenMet1207, or call in at +1 253-215-8782 Password: 9694264639. Meeting agendas can be accessed online at PenMetParks.org.

<https://us02web.zoom.us/j/88438386194?pwd=R1A5VDM1c0xheURFVU1MZXJqMHNKZz09>

Call to Order

Commissioner Roll Call:

	Present	Excused	Comment
Amanda Babich, President			
Kurt Grimmer, Clerk			
Maryellen (Missy) Hill			
Steve Nixon			
Laurel Kingsbury			

ITEM 1 Approval of Agenda

ITEM 2 Citizen Comments

This is the time set aside for the public to provide their comments to the Board on matters related to PenMet Parks. Each person may speak up to three (3) minutes, but only once during the citizen comment period. Anyone who provides public comment must comply with Policy P10-106 providing for the Rules of Decorum for Board Meetings. A copy of the policy is available at www.penmetparks.org

ITEM 3 Presentations

- 3a. Executive Director's Report
- 3b. 20/21 Recreation Scholarship Report
- 3c. President's Report

ITEM 4 Consent Agenda

- 4a. [Approval of Minutes](#)
[11/16/2021 Study Session and Regular Meeting](#)
- 4b. Approval of Vouchers
 - \$24,939.25 Reference Number: 211103001-211103021
 - \$283,832.15 Reference Number: 211105001-211105023
 - \$18,714.74 Reference Number: 211201001-211201004



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4c. Renumbering of Duplicated Resolution Numbers

R2021-023: Resolution to Authorize Interagency Data Sharing Agreement with the Office of the Washington State Auditor Revise Resolution Number to R2021-033

R2021-025: Authorize ED to Sign Agreement for Design Services for SHP Turf Replacement Revise Resolution Number to R2021-034

R2021-026: Adopt Policy P10-106: Rules of Decorum for Board Meetings Revise Resolution Number to R2021-035

ITEM 5 Unfinished Business: None

ITEM 6 New Business

6a. Nominations of Officers for 2022

6b. [R2021-036: Adopt the Community Recreation Center Project Budget and Amended Delivery Method](#)

6c. [R2021-037: Adopt P30-102: Public Records Disclosure Policy](#)

6d. [R2021-038: Adopt Policy P10-101: Board Policy](#)

ITEM 7 Comments by Board

ITEM 8 Next Board Meetings

January 4, 2021, Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Community Recreation Center.

ITEM 9 Adjournment

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

The Board of Park Commissioners encourages the public to attend its Board meetings. All persons who attend Board meetings must comply with Board Policy P10-106 providing for the Rules of Decorum at Board Meetings. This policy is to preserve order and decorum and discourage conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of Board meetings. A copy of the policy is available at www.penmetparks.org.

Community members may provide comment during designated portions of the meeting remotely via Zoom or by phone. To speak during designated portions of the meeting, press the Raise Hand button near the bottom of your zoom window or press *9 on your phone. If using Zoom, your display name should be your first and last name. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in, you may need to press *6 to unmute yourself.



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STUDY SESSION MINUTES

November 16, 2021, 5:00 PM
 ZOOM

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<https://us02web.zoom.us/j/85317404665?pwd=UURsV0lqMklyNlpyUmdOQWFoY2drZz09>

Call to Order: The meeting was called to order by President Babich at 5:00 pm

Commissioners Present:

Amanda Babich, President
 Kurt Grimmer, Clerk
 Maryellen (Missy) Hill (Absent, Excused)
 Steve Nixon
 Laurel Kingsbury

Staff:

Ally Bujacich
 Matthew Kerns
 Louise Tieman
 Stacie Snuffin
 Nicole Jones-Vogel

ITEM 1 Approval of Agenda

Commissioner Kingsbury made a motion to approve the agenda, seconded by Commissioner Nixon. The agenda was approved with a 4-0 vote.

ITEM 2 Board Discussion

2a. P10-101: Board Policy Review

Executive Director Ally Bujacich gave an overview of recommended revisions and additions to the P10-101 Board Policy and Procedures to the Board. Commissioners and Bujacich had discussion.

2b. P30-102: Public Records Disclosure Policy Review

Executive Director Ally Bujacich gave an overview of recommended revisions and additions to the P30-102 Public Records Disclosure Rules Policy to the Board. Commissioners and Bujacich had discussion.

2c. Sehmel Homestead Park (SHP) Conservation Easement

Planning and Special Projects Manager Nicole Jones -Vogel gave an overview of the proposed second amendment to the conservation easement amendment at Sehmel Homestead Park, including the background of the easement and amendment number 1. Jones-Vogel will update the conservation easement documents and bring it back to the Board as a resolution for action in the first quarter of 2022. Commissioners and Jones-Vogel had discussion.



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ITEM 3 **Adjournment:** President Babich adjourned the meeting at 5:51 pm

APPROVED BY THE BOARD ON: _____

President

Clerk

Submitted By: Stacie Snuffin

DRAFT



Peninsula Metropolitan Park District

Item 4a.

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REGULAR MEETING MINUTES

November 16, 2021, 6:00 PM

ZOOM

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<https://us02web.zoom.us/j/85317404665?pwd=UURsV0lqMklyNlpyUmdOQWFoY2drZz09>

Call to Order: The meeting was called to order by President Babich at 6:00 pm

Commissioners Present:

Amanda Babich, President
Kurt Grimmer, Clerk
Maryellen (Missy) Hill
Steve Nixon
Laurel Kingsbury

Staff:

Ally Bujacich
Matthew Kerns
Louise Tieman
Stacie Snuffin
Nicole Jones-Vogel

ITEM 1 Approval of Agenda

Commissioner Kingsbury made a motion to approve the agenda, seconded by Commissioner Nixon. The agenda was approved with a 5-0 vote.

ITEM 2 Citizen Comments

The following citizens provided comment:
Kelly Busey
Peggy Power
Rob Moore

ITEM 3 Presentations

3a. Executive Director's Report

Executive Director Ally Bujacich gave a brief update that a community message will be sent out via email and was posted on social media reminding citizens to keep their dogs on leashes in PenMet Parks when they are not in the off-leash areas. Bujacich reported that due to active weather patterns over the last week, PenMet had experienced some down trees, and maintenance staff has been working on resolving those trees to keep the trails clear.

3b. Monthly Finance Report

Interim HR & Finance Manager Louise Tieman gave the October financial report.

3c. Discuss Requested Easements at Maplewood and Sunrise Beach



Peninsula Metropolitan Park District

Item 4a.

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Planning and Special Projects Manager Nicole Jones-Vogel gave an informational update on requested easements at the Maplewood and Sunrise Beach properties. Jones-Vogel and Commissioners had a discussion. President Babich stated that the CIP Committee would have further discussion and review of the designs and bring it back to the Board at a later date for further discussion.

3d. President's Report: None

ITEM 4 Consent Agenda

Commissioner Grimmer made a motion to approve the consent agenda, seconded by Commissioner Nixon. The agenda was approved with a 5-0 vote.

4a. Approval of Minutes

11/02/2021 Study Session and Regular Meeting

4b. Approval of Vouchers

\$192,988.95 Reference Number: 211101001-211101025, \$524.00 Reference Number: 211004027, and \$20,513.15 Reference Number: 211102001-211102004

ITEM 5 Unfinished Business

5a. Second Public Hearing Regarding the Proposed 2022 Budget

President Babich opened the second public hearing regarding the proposed 2022 budget at 6:51 pm. Executive Director Ally Bujacich reported that there were no changes to the proposed 2022 Budget from the first public hearing that took place on November 2, 2021. Bujacich gave a high-level summary of the proposed 2022 budget.

Public Comment: None

President Babich closed the second public hearing regarding the proposed 2022 Budget at 6:56 pm.

ITEM 6 New Business:

6a. R2021-031: Adopt Classification and Salary Grid for 2022 (Resolution number corrected from R2021-027 to R2021-031)

Executive Director Ally Bujacich gave the background and recommendation to adopt the amended classification and salary schedule for 2022.

Commissioner Nixon made the motion to approve Resolution R2021-031 adopting the annual Classification and Salary Schedule for 2022, seconded by Commissioner Grimmer. The motion passed with a 5-0 vote.

6b. R2021-032: Adopt Operating Budget for 2022 (Resolution number corrected from R2021-028 to R2021-032)

Executive Director Ally Bujacich gave the background and recommendation to adopt the operating budget for 2022.



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Item 4a.

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Commissioner Hill made the motion to approve Resolution R2021-032 adopting the 2022 annual Operating Budget attached as Exhibit A, seconded by Commissioner Grimmer. The motion passed with a 5-0 vote.

6c. R2021-029: Adopt Capital Budget for 2022

Executive Director Ally Bujacich gave the background and recommendation to adopt the Capital Budget, and Capital Improvement Plan attached as Exhibit A for 2022.

Commissioner Hill made the motion to approve R2021-029 adopting the 2022 Capital Budget and Capital Improvement Plan attached as Exhibit A, seconded by Commissioner Grimmer. The motion passed with a 5-0 vote.

6d. R2021-030: Amend 2021 Budget

Interim Finance and HR Manager Louise Tieman gave the background and recommendation to amend the 2021 Budget.

Commissioner Grimmer made the motion to approve Resolution R2021-030 amending the 2021 budget of the Debt Service Fund to include an additional \$247,688 for a total amount of \$789,288 for the purpose of providing adequate debt service on the General Obligation debt of the district, seconded by Commissioner Nixon. The motion passed with a 5-0 vote.

ITEM 7 Comments by Board: None

ITEM 8 Next Board Meetings

December 7, 2021, Study Session at 5:00 pm and Regular Meeting at 6:00 pm held remotely via Zoom.

ITEM 9 Adjournment: President Babich adjourned the meeting at 7:22 pm

APPROVED BY THE BOARD ON: _____

President

Submitted By: Stacie Snuffin

Clerk



Peninsula Metropolitan Park District

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DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Curt Gimmetstad, Project Manager

Date: December 7, 2021

Subject: **Resolution R2021-036 Adopting the Community Recreation Center Project Budget and Amended Project Delivery Method**

Background/Analysis

In 2019, Peninsula Metropolitan Park District purchased a 17-acre site to develop the Community Recreation Center (CRC), which will provide enhanced park and recreation opportunities for the community. Public input collected during the feasibility and pre-design phases identified the community priorities for indoor recreational amenities including a turf field, three multi-purpose gymnasium courts, an elevated walk/jog track, and spaces for community gathering. In January 2021, the Board of Park Commissioners accepted the Feasibility, Concept Design, and Pro Forma report for the CRC, and reaffirmed the recommendation to use the GC/CM alternative contracting procedure.

Since then, design has progressed to include more detailed plans and specifications that reflect the program elements prioritized by the community. The design incorporates efficiencies identified by the project team that do not impact the scope, function, or quality of the project. The project team has performed professional cost estimates as the design has advanced to identify the cost of construction.

During the same period of time, the ongoing COVID-19 pandemic has significantly impacted the construction industry, primarily through cost escalation and the availability of labor and materials. These external factors have impacted the project cost. As a result, the project team has evaluated strategies to mitigate cost increases and found that in the current construction climate, the competitive design-bid-build delivery method is the most cost-effective while maintaining an acceptable level of project risk.

Board Policy P10-101 requires the Board of Park Commissioners approve by resolution a park development project, including setting the project budget, where the estimated cost of the work exceeds \$10,000. The recommended project budget for the CRC is \$31,600,000, excluding acquisition costs. A breakdown of the project budget and funding sources is below.

Project budget summary

Maximum Allowable Construction Cost (MACC)	\$24,250,000
Soft costs	
Sales tax	\$1,948,000
A&E and consultant fees, permit fees, FF&E, other soft costs	\$4,302,000
Contingency	\$1,100,000
Total	<u>\$31,600,000</u>

Funding sources

Capital Projects Fund	\$11,600,000
LTGO bond funding	\$16,000,000
Capital campaign	\$3,100,000
Grant funding	\$900,000
Total	<u>\$31,600,000</u>

Recommendation

The Project Manager requests that the Board approve Resolution 2021-036 adopting the Community Recreation Center project budget and amended project delivery method.

Policy Implications/Support

1. The District has adopted goals including developing and maintaining high-quality facilities and services, promoting health and wellness, providing diverse recreational programs, prudent management of District funds, and trail planning and connections.
2. Board Policy P10-101 states, in part, that PenMet Parks is accountable to its citizens for use of public dollars, and the limited financial resources of PenMet Parks must be wisely used to ensure adequate funding to support the services, public facilities, and infrastructure necessary to meet the community’s present and future needs.

Motion

I move to approve Resolution 2021-036 adopting the Community Recreation Center project budget and amended project delivery method.

If you have any questions or comments, please contact me at the earliest opportunity at (253) 377-2579 or via e-mail at curt.gimmestad@absherco.com.



Peninsula Metropolitan Park District

RESOLUTION NO. R2021-036

ADOPTING THE COMMUNITY RECREATION CENTER PROJECT BUDGET AND AMENDED PROJECT DELIVERY METHOD

WHEREAS, Peninsula Metropolitan Park District (PenMet Parks) received public input on the need for a Community Recreation Center (CRC) and subsequently procured professional services to assist with the design and simultaneous cost estimating of the project; and

WHEREAS, the Board of Park Commissioners accepted the Feasibility, Concept Design, and Pro Forma Report for the CRC in January 2021 at which time it also reaffirmed the recommendation to use the GC/CM Alternative Contracting Procedure for development of the CRC; and

WHEREAS, PenMet Parks began project design in early 2021 and since that time has developed more detailed plans and specifications for the CRC as well as cost estimates for the project; and

WHEREAS, the COVID-19 pandemic has resulted in numerous and significant changes in the construction industry affecting the availability and cost of both labor and materials which affects the project design and overall cost; and

WHEREAS, Board Policy P10-101 states, in part, that PenMet Parks is accountable to its citizens for use of public dollars, and the limited financial resources of PenMet Parks must be wisely used to ensure adequate funding to support the services, public facilities, and infrastructure necessary to meet the community's present and future needs; and

WHEREAS, PenMet Parks analyzed the estimated project costs required to design and construct the CRC to meet community need and now recommends that the project delivery method be amended to design-bid-build to maximize the community benefit;

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners of the Peninsula Metropolitan Park District that the Community Recreation Center total project budget, excluding acquisition costs, is \$31,600,000. It is further

RESOLVED that the amended recommendation to procure construction of the CRC through a design-bid-build competitive bidding process is accepted.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on December 7, 2021.

Resolution R2021-036

President

Clerk

Attest



Peninsula Metropolitan Park District

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www.penmetparks.org

DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

From: Ally Bujacich, Executive Director

Date: December 7, 2021

Subject: **Resolution R2021-037 Adopting Amended Policy P30-102: Public Records Disclosure Policy**

Background/Analysis

The Board of Park Commissioners passed Resolution R2007-002 on February 5, 2007 adopting Policy P30-102: Public Records Disclosure Rules Policy. This policy has been amended several times, most recently in 2017. The purpose of the policy is to establish the procedures that PenMet Parks staff will follow when reviewing and responding to requests for public records within the PRA framework. The information contained in the policy is designed to aid both those requesting public records and those responding to records requests. The policy and procedure will assist in guiding the expectations of requesters and providing a mechanism by which to appeal a records decision, if necessary.

The Board passed Resolution R2021-016 on July 20, 2021, which adopted the June 19, 2021 Board Retreat outcomes, including a policy review priority schedule. The schedule identifies reviewing Policy P30-102 as a high priority. Staff reviewed the policy and recommended changes, which were discussed with the Board at the November 16, 2021 study session. Since then, legal counsel has reviewed the policy and recommended additional changes, which are reflected in the attached amended policy.

Recommendation

Staff requests that the Board approve Resolution R2021-037 adopting the attached amended Policy 30-102: Public Records Disclosure Policy.

Policy Implications/Support

1. Policy P30-102: Public Records Disclosure Policy establishes the procedures Peninsula Metropolitan Park District will follow in order to provide access to public records in accordance with the PRA.

2. The District adopted the outcomes from the June 19, 2021 Board Retreat, including the policy priority schedule.

Motion

I move to approve Resolution 2021-037 adopting the attached amended Policy P30-102: Public Records Disclosure Policy.

If you have any questions or comments, please contact me at the earliest opportunity at (253) 858-3408 or via e-mail at abujacich@penmetparks.org.



Peninsula Metropolitan Park District

Public Records Disclosure Policy

Policy Number	Resolution Number	Date Approved:	Supersedes the following Resolutions and Policies:
P30-102	R2021-037	December 7, 2021	R2017-006 August 28, 2017 (District Office address updated July 16, 2021 Board Meeting Consent Agenda) R2009-010 (Adopted June 15, 2009) R2007-002 (Adopted February 5, 2007)

Policy: **Public Records Disclosure Policy**
(Adopted by the PenMet Parks Board of Park Commissioners)

Purpose: The Washington Public Records Act (PRA), chapter 42.56 RCW, is intended to ensure the disclosure of government information for the benefit of an informed public, mindful of individuals' privacy rights and the desirability of the efficient administration of government. To that end, the PRA requires each agency to make available for inspection and copying nonexempt "public records" in accordance with published rules. RCW 42.56.070 (1). The PRA defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." RCW 42.56.010(3). The PRA also requires each agency to set forth "for informational purposes" every law, in addition to the Public Records Act, that exempts or prohibits the disclosure of public

Exhibit A

records held by that agency (RCW 42.56.070(2)).

The purpose of this policy is to establish the procedures that the Peninsula Metropolitan Park District (“PenMet Parks” or “District”) staff will follow when reviewing and responding to requests for public records within the PRA framework. The information contained in this document is designed to aid both those requesting public records and those responding to records requests. This policy and procedure should assist in guiding expectations of requesters and providing notice of a mechanism by which to appeal a records decision, if necessary.

The PRA and these rules will be interpreted in favor of disclosure. In carrying out its responsibilities under the act, PenMet Parks will be guided by the provisions of the PRA describing its purposes and interpretation. Provided, failure to comply with any provision of this policy shall not result in any liability imposed upon the District other than that required in the PRA.

This policy will be prominently displayed and made available for inspection and copying at PenMet Parks’ administrative office pursuant to RCW 42.56.040.

Exhibit A

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Exhibit A

Policy Requirements:**Section 1. Public Records Officer**

- A. PenMet Parks is a metropolitan park district formed pursuant to chapter 35.61 RCW. PenMet Parks' administrative office is currently located at 5717 Wollochet Drive NW #3, Gig Harbor, Washington 98335, but is subject to change.
- B. Any person wishing to request access to public records of PenMet Parks or seeking assistance in making such a request should contact the PenMet Parks' public records officer at the following:

Public Records Officer
Peninsula Metropolitan Park District
PO Box 425
Gig Harbor, WA 98335
Tel: 253.858.3400
Fax: 253.858.3401
Email: admin@penmetparks.org

Information is also available at PenMet Parks' website at www.penmetparks.org.

- C. PenMet Parks' public records officer will oversee PenMet Parks compliance with the Public Records Act, but another PenMet Parks' staff member may assist in processing the request. Therefore, these rules will refer to the public records officer "or designee." The public records officer or designee and PenMet Parks will provide the "fullest assistance" to requestors; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with PenMet Parks' essential functions.

Section 2. Availability of Public Records

- A. **Hours for Inspection of Records**
Public records are available for inspection and copying by appointment and during the hours PenMet Parks' administrative office is open to the public, normally Monday through Friday, 8 a.m. to 5 p.m., excluding legal holidays or other administrative office closures.
- B. **Place of Inspection**
Records will be made available for inspection as determined by the public records officer.
- C. **Maintenance and Organization of Records**
PenMet Parks will maintain its records in a reasonably organized manner.

Exhibit A

PenMet Parks will take reasonable actions to protect records from damage and disorganization.

D. Index of Public Records

PenMet Parks has determined that maintaining a central index of its records is unduly burdensome, costly, and would interfere with District operations due to the number and complexity of records generated as a result of the wide range of District activities.

E. Retention of Records

PenMet Parks is not required to retain all records it creates or uses. The State Attorney General's Local Records Committee approves a general retention schedule for local agency records (including Parks, Recreation and Culture Providers) that are common to most agencies. Retention schedules vary based on the content of the record. Public records may not be destroyed per a retention schedule if a public records request or actual or anticipated litigation is pending.

Section 3. Making a Request for Public Records

A. Internet Access to Records. Many records are available on the PenMet Parks' website at www.penmetparks.org. Requestors are encouraged to view records available on the website prior to submitting a records request.

B. Form of Request. Any person wishing to inspect or have copies made of PenMet Parks' public records should make the request in writing to the public records officer on a PenMet Parks' request form which is available for use by requestors at the PenMet Parks Administrative office and at www.penmetparks.org) or by letter, fax, or e-mail addressed to the public records officer, and including the following information:

- Name of requestor;
- Address of requestor;
- Other contact information, including telephone number and any e-mail address;
- Identification of the public records adequate for the public records officer or designee to locate the records; and
- The date and time of day of the request.

It is the duty of the requester to provide the public records request to the public records officer via one of the methods described in this subsection "B". Public record requests which are not submitted via one of the methods described in this subsection "B" may not be recognized as a public records request. As a result, requests for records that are not submitted as provided in this subsection "B" are not subject to the requirements of the Public Records Act.

C. Identifiable Record. A requestor must request an identifiable record or class

Exhibit A

of records before PenMet Parks must respond to it. An identifiable record is one in existence at the time the records request is made and that PenMet Parks' staff can locate after a reasonable search.

- D. Prioritization of Records.** The Public Records Officer may ask a requester to prioritize the records he or she is requesting so that the most important records may be provided first. A requester need not prioritize a request.
- E. Copies.** If the requestor wishes to have paper or electronic copies of the records made instead of simply inspecting them in the designated location at PenMet Parks' administrative office, the requestor shall so indicate on the form and make arrangements to pay for copies of the records or a deposit. See Section 6 for costs associated with providing paper or electronic copies of records.
- F. Purpose of Request.** A requester need not state the purpose of the request. However, in an effort to clarify or prioritize a request and provide responsive records, the public records officer may inquire about the nature or scope of the request. If the request is for a list of individuals, the public records officer may ask the requester if he or she intends to use the records for a commercial purpose. PenMet Parks is not authorized to provide lists of individuals for commercial purposes. The public records officer may also seek sufficient information to determine if another statute may prohibit disclosure.
- G. Overbroad Requests.** PenMet Parks may not deny a request for identifiable public records solely because the request is overbroad. However, PenMet Parks may seek clarification, ask the requester to prioritize the request so that the most important records are provided first, and/or communicate with the requester to limit the size and complexity of the request. PenMet Parks may also provide the responsive records in installments over time. When a request uses an inexact phrase such as "all records relating to" and declines to clarify the scope of the request, the public records officer may interpret the request to be for records which directly and fairly pertain to the topic. The phrase is inherently ambiguous and requesters are encouraged to avoid using the phrase when possible to avoid unnecessary delays. When the requester has found the records he or she is seeking, the requester should advise the public records officer that the requested records have been provided and the remainder of the request may be cancelled. A request for all or substantially all records prepared, owned, used, or retained by PenMet Parks is not a valid request for identifiable records under the Public Records Act.
- H. Existing Records.** Records requests may only encompass existing records existing at the time of the request. They cannot be used to obtain copies of records not yet in existence or not in the possession of PenMet Parks.
- I. Bot Request.** PenMet Parks will deny a bot request that is one of multiple requests from the requestor to the agency within a twenty-four hour period if PenMet Parks determines that responding to the multiple requests would cause

Exhibit A

excessive interference with other essential functions of PenMet Parks.

Section 4. Processing of Public Records Requests—General

A. Providing "Fullest Assistance"

- (1) Mindful of the requirements of RCW 42.56.100, to the extent reasonably possible, the public records officer or designee will process requests in the order allowing the most requests to be processed in the most efficient manner. Multiple requests from a single requester may be processed consecutively if the request is for a large number of records or if the request requires significant staff time. If a requester wants a subsequent request prioritized, the requester may either withdraw the earlier request(s) or request in writing that the later request be responded to first.
- (2) Public records requests are an essential function of the Public Records Officer. PenMet Parks finds it reasonable to dedicate up to eight (8) hours per week responding to public records requests. It shall be within the discretion of the public records officer and the Executive Director to exceed such limitation if necessary.

B. Acknowledging Receipt of Request

Within five (5) business days of receipt of the request, the public records officer will do one or more of the following:

- (1) Make the records available for inspection or provide copies as requested; or
- (2) Provide a hyperlink to the PenMet Parks' website to the specific record requested, except if the requestor notifies PenMet Parks that he or she cannot access records through the internet; or
- (3) Provide a reasonable estimate of when records will be available; or
- (4) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone. The public records officer or designee may revise the estimate of when records will be available; or
- (5) Deny the request.

C. Additional Time.

If not able to fulfill the request within the 5-business-day period, the public records officer will provide a reasonable estimate of the time it will take to fully respond to the request. Additional time to provide access to records may be needed to clarify the scope of the request, locate and assemble the records, redact confidential information, prepare an exemption log, notify third party

Exhibit A

persons or agencies affected by the request or consult with the District's attorney about whether any portion of the records is exempt from disclosure. The public records officer should briefly explain the basis for the time estimated to respond. Should an extension of time be necessary to fulfill the request, the public records officer will provide a revised estimate and explain the changed circumstances that make it necessary.

D. Consequences of Failure to Respond

If PenMet Parks does not respond in writing within five (5) business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to determine the reason for the failure to respond.

E. Requesting Clarification.

At the time of PenMet Parks' initial response, or subsequent to PenMet Parks' initial response, PenMet Parks may require the requester to clarify the request in order to provide PenMet Parks with information sufficient to allow PenMet Parks to determine which records are being requested and whether such records relating to the request exist. If the requester fails to respond to a PenMet Parks request to clarify the request within 30 days, and the entire request is unclear, PenMet Parks may consider the request abandoned. Otherwise, PenMet Parks will respond to those portions of the request that are clear. If PenMet Parks considers the request abandoned, it shall notify the requester that the request is closed.

F. Protecting Rights of Others

In the event that the requested records contain information that may affect rights of others and/or may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such other persons or entities whose rights may be affected by the disclosure. The notice to the affected persons or entities will include a copy of the request. The notice is intended to make it possible for those other persons or entities to contact the requestor and ask the requestor to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure.

G. Records Exempt from Disclosure

Some records are exempt from disclosure, in whole or in part. If PenMet Parks believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why portions of the record are being redacted.

H. Inspection of Records

(1) Consistent with other demands, PenMet Parks shall promptly provide space at its administrative office to inspect public records. Review of

Exhibit A

original records shall be done only in the immediate presence of and under the supervision of the public records officer or designee. The public records officer may limit the maximum time allowed during any working day for supervised review to avoid excessive interference with the District's other essential functions. When the time needed for this purpose exceeds two hours, time periods on a future day or days may be assigned. A requestor shall not remove a document from the viewing area nor disassemble or alter any document.

- (2) The requestor must claim or review the assembled records within thirty (30) days of PenMet Parks' notification to him or her that the records are available for inspection or copying. PenMet Parks will notify the requestor in writing of this requirement and inform the requestor that he or she should contact PenMet Parks to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty (30) day period or make other arrangements, PenMet Parks may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

I. Providing Copies of Records

After inspection is complete, the requestor may identify the records he or she would like copied and the public records officer or designee shall make the copies. Copies shall be made only by a PenMet Parks' staff member.

J. Providing Records in Installments

When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty (30) days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

K. Completion of Inspection

When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that PenMet Parks has completed a diligent search for the requested records and made any located non-exempt records available for inspection. When the requested records are inspected and all requested copies are provided, the public records officer will inform the requestor that PenMet Parks has closed the request.

L. Closing a Withdrawn or Abandoned Request

When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to

Exhibit A

the requestor that PenMet Parks has closed the request.

M. Later Discovered Documents

If, after PenMet Parks has informed the requestor that it has provided all available records, PenMet Parks becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

N. No Duty to Create Records.

PenMet Parks is not obligated to create a new record to satisfy a records request; however, PenMet Parks may, in its discretion, create such a new record to fulfill the request where it may be easier for PenMet Parks to create a record responsive to the request than to collect and make available voluminous records that contain small pieces of information responsive to the request.

O. No Duty to Supplement Responses.

PenMet Parks is not obligated to hold current records requests open to respond to requests for records that may be created in the future. If a public record is created or comes into the possession of PenMet Parks after a request is received by PenMet Parks, it is not responsive to the request and will not be provided. A new request must be made to obtain later-created public records.

P. Requests for Information.

Requests for information are not public records requests. An agency is not required to conduct research for a requester.

Q. No Access to PenMet Parks' Network or Systems.

Requestors shall not be permitted to access or "plug into" PenMet Parks' networks or systems or copy records using personal devices or equipment, such as USBs or scanners, which must be connected to PenMet Parks' equipment in order to copy records.

R. Request Log

PenMet Parks will maintain a log of all public records requests submitted. The log will include at least the following information: the identify of the requestor, if known; the date the request was received; the text of the original request; any amendments or clarifications to the original request; a log describing exempted or redacted records, and the date the request was closed.

S. Liability

Neither PenMet Parks nor any officer, employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of public records if the person releasing the records acted in good faith in attempting to comply with this policy. This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law.

Exhibit A

Section 5. Exemptions

PenMet Parks is not required to permit public inspection and copying of records for which public disclosure of the record is prohibited, restricted or limited by state or federal statute or regulation including the following:

- A. List of Individuals.** PenMet Parks is prohibited by statute from disclosing lists of individuals for commercial purposes.
- B. Exempt Records.** The Public Records Act provides that a number of document types and information are prohibited from being disclosed or are exempt from public inspection and copying.
- C. Other Statutes.** In addition, other statutes may exempt or prohibit disclosure of other documents and information.
- D. List of Exemptions.** The Municipal Research and Services Center maintains an up-to-date list of current exemptions and prohibitions on their website at www.mrsc.com. The Public Records Exemptions Accountability Committee (Sunshine Committee) also created a list of the statutory exemptions and prohibitions from public records disclosure which is available at atg.wa.gov/sunshine-committee.

Section 6. Costs of Providing Copies of Public Records

- A. Inspection**

There is no fee for inspecting public records.
- B. Basis for Costs / Charges**

PenMet Parks' actual cost of copying and delivery of a record(s) in each instance would be unduly burdensome to calculate because of the changing variables such as the staff salaries, benefits and other general administrative or overhead expenses incurred by PenMet Parks in fulfilling a specific request, the cost of the medium in which the record(s) is delivered (i.e., paper, CD, etc.) and the cost of the equipment necessary to produce the record on the desired medium. As a result, the costs charged by PenMet Parks are based on the rates provided by statute.
- C. Costs for Paper Copies of Records**
 - (1) PenMet Parks charges \$0.15 per page for a photocopy of a record and \$0.15 per page for printed copies of electronic records selected by a requestor.
 - (2) Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent (10%) of the

Exhibit A

estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment of the records before providing that installment. PenMet Parks will not charge sales tax when it makes paper copies of public records.

D. Costs for Electronic Copies of Records

- (1) With respect to electronic copies of records, PenMet Parks charges as follows:
 - a. \$0.10 per page for records scanned into electronic format;
 - b. \$0.05 per each four (4) electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery; and
 - c. \$0.10 per gigabyte for the transmission of records in an electronic format.
- (2) Before beginning the request, the public records officer or designee may require a deposit of up to ten percent (10%) of the estimated costs of providing all the records selected by the requestor. The public records officer or designee may require a deposit of up to ten percent (10%) of the estimated customized service charge costs for the use of information technology expertise to prepare data compilations or provide customized electronic access services that are not otherwise used by the agency. The public records officer or designee may also require the payment of the remainder of the costs before providing all the records, or the payment of the costs of providing an installment of the records, before providing that installment. PenMet Parks will not charge sales tax when it makes electronic copies of public records.

E. Costs of Mailing

PenMet Parks may also charge the actual costs of any digital storage media or device provided by PenMet Parks, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.

F. Customized Service Charge

- (1) In addition to the charge imposed for providing copies of public records, PenMet Parks may include a customized service charge. A customized service charge may only be imposed if the request requires the use of information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by PenMet Parks for other purposes.

Exhibit A

- (2) The customized service charge may not exceed the actual cost of providing the services. PenMet Parks may not assess a customized service charge unless the District has notified the requestor of the customized service charge to be applied to the request, including an explanation of why the customized service charge applies, a description of the specific expertise, and a reasonable estimated cost of the charge. The notice also must provide the requestor the opportunity to amend his or her request in order to avoid or reduce the cost of a customized service charge.

G. Combination of Costs

The charges or costs in this Section 6 may be combined to the extent that more than one type of charge or cost applies to copies produced in response to a particular request.

H. Payment

Payment may be made by cash, check, or money order to PenMet Parks.

I. Estimate

A requestor may ask PenMet Parks to provide a summary of the applicable charges before any copies are made and the requestor may revise the request to reduce the number of copies to be made to reduce the applicable charges.

Section 7. Review of Denials of Public Records

- A. Petition for Internal Administrative Review of Denial of Access** If PenMet Parks denies a request, in whole or in part, the requestor may petition in writing (including e-mail) to the public records officer for a review of that decision. The petition shall include a copy of, or reasonably identify the written statement by the public records officer or designee denying the request.

B. Consideration of Petition for Review

The public records officer shall promptly provide the petition and any other relevant information to the public records officer's supervisor or other PenMet Parks' official designated by PenMet Parks to conduct the review. That person will immediately consider the petition and either affirm or reverse the denial within two (2) business days following PenMet Parks' receipt of the petition, or within such other time as PenMet Parks and the requestor mutually agree to.

C. Judicial Review

A requestor may seek court review of a public records request denial pursuant to RCW 42.56.550 at the conclusion of two (2) business days after the initial denial regardless of any internal administrative appeal.



Peninsula Metropolitan Park District

RESOLUTION NO. R2021-037

ADOPTING THE AMENDED POLICY P30-102: PUBLIC RECORDS DISCLOSURE POLICY

WHEREAS, the Washington Public Records Act (PRA) is intended to ensure the disclosure of government information for the benefit of an informed public, mindful of individuals' privacy rights and the desirability of the efficient administration of government; and

WHEREAS, Policy P30-102: Public Records Disclosure Policy (the Policy) establishes the procedures that Peninsula Metropolitan Park District (PenMet Parks) staff will follow when reviewing and responding to requests for public records within the PRA framework; and

WHEREAS, the information contained in the policy is designed to aid both those requesting public records and those responding to records requests; and

WHEREAS the Policy and procedure should assist in guiding expectations of requesters and providing notice of a mechanism by which to appeal a records decision, if necessary; and

WHEREAS, the Board of Park Commissioners has passed several resolutions amending the Policy and wishes to further amend the Policy to ensure it continues to protect the public interest and ensure public trust;

NOW THEREFORE BE IT

RESOLVED by the Board of Park Commissioners that PenMet Parks adopts the amended Policy P30-102: Public Records Disclosure Policy attached as Exhibit A, which supersedes all previous versions of Policy P30-102.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on December 7, 2021.

President

Clerk

Attest



Peninsula Metropolitan Park District

PO Box 425 – Gig Harbor, WA 98335
 253-858-3400 – info@penmetparks.org
www.penmetparks.org

DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

From: Ally Bujacich, Executive Director

Date: December 7, 2021

Subject: **Resolution R2021-038 Adopting Amended Policy P10-101: Board Policy and Procedures**

Background/Analysis

The Board of Park Commissioners passed Resolution R2004-004 on June 14, 2004 adopting Policy P10-101: Board Policy. This policy has been amended several times, most recently in 2019. The purpose of Policy P10-101 is to establish the operating policy and procedures for the Board, establish how the Board will conduct its business, and establish how business may be brought before the Board for consideration and/or action. The policy is also intended to provide elected and appointed officials, employees, and the general public with a clear understanding regarding how the Board conducts the public's business and the opportunities for the public to present comments, advice, requests and input on matters under consideration by the Board or that otherwise relate to PenMet Parks.

The Board passed Resolution R2021-016 on July 20, 2021, which adopted the June 19, 2021 Board Retreat outcomes, including a policy review priority schedule. The schedule identifies reviewing Policy P10-101 as a high priority. Staff reviewed the policy and recommended changes, which were discussed with the Board at the November 16, 2021 study session. Legal counsel has reviewed the attached amended policy.

Recommendation

Staff requests that the Board approve Resolution R2021-038 adopting the attached amended Policy 10-101: Board Policy and Procedures.

Policy Implications/Support

1. The District has adopted eight goals, including craft partnerships, acquire assets, develop and maintain high quality facilities and services, preserve open space, promote health and wellness, provide diverse recreational programs, prudent management of District funds, and trail planning and connections.
2. The District adopted the outcomes from the June 19, 2021 Board Retreat, including the policy priority schedule.

Motion

I move to approve Resolution 2021-038 adopting the amended Policy P10-101: Board Policy and Procedures.

If you have any questions or comments, please contact me at the earliest opportunity at (253) 858-3408 or via e-mail at abujacich@penmetparks.org.

Exhibit A



Peninsula Metropolitan Park District

Board Policy and Procedures

Policy Number	Resolution Number	Date Approved:	Supersedes the following Resolutions and Policies:
P10-101	R2021-038	December 7, 2021	R2019-013 (Adopted 10/10/2019) R2019-006 (Adopted 06/03/2019) R2018-003 (Adopted 2/20/18) R2015-001 (Adopted 2/23/15) R2012-006 (Adopted 4/2/12) R2009-031 (Adopted 12/21/09) R2009-015 (Adopted 7/20/09) R2006-003 (Adopted 3/20/06) R2004-04 (Adopted 6/14/04)

Policy: **Board Policy and Procedures**
 (Approved by the PenMet Parks Board of Commissioners)

Purpose: The Peninsula Metropolitan Park District (PenMet Parks) is accountable to its citizens for its use of public dollars. The limited financial resources of PenMet Parks must be wisely used to ensure adequate funding to support the services, public facilities, and infrastructure necessary to meet the community's present and future needs.

The following policy and procedures of the Board of Park Commissioners (the "Board") establishes the operating policy and procedures for the Board. Within this policy, the Board establishes how it will conduct business and how business may be brought before the Board for consideration and/or action.

The following policy and procedures are also intended to provide elected and appointed officials, employees, and the general public with a clear understanding regarding how the Board conducts the public's business and the opportunities for the public to present comments, advice, requests and input on matters under consideration by the Board or that otherwise relate to PenMet Parks.

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Policy Requirements:

Section 1. Responsibilities and Name

The Board of Park Commissioners is charged with establishing the policy direction for PenMet Parks under Washington State law. While recognizing the formal legal name of the entity as the Peninsula Metropolitan Park District, the Board desires that the abbreviated name “PenMet Parks” be utilized when the formal legal name of the organization is not required.

Section 2. Scope

This Board Policy and Procedures governs the procedures of all Board meetings and matters related to the Board’s conduct of business.

Section 3. Enabling Legislation

The enabling legislation governing PenMet Parks is chapter 35.61 RCW. In addition, other local, state, and federal laws and regulations govern the conduct and business of PenMet Parks.

Section 4. Officers

The Board shall have two officers, a President and a Clerk, who shall be subject to the following:

A. Term of Office

Each officer shall serve a one year term or until new officers have been elected or upon removal as provided below.

B. Nomination of Officers

Board members shall nominate from its members a President and a Clerk at the last meeting of the calendar year and at the first meeting of the new calendar year. A Board member may nominate himself or herself for any officer position.

C. Election of Officers

The Board shall elect its officers after the nominations have been closed and at the first meeting of the new calendar year by a majority vote. The Board members elected as officers shall then immediately take office.

D. Removal of Officers

The Board may remove an officer from his or her position if, after reasonable prior notice to all Board members of the alleged reasons the officer should be removed from office, the Board by a majority vote determines the removal of the officer is in PenMet Parks' best interest. Although a Board member may be removed as an officer, that Board member may not be removed from the Board.

E. Minutes

The Board shall appoint a Board Secretary from within the administrative staff of PenMet Parks to take minutes of the meetings of the Board of Park Commissioners.

Section 5. Fiscal Year

PenMet Parks fiscal year is from January 1 to December 31.

Section 6. Meetings

Board meetings shall be conducted as follows:

A. Open Public Meetings

Meetings shall be held in accordance with all provisions of the Washington State Open Public Meetings Act as provided in chapter 42.30 RCW.

B. Regular Meetings

Regular meetings will be scheduled on the first and third Tuesdays of each month unless changed by prior resolution of the Board and notice given as provided in section 6.K below. Regular meetings may be cancelled by the Board for any reason. Notice of meeting cancellations shall be given as provided in section 6.K. below. The meeting location shall be specified in the meeting notices.

C. Time of Meetings

The Board will begin consideration of its regular meeting agenda at 6:00 p.m. or as close thereafter as reasonably possible following the conclusion of any earlier study session or public hearing.

D. Executive Session

Executive sessions may be held at any time during a regular or special meeting but only in accordance with the requirements of chapter 42.30 RCW.

E. Study Sessions

Study sessions may be scheduled as needed as part of any regular or special meeting. Notice of any study session shall be given as provided in section 6.K. Study sessions may be cancelled by a majority of the Board for any reason. Notice of cancellations shall be given as provided in section 6.K. The purpose of study sessions is to allow presentation of information to the Board by staff, consultants, and/or citizens, and to allow the Board an opportunity to receive information, ask questions, and consider options regarding the various matters under discussion. The public is not permitted to ask questions during a study session. The Board may not take any formal action during a study session.

F. Public Hearings

Public hearings to seek and receive citizen input regarding matters under consideration by the Board may be scheduled prior to or as part of any regular or special meeting of the Board. During a public hearing, public comments will be taken and included as part of the official record of proceedings of the Board.

G. Public Comments

Persons are afforded an opportunity at each regular and special meeting of the Board to offer their comments to the Board. Persons are limited to a three (3) minute time limit and may only speak once during the citizen comment period at each meeting. Comments will be included as part of the official record of the meeting. The procedures for public comments are described in Policy P10-016: Rules of Decorum for Board Meetings.

Members of the public wishing to provide written documents to accompany their comments to the Board may do so. Documents must be received by the Board Secretary by 3 p.m. on the day preceding the Board meeting. Documents may be provided electronically or by delivering (eight) copies to PenMet Parks' administrative offices. The Rules of Decorum for Board Meetings described in Policy P10-106 apply to all written documents that accompany public comment.

H. Special Meetings

Special meetings may be called by the Board President or by the concurrence of at least three (3) Board members. Notice of the time and place of the meeting shall be given as provided in section 6.K and at least 24 hours in advance of the meeting, except in the case of an emergency.

I. Quorum

A quorum is defined as three (3) Board members in attendance at the meeting. Participation by a Board member as provided in section 6.L. below (participation by speakerphone / Zoom / Skype / videoconferencing) shall constitute attendance at the meeting.

J. Minutes / Meeting Recording

The Board Secretary shall take and prepare the meeting minutes for review and approval by the Board at the next meeting. Board meetings may be audio recorded and retained subject to the PenMet Parks Document Retention and Destruction Policy. Executive sessions are not recorded.

K. Notice Regarding Meetings

Except to the extent otherwise required by the Open Public Meetings Act (chapter 42.30 RCW) or applicable law, notice of Board meetings, study sessions and public hearings, together with a copy of the agenda, shall be provided to the Peninsula Gateway and all other members of the public and media who have made formal request for such notice. Notices may be provided personally, by mail, by fax, or by electronic mail. Notices shall also be published on PenMet Parks' website.

L. Participation by Speakerphone / Zoom / Skype / Videoconferencing

A Board member may participate via speakerphone, Zoom, Skype or videoconferencing, or a reasonable substitute in all or part of a Board meeting if:

- 1) Prior approval is given by the Board President for good cause, whose approval shall not be unreasonably withheld;
- 2) All persons participating in the meeting are able to hear each other at the same time, such as by the use of speakerphone, Zoom, Skype, videoconferencing or a reasonable substitute; and

- 3) The Board member participating electronically shall have reviewed all of the applicable material and participated in the relevant portion of the Board meeting related to the topic to which the Board member is voting on.

An officer of the Board participating electronically is excused from officer status while participating remotely in the Board meeting.

Any technical prohibitions or difficulties that prevent all parties present at the Board meeting from adequately communicating with one another will negate any authorization previously given by the Board President.

Section 7. Agenda

The Board President or his/her designee shall prepare the agenda for the Board meeting as follows:

A. Agenda

The agenda shall be laid-out in the following manner:

- 1) Business before the regular agenda. Items may include:
 - a) Study sessions; and
 - b) Public hearings.

- 2) Regular agenda shall include:
 - a) Call to Order.
 - b) Roll Call.
 - c) Board President's Report.
 - d) Executive Director's Report.
 - e) Special Presentations.
 - f) Board Committee Reports.
 - g) Public Comments.
 - h) Business Meeting:
 - 1) Approval of the minutes of the previous meeting.
 - 2) Consent Agenda.
 - 3) Unfinished Business.
 - 4) New Business.

- i. Purchasing Resolutions: all contracts, agreements, goods and services proposed to be bought or acquired by PenMet Parks.
- ii. Resolutions requiring a single reading for approval.
- iii. Resolutions requiring two readings for approval.
- 5) Comments by Board Members.
- 6) Next Meeting.
- 7) Adjournment.

B. Consent Agenda

The Consent Agenda shall be utilized by the Board for consideration of relatively minor matters requiring Board approval and are designated with the letter "C" in the resolution number. Items on the Consent Agenda are not subject to Board debate or questions nor is it subject to public comment. However, pursuant to the request of any Board member, an item shall be removed from the consent agenda and placed on the regular agenda. Items generally considered to be on the consent agenda include:

- 1) Approval of warrants and vouchers;
- 2) Appointment of members to advisory committees;
- 3) Authorizing special event permits;
- 4) Accepting and appropriating grants, gifts, donations or other monies not originally included in the adopted budget;
- 5) Accepting a public works project that was awarded by the Board after receipt of the appropriate releases from any State Agencies having authority over the release of public works projects and completion of all punch-list items;
- 6) Rejection of bids for purchase of goods or services that would have required approval by the Board to award; and
- 7) Minor matters of a routine nature such as authorizing submission of a grant application or authorizing the issuance of a letter regarding the Board's position on a particular matter.

C. Purchasing Resolutions

A purchasing resolution requiring a single reading shall be utilized to seek Board approval of each individual contract, agreement, good, or service proposed to be acquired or bought as required in the Purchasing Policy, including purchases that are part of a public work as defined by state law and the Purchasing Policy. A public works purchasing resolution shall be held over for a second reading on a motion approved by a majority of the Board. The letter “P” in the resolution number should designate purchasing resolutions.

D. Single Reading Resolutions

Single reading resolutions shall be utilized with regard to matters of greater substance such as contracts, agreements, leases or other items requiring a single reading as specified in the applicable Board Purchasing Policy. The letter “R” in the resolution number shall designate single reading resolutions. The Board, by majority vote, may require a second reading of any single reading resolution. Included among the items that would qualify for the single reading resolution process would be the following:

- 1) Approval of agreements with other governmental entities;
- 2) Approval of agreements with not-for-profit agencies, businesses, or companies;
- 3) Granting of utility easements whereby the easement does not materially affect the use of the property for park and recreational purposes (which shall require the affirmative vote of five (5) Board members);
- 4) Creating new advisory councils;
- 5) All other items not specifically listed to have a Two Reading Resolution process.

D. Two Reading Resolutions

Two Reading Resolutions shall be utilized to conduct matters of the greatest importance for PenMet Parks. The letters “RR” in the resolution number shall designate two-reading resolutions. Among the items of business intended to have two readings are the following:

- 1) Approval or amendments to the budget;
- 2) Approval of a master plan for a park, recreation facility or program;
- 3) Approval of strategic or long-range plans;
- 4) Approval of ballot measures referred to the electorate except where two readings are required;
- 5) Issuance of debt;
- 6) Disposition of real property;
- 7) Approval of park development or redevelopment projects including setting of the project budget, where the estimated project cost exceeds \$25,000;
- 8) Changes to the Policies of the Board (which shall require the affirmative vote of at least four (4) Board members); and
- 9) Other matters of similar importance.
- 10) Unless a two reading process is required, the Board, by majority vote, may suspend the requirement for a Second Reading in order to permit a vote on the question at the current meeting. A motion to Suspend the Rules is not debatable.

E. Agenda Delivery

The agenda shall be emailed to the members of the Board not later than the Friday preceding the next regular meeting. Alternatively, the agenda may be personally delivered to a Board member not later than the Friday preceding the next regular meeting. If there is a special or emergency meeting, the agenda should be provided to all Board members at least 24 hours in advance, if possible. A copy of the agenda shall also be posted on the PenMet Parks' website at least 24 hours in advance of the meeting.

Section 8. Officer Responsibilities for Meetings

The Presiding Officer at all Board meetings shall be the President, and in his/her physical absence, the Clerk shall serve as acting President. In the event that the President is physically present at the Board meeting and the Clerk is physically absent, the President shall appoint an acting Clerk for the meeting. If the President and Clerk are both absent but a quorum of the Board is present, the Board members in attendance shall elect one of its members to serve as acting President and another member to serve as acting Clerk for the meeting. The duties of the officers are as follows:

A. Duties of the President

The duties of the President are as follows:

- 1) Preside at all Board meetings, preserve order in the meeting room and observe and enforce all rules adopted by the Board for procedure and decorum;
- 2) Appoint various Board members to standing and ad-hoc committees wherein a Board member serves as a representative of PenMet Parks;
- 3) Exercise his/her discretion to consider a matter in an order other than as listed on the official, printed agenda; and
- 4) The President may speak, vote, and make motions without relinquishing the chair. In addition, the President need not rise while putting questions to a vote.

B. Duties of the Clerk

The duties of the Clerk are to sign documents and perform such other duties as specified in chapter 35.61 RCW. In addition, the Clerk shall have such powers and discharge such duties as may be assigned from time to time by the President or by a majority of the Board.

C. Challenges to Actions or Rulings

Any member of the Board shall have the right to challenge any action or ruling of the President, in which case the decision of the majority of the Board present, including the President, shall govern.

Section 9. Rules for Conduct of Business

Where a procedure or process regarding the conduct of business by the Board is not specifically stated within a Board policy, Robert's Rules of Order shall apply.

A. Precedence of Motions

When a resolution is under consideration, no motion shall be entertained except as listed below and a motion shall have precedence in the following order:

- 1) To adjourn;
- 2) To remove an item from the agenda;
- 3) To call for the previous question;
- 4) To lay on the table (which shall be decided without debate);
- 5) To take from the table (which shall be decided without debate);
- 6) To postpone to a certain time (which shall be decided without debate);
- 7) To postpone indefinitely (which shall be decided without debate);
- 8) To amend;
- 9) To substitute; and
- 10) To reconsider.

B. Motion to Reconsider Vote

No motion to reconsider a vote shall be permitted except at the following meeting and then only by a member who voted with the prevailing side.

C. Motion to Reconsider Not Renewable

A motion to take from the table or to reconsider, having been put and lost, shall not be renewed either by the movant or by any other Board member even if that other member was on the prevailing side.

D. Right to Change Vote

Any Board member shall have the right to change his/her final vote in order to be on the prevailing side, at any time before final action is taken on the next ensuing item of business.

Section 10. Rules of Order and Decorum for Board Meetings

Board members, PenMet Parks staff, and members of the public are subject to Policy P10-106: Board Meeting Rules for Decorum during any meeting of the Board.

Section 11. Board Committees

The Board may establish standing or ad hoc committees. Committees are policy review and discussion arms of the Board that have been created to assist the Board in examining issues that may come before it in greater depth and detail. Committees do not take binding action on behalf of the District.

A. Structure of Standing Committees

Standing committees shall have two Board members. Board members shall be assigned to a standing committee for staggered two-year terms. Each committee shall determine annually who shall be its chair. Meetings shall be held as deemed necessary by the committee members and the committee chair shall provide updates to the Board as appropriate.



Peninsula Metropolitan Park District

RESOLUTION NO. R2021-038

ADOPTING THE AMENDED POLICY P10-101: BOARD POLICY AND PROCEDURES

WHEREAS, Policy P10-101: Board Policy and Procedures (the "Policy") establishes the operating policy and procedures for the Board; and

WHEREAS, the Policy establishes how the Board will conduct business and how business may be brought before the Board for consideration and/or action; and

WHEREAS, the policy provides elected and appointed officials, employees, and the general public with a clear understanding regarding how the Board conducts the public's business and the opportunities for the public to present comments, advice, requests and input on matters under consideration by the Board or that otherwise relate to PenMet Parks; and

WHEREAS, the Board of Park Commissioners has passed several resolutions amending the Policy and wishes to further amend the Policy to ensure it continues to protect the public interest and ensure public trust;

NOW THEREFORE BE IT

RESOLVED by the Board of Park Commissioners that PenMet Parks adopts the amended Policy P10-101: Board Policy and Procedures attached as Exhibit A, which supersedes all previous versions of Policy P10-101.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on December 7, 2021.

President

Clerk

Attest