



Peninsula Metropolitan Park District

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

REGULAR MEETING AGENDA

February 20, 2024, 6:00 PM

Community Recreation Center Administration Building – 2416 14th Ave NW, Gig Harbor, WA 98335

Call to Order

Commissioner Roll Call:

	Present	Excused	Comment
Maryellen (Missy) Hill, President			
Laurel Kingsbury, Clerk			
Kurt Grimmer			
Steve Nixon			
William C. (Billy) Sehmel			

ITEM 1 President's Report

ITEM 2 Executive Director's Report

ITEM 3 Special Presentations

3a. [December 2023 Financial Report](#)

ITEM 4 Board Committee Reports

4a. Park Services Committee

4b. Finance Committee

4c. Administrative Services Committee

4d. Recreation Services Committee

4e. Campaign Committee

4f. External Committees

ITEM 5 Public 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 each meeting and at www.penmetparks.org

ITEM 6 Minutes

6a. [Approval of the February 06, 2024 Study Session Minutes](#)

6b. [Approval of the February 06, 2024 Regular Meeting Minutes](#)

ITEM 7 Consent Agenda: None



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- ITEM 8 Unfinished Business: None**
- ITEM 9 New Business**
- 9.1 **Purchasing Resolutions Requiring One Reading for Adoption: None**
- 9.2 **[Single Reading Resolutions Requiring One Reading for Adoption](#)**
- [9.2a Resolution R2024-004 Granting the Peninsula Light Company Request for Utility Easement to Provide Service to the Community Recreation Center](#)**
- 9.3 **[Two Reading Resolutions Requiring Two Readings for Adoption:](#)**
- [9.3a Resolution RR2024-001 Adopting the Amended Policy P10-102: Park Naming Policy](#)**
- [9.3b Resolution RR2024-002 Adopting the Amended Policy P30-101: Human Resource Policy](#)**
- ITEM 10 Comments by Board**
- ITEM 11 Next Board Meetings**
March 5, 2024 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Community Recreation Center Administration Building – 2416 14th Ave NW, Gig Harbor, WA 98335
- ITEM 12 Executive Session**
- 12a. **Executive Session for the purpose of discussing potential litigation to which the agency is likely to become a party when public knowledge regarding the discussion is likely to result in an adverse legal consequence pursuant to RCW 42.30.110 (i).**
- ITEM 13 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 each meeting and at www.penmetparks.org.

Financial Review – December 2023

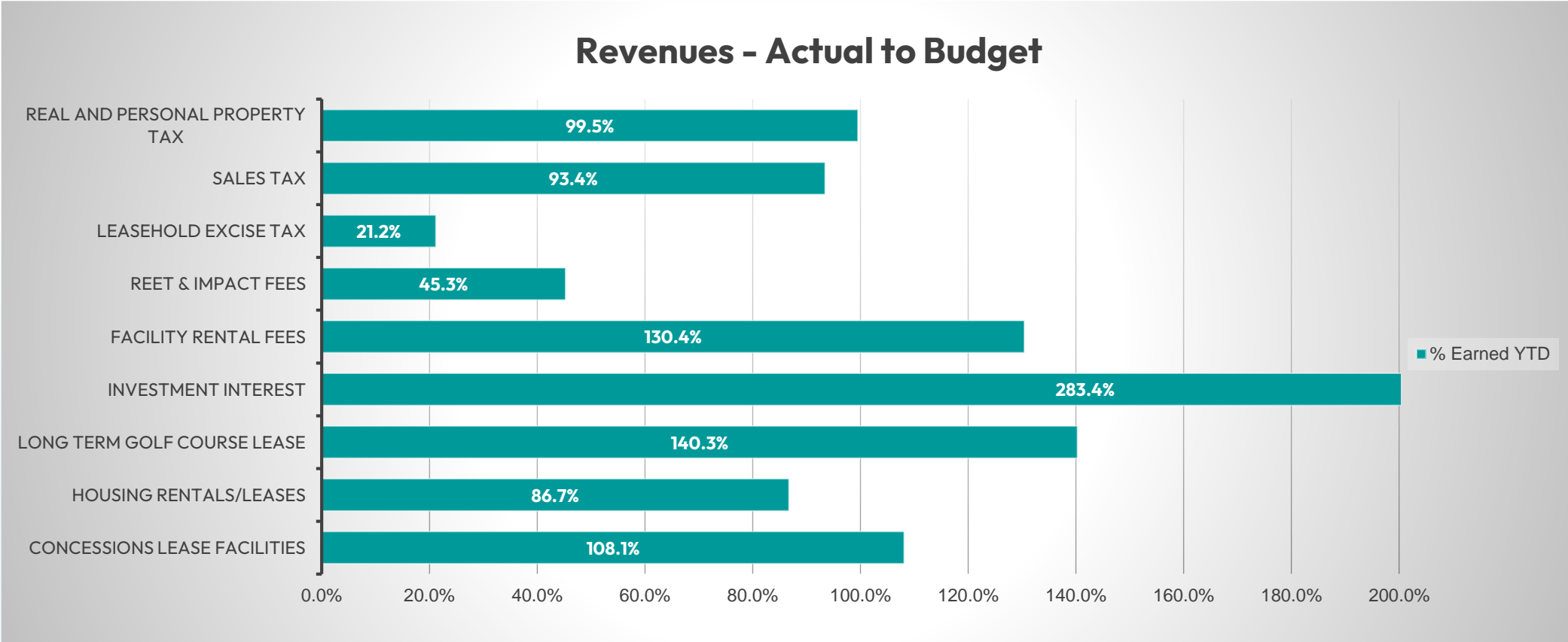
Board of Park Commissioners Meeting
February 20, 2024

General Fund 2023 Budget-vs-Actual

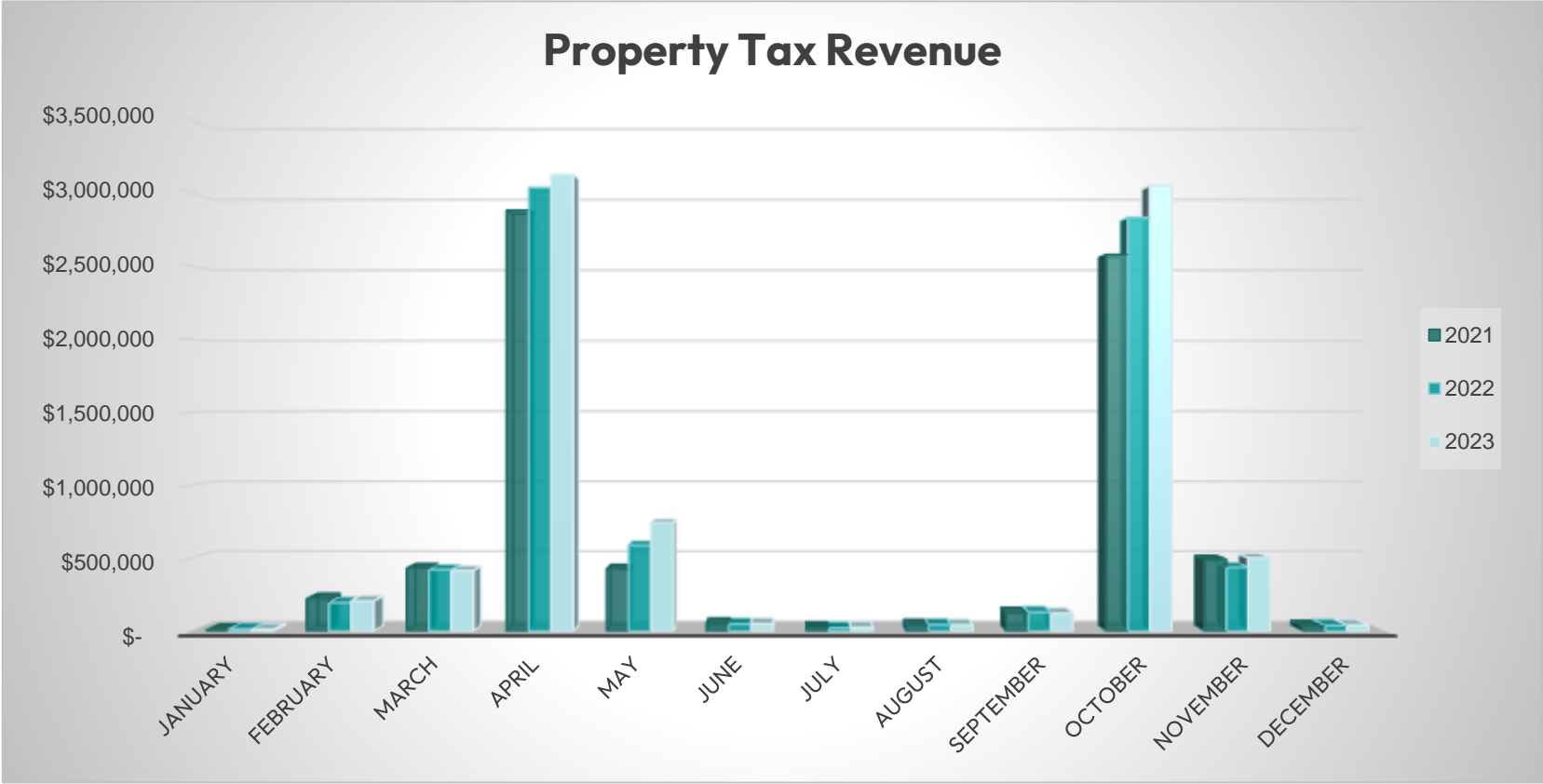
General Fund Revenue	2023 Budget	2023 YTD Actual
Real and Personal Property Tax	8,378,566	8,339,261
Sales Tax	540,000	504,519
Private Harvest Tax	2,000	7,525
Leasehold Excise Tax	5,000	1,060
REET & Impact Fees	618,600	280,000
Facility Rental Fees	119,647	156,046
Investment Interest	300,000	850,134
Long Term Golf Course Lease	60,000	84,170
Housing Rentals/Leases	48,500	42,057
Concessions Lease Facilities	1,000	1,081
Deposits Received	-	16,068
Other General Fund Revenue	5,000	5,143
Sale of Machinery & Equipment	10,000	-
Total General Fund Revenue	10,088,313	10,287,063

- 99% of budgeted tax revenue received
- REET received but no impact fees received in 2023
- Investment interest was \$850K over budget
- Leases exceeded budget by \$17K
- No sales of machinery or equipment in 2023 (expected in 2024)

General Fund 2023 Budget-vs-Actual



General Fund 2023 Property Tax Revenue



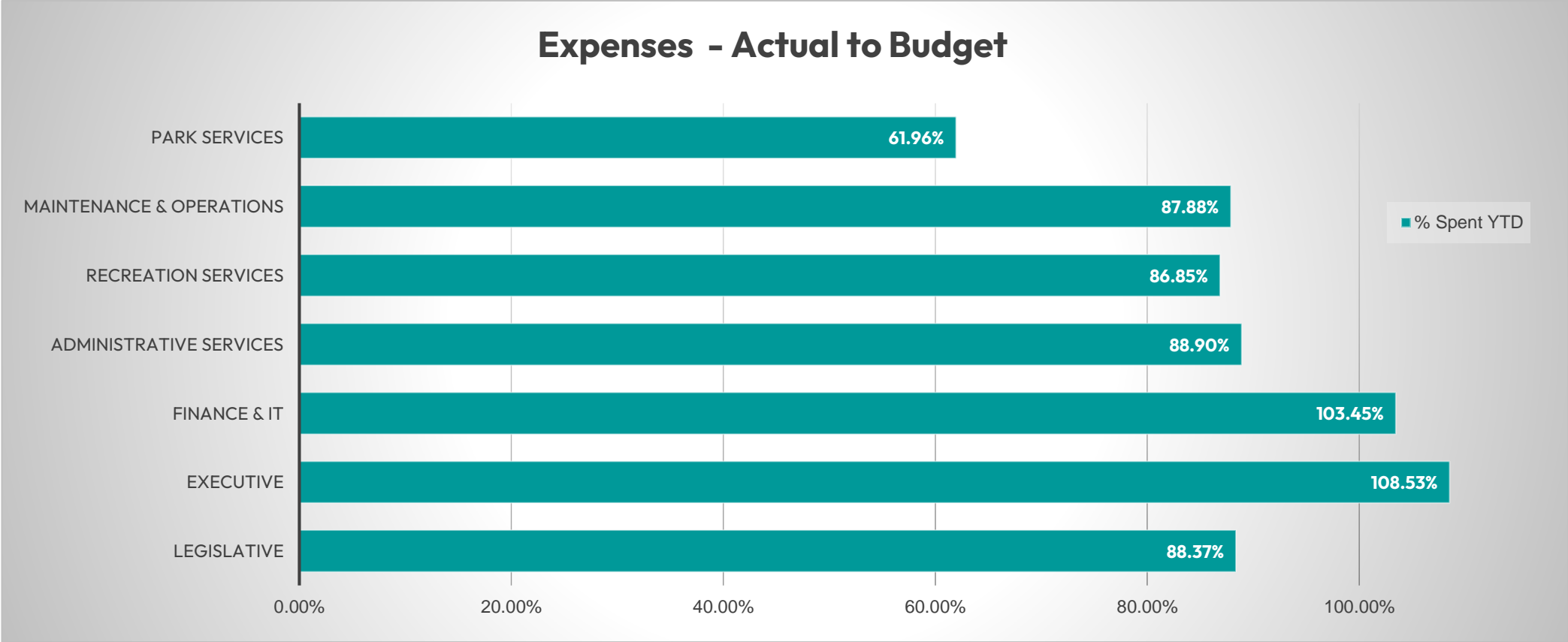
- Property tax revenue has increased 14.44% since 2021.

General Fund 2023 Budget-vs-Actual

- Expenses were under budget mostly in wages/benefits & professional services.

General Fund Operating Expenses By Division	2023 Budget	2023 YTD Actual
Legislative	172,675	152,590
Executive	510,067	553,577
Finance & IT	1,053,508	1,089,813
Administrative Services	828,405	736,431
Recreation Services	212,264	184,359
Maintenance & Operations	1,563,713	1,374,120
Park Services	757,407	469,320
Total General Fund Expenses	5,098,039	4,560,210

General Fund 2023 Budget-vs-Actual



Recreation Revolving Fund

Revenues by Program Type

Recreation Revolving Fund Revenue	2023 Budget	2023 YTD Actual
Donations	2,500	3,563
Sponsorship	16,750	24,000
Program Fees - Sports & Fitness	472,483	489,206
Program Fees - Adaptive Rec	8,505	1,415
Program Fees - Camps	159,800	186,026
Program Fees - Youth Programs	52,558	55,640
Program Fees - Adult Programs	30,650	20,687
Program Fees - Senior Programs	8,448	20,645
Event Fees	13,150	7,969
Total Recreation Revolving Fund Revenue	764,844	809,151

- By % - Exceeded budget in Program Fees for Seniors the most - 244%
- By \$ - Exceeded the budget in Program Fees for Camps the most - \$26K
 - 2nd most was Program Fees for Sports/Fitness - \$17K

Recreation Revolving Fund

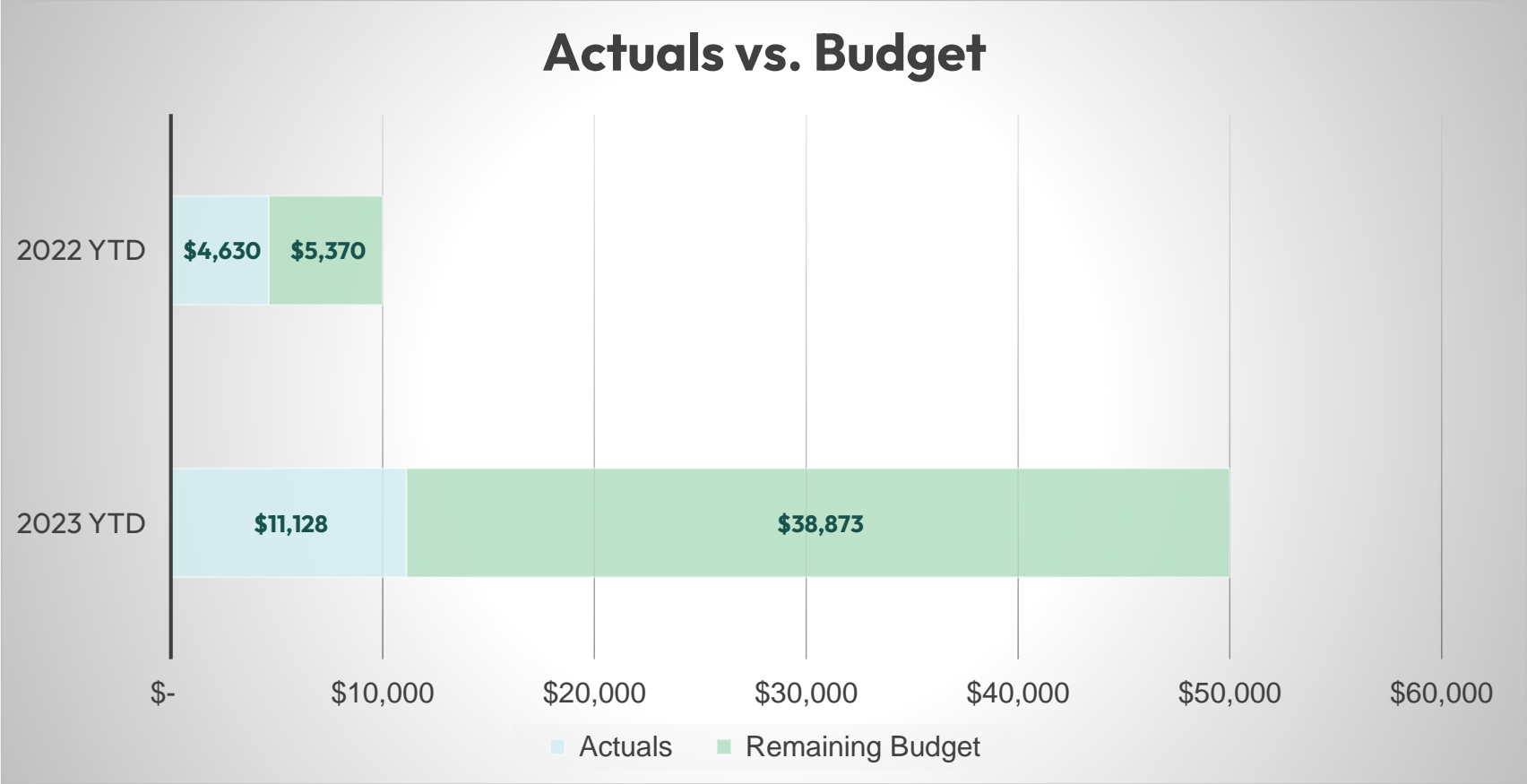
Expenses by Program Type

Recreation Revolving Fund Expenses	2023 Budget	2023 YTD Actual
Software for Rec Program	105,201	4,295
Uniforms	1,750	195
Comprehensive Program Plan	45,000	44,329
Sports & Fitness	369,115	329,395
Adaptive Recreation	36,314	17,786
Camps	112,603	156,565
Youth Programs	48,363	24,372
Adult Programs	27,956	14,212
Senior Programs	38,565	13,970
Special Events	100,479	106,622
General Recreation Expenses	612,152	636,931
Transfer Out- Scholarship Fund	50,000	50,000
Total Recreation Revolving Fund Expenses	1,547,498	1,398,671

- Even with overall increases in Recreation Revolving Fund Revenue, actual expenses were less than budgeted.
- Camp expenses exceeded budget due to the increase in revenue.

Scholarships Comparisons

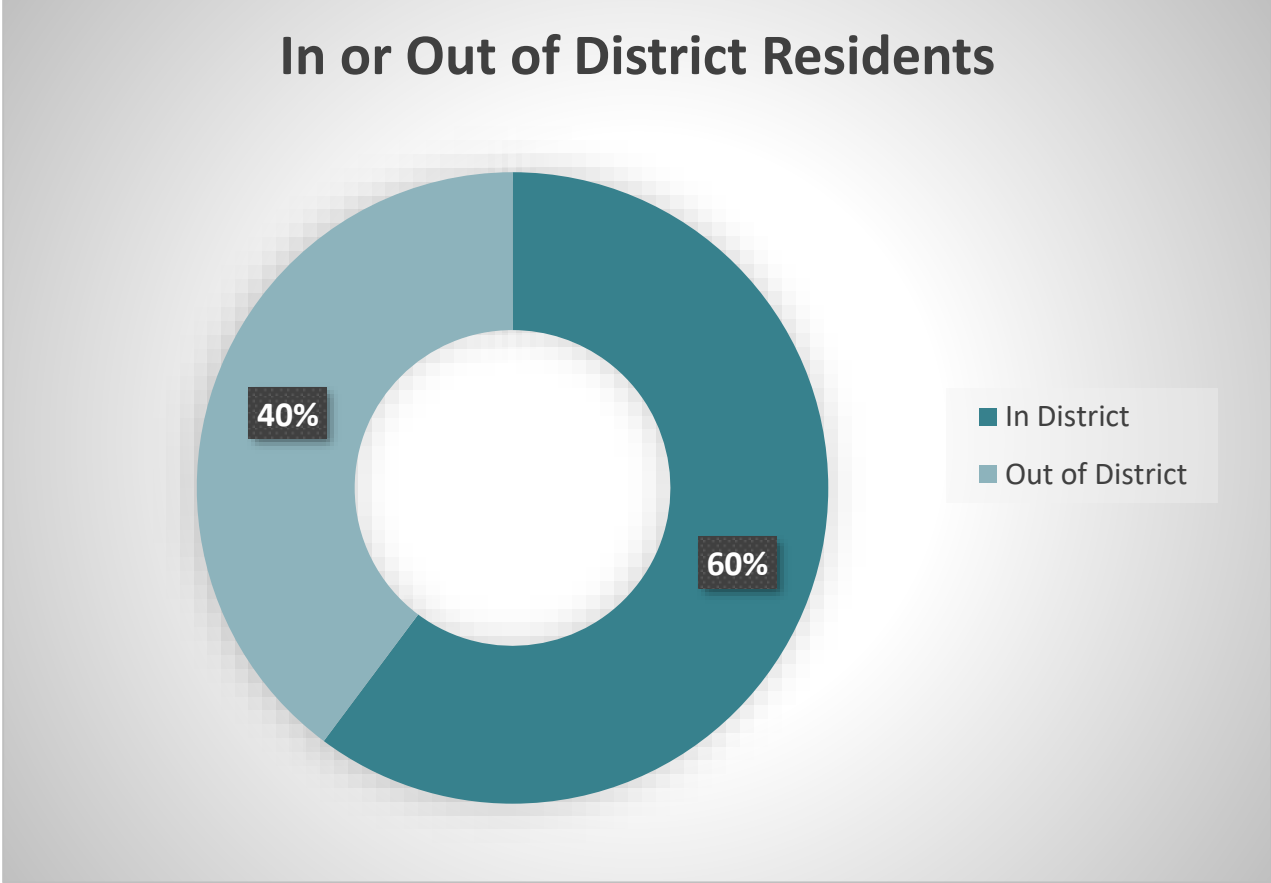
- Increased budget in 2023 vs. 2022 (\$10K vs. \$50K)
- More scholarships awarded in 2023 vs. 2022
- 71% of the budget was remaining @ year end



Scholarships

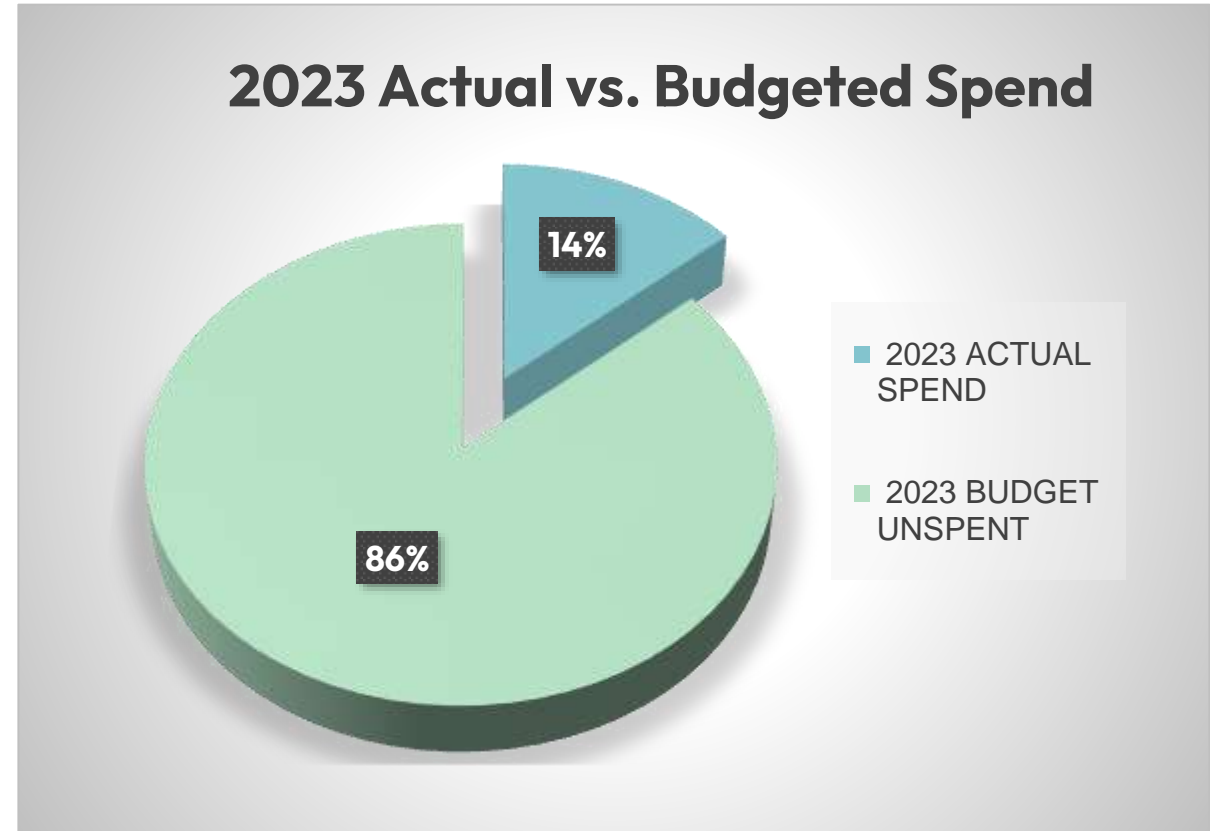
Comparisons

- For 2023:
 - \$6.7K – In District
 - \$4.4K – Out of District



Capital Project Fund

Project	2023 YTD Expenditures
CRC - Planning & Construction	4,836,913
Sehmel Homestead Park - Turf	41,829
Hale Pass - Renovation	59,149
Peninsula Gardens Demo	25,263
DeMolay Sandspit Demo	35,063
Narrows Beach Demo	24,249
Sunrise Beach Demo	17,814
Rosedale Hall Renovations	242,264
District - Key & Access Control Plan	6,962
District - Signage & Wayfinding Master Plan Design	1,132
Feasibility Studies	85,706
DeMolay Sandspit - Master Plan	17,618
Tubby's Trail - Upgrades To Dog Park	725
District - Capital Campaign Initiatives	103,720
Total YTD Capital Fund Expenditures	5,498,407



Questions?



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STUDY SESSION MINUTES

February 06, 2024, 5:00 PM

Community Recreation Center Administration Building – 2416 14th Ave NW, Gig Harbor, WA 98335

Call to Order: 5:01 PM

Commissioner Roll Call:

	Present	Excused	Comment
President Hill		X	Arrived at 5:35 pm
Commissioner Kingsbury	X		
Commissioner Grimmer	X		
Commissioner Nixon	X		
Commissioner Sehmel	X		

Quorum, Yes

ITEM 1 Board Discussion

1a. Mobile Recreation Program

PowerPoint Presentation by Recreation Services Manager Brycen Toney.

Board Question: What do you mean by supply transportation? **Staff:** Transportation of our supplies to a location. **Board Comments:** Do we have a van? **Staff:** We have a pickup truck and a trailer similar to what we use for events. **Board Comments:** Discovery has two fields and is much closer to homes. I like that we are utilizing school locations. Look at Fox Island down the road and see if Key Pen Parks or the City would like to contribute to visiting Key Peninsula Middle School or Discovery in the city and gymnasiums at Harbor Ridge. Discovery also has access to the High School Turf Fields. Is Swiftwater an option? It is a walkable school. **Staff:** We can reach out to see the schools the YMCA uses. **Board Comments:** Will kids have to register, and what is the return rate? **Staff:** No, it will be a sign-in/drop-in; we will look for data on return rate. **Board Comments:** Will you be encompassing Harbor Wildwatch? Peach Jar? Reach out to Colleen at Communities in Schools **Staff:** Yes, that's a great idea. **Board Comments:** So excited about this and want to roll it out at the correct pace. The numbers won't be that high because it is not known. The first year will be getting the word out. When does our Summer Rec Guide go out? **Staff:** March 1st, and this will be in it. **Board Comments:** I like that you don't have to drive; that is awesome, and \$9,000 for five weeks seems reasonable. Are we targeting school-age kids or teens? **Staff:** We will utilize supplies in-house, have school-age items, and see what teens show up and have opportunities for them. **Board**



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Comments: I am very excited; the visual of a van would create excitement for the kids. In terms of promotions, a sign/banner for promotion at Peninsula Gardens could be seen by 9,000 people. Hugely supportive; if there is anything we can do to support this effort, let us know. Is this during the same time as the camps? **Staff:** It is intentionally started after camps have started and after July 4th so our camps can get off to a good start.

ITEM 2 Adjournment: 5:38 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Maryellen (Missy) Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



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REGULAR MEETING MINUTES

February 06, 2024, 6:00 PM

Community Recreation Center Administration Building – 2416 14th Ave NW, Gig Harbor, WA 98335

Call to Order Time: 6:00 PM

Commissioner Roll Call:

	Present	Excused	Comment
President Hill	X		
Commissioner Kingsbury	X		
Commissioner Gimmer	X		
Commissioner Nixon	X		
Commissioner Sehmel	X		

Quorum: Yes

ITEM 1 President's Report

ITEM 2 Executive Director's Report

- First board meeting at our headquarters; we are open to the public and available for community use.
- 2/10 Sweetheart Dance still has tickets available in all three sessions.
- 2/7 registration for youth baseball opens for in-district residents. Participants may select desired practice time and practice location.
 - Pricing policy overview.
- PenMet Parks Foundation incorporation preparation
- Senior feasibility study and Aquatic feasibility study updates and final steps timeline:
 - 2/2/2024 - PenMet submitted final review comments to the Consultant
 - 3/5/2024 - PenMet Parks will send the Steering Committee the final draft studies
 - 3/19/2024 - Consultant presents draft studies to Park Board
 - April 2024 - Park Board considers accepting the final studies by resolution
- Construction Change Order #03 Phase I, Administrative Building
- Construction Change Order #02 Rosedale Hall Renovation

Board Question: What is the Completion date for Rosedale? **Staff:** Contract finish date is May 31, 2024 **Board Question:** Is there a place on our website for these projects. **Staff:** Our website has a Capital Projects - Current Projects page that is updated monthly.
- Construction Change Order #03 Community Recreation Center – Phase II

Board Question: Was the septic tank installed by the first contractor in Phase I? **Staff:** Yes



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ITEM 3 Special Presentations: None

ITEM 4 Board Committee Reports

4a. Park Services Committee – Has not met since last meeting.

4b. Finance Committee – Has not met since last meeting.

4c. Administrative Services Committee

- The committee received an overview from staff regarding the metrics that will be tracked and reported monthly for marketing, facilities, human resources, and customer service
- Reviewed the calendar of topics for our monthly meetings for 2024
- Reviewed the proposed Facilities Fee Chart

4d. Recreation Services Committee-

- 20th Anniversary Celebration – Overview of 20th Anniversary celebration planning meeting including the list of planned events and opportunities to gather and share stories from the community about the impact PenMet Parks has had over the last 20 years. Reviewed the staff suggestions for theme ideas and potential opportunity for a mural project at Sehmel Homestead Park.
- Mobile Recreation Program –Discussed feedback from staff meeting with Food Backpacks for Kids regarding sites, food support, and activities. Brycen provided an overview of a site analysis to help us narrow down potential sites for summer 2024.
- 2024 Summer Concerts & Movies – Staff reviewed the proposed schedule for the summer concert and movie line-ups. Commissioners were supportive, so staff will follow through with the schedule as planned.
- 2024 Meeting Calendar & Potential Agenda Topics – Staff reviewed the 2024 meeting schedule and discussed potential agenda topics.

4e. Campaign Committee – Call on Pres. Hill or Comm. Nixon

- Discussion of PenMet Parks Naming Policy amendments
- Incorporation paperwork and application for 501C3 status are being prepared for PenMet Parks Foundation. Founding Board of Directors for PenMet Parks Foundation:
 - Amanda Babich, President
 - Steve Nixon, Vice President
 - Jen Smith, Director

4f. External Committees – None

ITEM 5 Public Comments: None



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ITEM 6 Minutes

- 6a. **Approval of the January 23, 2024 Study Session Minutes**
- 6b. **Approval of the January 23, 2024 Regular Meeting Minutes**

Commissioner moved to adopt the minutes as presented;
 Commissioner seconded.

Roll call vote. Approved unanimously. Motion carried.

ITEM 7 Consent Agenda

- 7a. **Resolution C2024-002: Approval of January Vouchers**

Commissioner moved to adopt the consent agenda as presented;
 Commissioner seconded;

Roll call vote. Approved unanimously. Motion carried.

ITEM 8 Unfinished Business: None

ITEM 9 New Business

- 9.1 **Purchasing Resolutions Requiring One Reading for Adoption: None**
- 9.2 **Single Reading Resolutions Requiring One Reading for Adoption**
 - 9.2a **Resolution R2024-003 Designating Certain Individuals as Authorized Signers at District Financial Institutions**

Commissioner moved; Commissioner seconded.

Memo overview by Director of Finance Jessica Wigle for staff presentation.

Board discussion: None

Roll call vote. Approved unanimously. Motion carried.

- 9.3 **Two Reading Resolutions Requiring Two Readings for Adoption: None**

ITEM 10 Comments by Board: President Nixon met with City of Gig Harbor Mayor Markley. Commissioner Sehmel went to Narrows Park with daughter and the maintenance looked great. Commissioner Kingsbury's daughter went to the Teen Masquerade Ball and appreciate the event. Great turnout; it rallied. President Hill, to those in attendance, it is beyond your regular day; thank you!

ITEM 11 Next Board Meetings

February 20, 2024 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Community Recreation Center Administration Building – 2416 14th Ave NW, Gig Harbor, WA 98335



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ITEM 12 Adjournment Time: 6:38 pm

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Approved By the Board on _____

Maryellen (Missy) Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Sue O'Neill, Director of Park Services

Date: February 20, 2024

Subject: **Resolution R2024-004 Granting the Peninsula Light Company Request for Utility Easement to Provide Service to the Community Recreation Center**

Background/Analysis

The Board of Park Commissioners passed Resolution P2023-005 authorizing the Executive Director to execute a construction agreement with Jody Miller Construction Inc. for Phase II of the Community Recreation Center. PenMet Parks is responsible for providing a power transformer to the building site for Jody Miller Construction to connect to that will provide power supply to the new facility. Peninsula Light Company is the utility provider for electrical service at the Community Recreation Center project location. Peninsula Light Company requires a utility easement for their installation of the transformer, underground conduit, and wiring to support the project in the vicinity shown in Exhibit A.

To approve an easement, by law there must be unanimous Park Board approval. Staff and legal counsel are negotiating the easement with Peninsula Light Company.

Policy

Per Policy P10-101: Board Policy and Procedures, staff reviews the information and request for an easement with regard to the following factors:

1. The information relating to the easement or license is complete and complies with all applicable laws and regulations. The requestor is responsible for providing all materials and information that PenMet Parks deems necessary for such a review.



2. The easement or license does not materially or detrimentally affect the use of the property for current or potential future park and recreation purposes.
3. The easement or license specifies the compensation to PenMet Parks so there is no gifting of public funds.
4. The easement or license provides a demonstrated benefit to PenMet Parks and is in PenMet Parks' best interest.

The project drawings specify underground power and a power transformer to be installed at the Community Recreation Center project. The designer of record and the authority having jurisdiction have reviewed and approved the plans and specifications. This easement does not constitute gifting of public funds as the easement is necessary to provide for utilities for the Community Recreation Center. It is located to minimize the risk of conflicting with the current or potential future use for park and recreation purposes. The utility easement is required to provide service to the new facility, which provides a significant public benefit.

Legal counsel has reviewed the easement.

Policy Implications/Support

1. The Board approved Resolution P2023-005 authorizing the Executive Director to enter into a construction contract with Jody Miller Construction for the Community Recreation Center project.
2. Staff reviewed the easement request with regard to the factors listed in Policy P10-101: Board Policy and Procedures and found that the easement does not materially detriment the use of the property, does not constitute a gift of public funds, and provides a significant public benefit.
3. The easement is a requirement of developing the Community Recreation Center and will advance District goals, objectives, and strategic direction, including to effectively manage and maintain assets to preserve existing infrastructure, to delight and engage the community, and to provide balanced financial accountability.

Staff Recommendation

Staff recommends the Board pass Resolution R2024-004 granting the Peninsula Light Company utility easement request to provide service to the new Community Recreation Center.



Committee Recommendation

This action was reviewed by the CIP Committee at its February 13, 2024 meeting with a recommendation to bring this action to the full Board for its approval.

Staff Contact

If you have any questions or comments, please contact Sue O'Neill at 253-330-2638 or via e-mail at soneill@penmetparks.org.

Attachments

Exhibit A: Resolution R2024-004



Peninsula Metropolitan Park District

RESOLUTION NO. R2024-004

GRANTING THE PENINSULA LIGHT COMPANY REQUEST FOR UTILITY EASEMENT TO PROVIDE SERVICE TO THE COMMUNITY RECREATION CENTER.

WHEREAS, Peninsula Metropolitan Park District (PenMet Parks) passed Resolution P2023-005 Authorizing the Executive Director to execute a construction agreement with Jody Miller Construction Inc. for construction of Phase II of the Community Recreation Center; and

WHEREAS, PenMet Parks is responsible for providing permanent electrical power to the construction site; and

WHEREAS, Peninsula Light Company is the utility provider for electrical service at the location of the Community Recreation Center project; and

WHEREAS, Peninsula Light Company requires a utility easement for installation and service of underground power and transformers; and

WHEREAS, PenMet Parks staff has evaluated the proposed easement in accordance with Policy P10-101: Board Policy and Procedures; and

WHEREAS, PenMet Parks has determined that the requested utility easement to provide electrical service to the planned Community Recreation Center provides significant public benefit;

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners of the Peninsula Metropolitan Park District that the Peninsula Light Company requested utility easement to provide service for the new Community Recreation Center is granted.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on February 20, 2024.

Board President, Maryellen (Missy) Hill

Board Clerk, Laurel Kingsbury

Attest: Ally Bujacich

AFTER RECORDING RETURN TO:

Peninsula Light Company
13315 Goodnough Dr NW
Gig Harbor, WA 98332

Document Title: DECLARATION OF UTILITY EASEMENT
Grantor: PENINSULA METROPOLITAN PARK DISTRICT
Grantees: PENINSULA LIGHT COMPANY
Legal Description: Lots 15 Sec. 28 Twn 21N Rge. 2E
Additional Legal Description: See Page 1 For Full Legal Description
Assessor’s Tax Parcel Number: 0221282009

DECLARATION OF UTILITY EASEMENT

THIS DECLARATION OF UTILITY EASEMENT is dated February 12, 2024 (for reference purposes only) and is by and between the Peninsula Metropolitan Park District, a Washington municipal corporation (“Grantor”), and PENINSULA LIGHT COMPANY, a Washington non-profit Mutual corporation or its successors or assigns (hereinafter “Grantee”). For and in consideration of the mutual benefits described herein, the parties agree as follows:

1. Grantor Property. Grantor is the owner of certain real property legally described as follows:

ALL THAT PORTION OF LOT 15, ABANDONED MILITARY RESERVATION IN SECTION 28, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE W.M., IN PIERCE COUNTY, WASHINGTON, LYING EAST OF THE EASTERLY LINE OF STATE HIGHWAY NO. 14C AND SR 16, AS CONVEYED TO THE STATE OF WASHINGTON BY INSTRUMENT RECORDED UNDER AUDITOR’S NO. 1781045 AND AS CONDEMNED BY THE STATE OF WASHINGTON IN DECREE ENTERED FEBRUARY 14, 1972, IN PIERCE COUNTY SUPERIOR COURT CAUSE NO. 203323;

EXCEPT FROM SAID PORTION OF LOT 15, J.S. REED COUNTY ROAD (14TH AVE. N.W.)

ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON BY DEEDS RECORDED SEPTEMBER 4, 2001 UNDER RECORDING NOS. 200109040427 AND 200109040428.

Situated in the County of Pierce, State of Washington.

Pierce County Tax Parcel No. 0221282009.

Hereinafter “Grantor’s Property”.

2. Grant of Easement. Grantor hereby grants to Grantee a perpetual, non-exclusive easement over, under and across the Grantor’s Property ten feet (10’) in width with the centerline being the buried power line as it is installed and depicted on the attached Exhibit A (hereinafter the “Easement Area”).

3. Use. Grantee may use the Easement Area to construct, operate, and maintain underground electric power cables and appurtenances.

4. Restrictions, Reservations and Covenants.

a. No Obstruction. No structures shall be constructed, erected, or placed upon the surface of the Easement Area that would materially impair the normal operation or use of the Easement Area. The Easement Area shall not be occupied by any object,

unless it will not in Grantee's reasonable judgment, interfere with or endanger any part of the SYSTEM, and/or its construction, operation or maintenance.

b. Repair and Maintenance. Grantor and Grantee shall share in the cost and expense to maintain the Easement Area in good, safe and clean condition, based on their use of the Easement Area consistent with Grantor's and Grantee's obligations to restore the Easement Area as provided in subsection (d)(i) and (ii) below.

c. Notice of Work.

- i. Grantee shall provide reasonable notice to Grantor of construction, maintenance, repair, removal, relocation, or replacement of Grantee's facilities in the Easement Area. Provided, if Grantee determines in its sole judgment that emergency repairs are necessary, Grantee may commence such repairs without notice and notify the Grantor as soon as practicable after repairs have commenced. Nor shall Grantor have any right to alter or veto any final decision or judgment of Grantee as to the construction, maintenance, repair, removal or relocation of Grantee's facilities or operation of its electric system.
- ii. The cost for any improvements in the Easement Area shall be borne by the party proposing the improvements, unless otherwise agreed in writing.

d. Restoration of Easement Area.

- i. In the event of damage to the Grantor Property and/or the Easement Area caused by Grantee or any of its employees, contractors, subcontractors, agents and other representatives, (hereinafter collectively referred to as the "Grantee Parties"), Grantee shall restore such damaged area to substantially the same condition in which it existed immediately prior to such damage.
- ii. In the event of damage to the Easement Area caused by Grantor or any of its employees, contractors, subcontractors, agents and other representatives (hereinafter collectively referred to as the "Grantor Parties"), Grantor shall restore such damaged area to substantially the same condition in which it existed immediately prior to such damage.

e. Relocation of Easement. Grantor may request that the Easement Area be relocated, at Grantor's sole cost and expense upon giving no less than six (6) months' advance written notice to Grantees. Grantee may approve or disapprove Grantor's request to relocate the Easement Area and the improvements therein to an alternative location for any reason or no reason in Grantee's sole discretion. Grantor acknowledges and agrees that Grantee is a "Utility Cooperative" as defined in RCW 64.65(18) and that this Easement is a "Public Utility easement" as defined in RCW 64.65.010(10). Grantor is aware that RCW 64.65.120(2) states that Chapter 64.65 may not be used to require a public utility to relocate an easement. Prior to any relocation of the Easement Area and improvements therein, Grantor and Grantee shall execute and record (at Grantor's cost) a mutually agreed amendment to this Agreement including a revised legal description and depiction to reflect the relocation of the Easement Area.

f. Indemnification.

- i. Grantee shall indemnify, defend and hold harmless Grantor from and against any and all claims, actions, suits, losses, expenses (including reasonable attorneys' fees), and damages which may accrue or be suffered by any persons or property to the extent arising from or relating to the activities of Grantee or any of the Grantee Parties pursuant to this Agreement or arising from or relating to any Grantee Parties activities or entry on or around the Easement Area or Grantor Property, except to the extent caused or contributed to by the negligence and/or wrongful acts or omissions of Grantor.
- ii. Grantor shall indemnify, defend and hold harmless Grantee from and against any and all claims, actions, suits, losses, expenses (including reasonable attorneys' fees), and damages which may accrue or be suffered by any persons or property to the extent arising from or relating to the activities of

Grantor or any of the Grantor Parties pursuant to this Agreement or arising from or relating to any Grantor Party's activities or entry on or around the Easement Area or Grantor Property, except to the extent caused or contributed to by the negligence and/or wrongful acts or omissions of Grantee.

- iii. Where such claims, actions, suits, losses, expenses (including reasonable attorneys' fees), and damages result from the concurrent negligence and/or wrongful acts or omissions of the parties, the indemnity provisions provided herein shall be valid and enforceable only to the extent of the indemnifying party's own negligence and/or wrongful acts or omissions.

5. Reservation of Rights. Grantor expressly reserves the right to use the Easement Area in any manner that does not unreasonably interfere with Grantees' use thereof for the purposes permitted by this Agreement. Grantee acknowledges that Grantor may grant easements to other utility providers, including and without limitation Comcast and CenturyTel, in the same location as the easement to Grantee. This Agreement is not intended to amend, alter, reduce, limit or impact in any way any rights of Grantee to use the Property under the existing Easement granted to Peninsula Light Company by Grantor's predecessor, FIRS MANAGEMENT, LLC, and recorded in Pierce County land records under Recording No. 201810290390, or pursuant to any amendment thereto, or to any other right of the Grantee to use, occupy or otherwise exercise any right in the Property.

6. Miscellaneous.

a. Benefits and Burdens Shall Run with Land. The rights and obligations described in this Agreement are intended to touch and concern the Grantor Property. The burdens and benefits of Grantor and Grantee under this Agreement shall run with the Grantor Property and inure to the benefit of and be binding on Grantor's and Grantee's respective successors and assigns. The Easement does not constitute a gift or dedication of any portion of the Grantor Property, and the grant of the Easement is strictly limited to the purposes expressly stated herein.

b. Attorneys' Fees. In the event of litigation to enforce or interpret this Agreement, the substantially prevailing party shall be entitled to recover its reasonable attorneys' fees and costs (including in bankruptcy and on appeal) from the other party.

c. Amendment. This grant shall not be modified, amended or canceled except by written instrument signed by the Grantor and Grantee or their successors or assigns.

d. Notices. Unless otherwise provided herein, notices required to be in writing under this Agreement shall be given as follows:

If to Grantor: Peninsula Metropolitan Park District
PO Box 425
Gig Harbor, WA, 98335

If to Grantee: Peninsula Light Company
13315 Goodnough Dr NW
Gig Harbor, WA 98332

Notices shall be deemed effective, if mailed, upon the second day followed deposit thereof in the United States Mail, postage prepaid, certified or registered mail, return receipt requested, or upon delivery thereof if otherwise given. Any party may change the address to which notices may be given by giving notice as above provided.

Dated this ____ day of February, 2024.

GRANTOR:
Peninsula Metropolitan Park District

By: _____
Ally Bujacich
Executive Director

STATE OF WASHINGTON)
) ss.
County of Pierce)

I certify that I know or have satisfactory evidence that Ally Bujacich is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Executive Director of the Peninsular Metropolitan Park District to be the free and voluntary act of such party for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this ____ day of February, 2024.

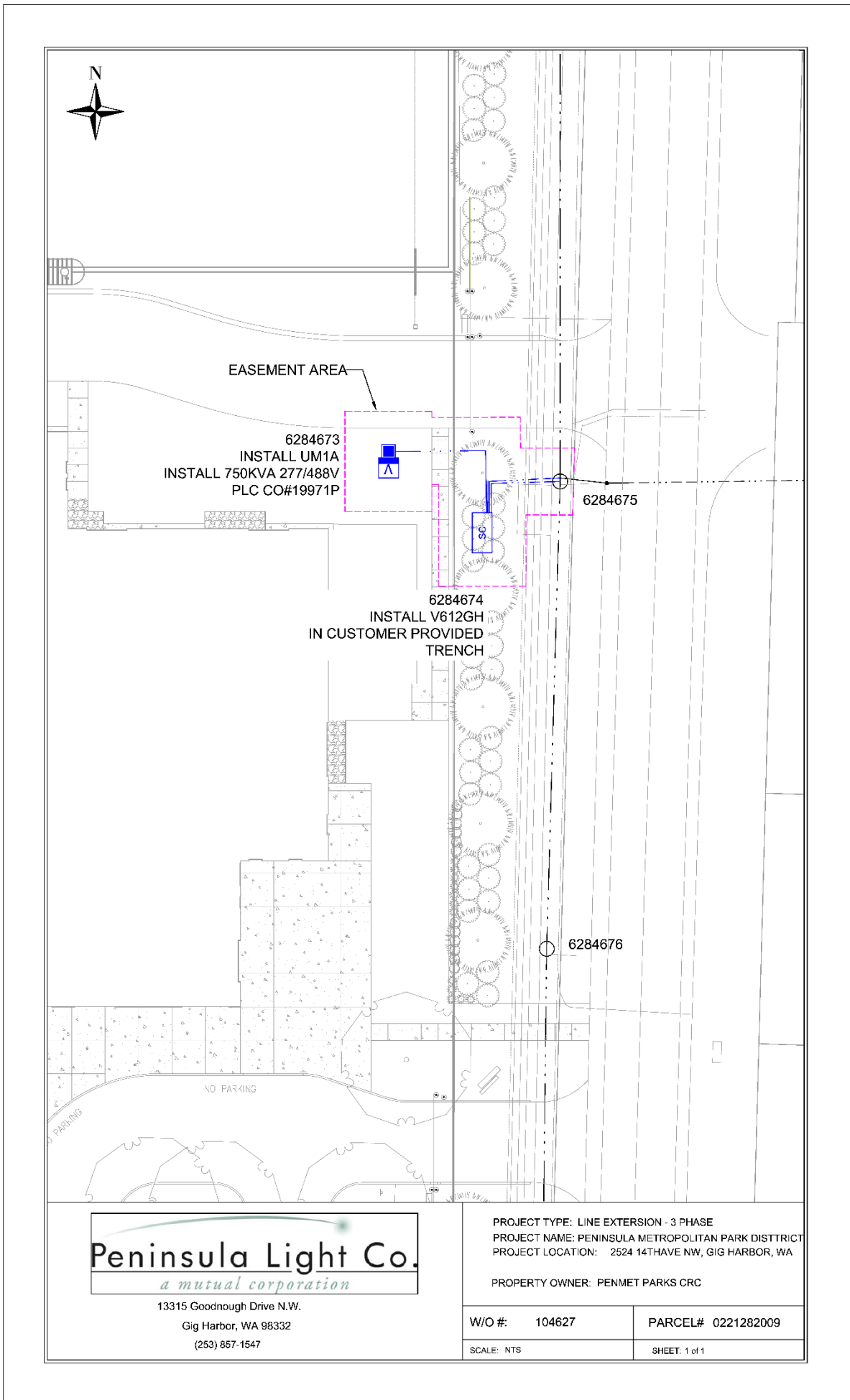
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My commission expires: _____
Printed Name: _____

Accepted by Peninsula Light Company this ____ day of February, 2024.

Peninsula Light Company

By: _____
Jafar Taghavi
CEO

EXHIBIT A Depiction of the Easement



Peninsula Light Co.
a mutual corporation
 13315 Goodnough Drive N.W.
 Gig Harbor, WA 98332
 (253) 857-1547

PROJECT TYPE: LINE EXTENSION - 3 PHASE
 PROJECT NAME: PENINSULA METROPOLITAN PARK DISTRICT
 PROJECT LOCATION: 2524 14TH AVE NW, GIG HARBOR, WA
 PROPERTY OWNER: PENMET PARKS CRC

W/O #:	104627	PARCEL#	0221282009
SCALE:	NTS	SHEET:	1 of 1



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Tracy Stirrett, Director of Development

Date: February 20, 2024

Subject: **First Reading of Resolution RR2024-001 Adopting Amended Policy P10-102: Park Naming Policy**

Background/Analysis

The Board of Park Commissioners passed Resolution R2006-006 on April 17, 2006 adopting Policy P10-102: Park Naming Policy.

PenMet Parks enhances the quality of life by providing parks and recreation opportunities for our community, including by providing stewardship and partnership opportunities for our community. The District is committed to engaging the community in its comprehensive park system and identified themes in the 2023 Strategic Plan including Delight and Engage the Community and Balanced Financial Accountability. The 2023 Parks, Recreation, and Open Space (PROS) Plan identifies the goal to advance organizational effectiveness through financial stewardship including seeking funding for parks and facilities through various sources such as donations, sponsorships, partnerships, and grants. As the District continues to engage the community in stewardship of parks, programs, and places, it creates new opportunities to name PenMet Parks Assets.

The amended Policy P10-102: Park Naming Policy will provides direction regarding soliciting, considering, and entering into agreements to name and rename parks, recreation areas, natural areas, facilities, interior spaces, objects, programs, and features, collectively known as “Assets”. The goals of amended Policy P10-102 are to recognize individuals and organizations that have made significant contributions to PenMet Parks, set and maintain appropriate standards for naming Assets, and provide opportunities for revenue generation through naming of Assets through capital campaigns, corporate naming rights or memorial donations as appropriate.

The amended policy has been reviewed by legal counsel.



Policy Implications/Support

1. The Board passed Resolution RR2022-012 on January 3, 2023 adopting the District's five-year Strategic Plan, which identifies strategic themes including Delight and Engage the Community and Balanced Financial Accountability.
2. The Board passed Resolution RR2023-012 on October 17, 2023 adopting the 2023 Parks, Recreation, and Open Space Plan, which identifies the priority to advance organizational effectiveness through financial stewardship, community partnerships, and volunteer engagement, along with other measures.

Staff Recommendation

Staff recommends that the Board approve Resolution RR2024-001 adopting amended Policy P10-102: Park Naming Policy at its second reading planned for March 5, 2024.

Committee Recommendation

The Campaign Committee reviewed this action during its February 1, 2024 meeting with a recommendation to bring this action to the full Board for its approval.

Staff Contact

If you have any questions or comments, please contact Tracy Stirrett, Director of Development, at tstirrett@penmetparks.org or (253) 858-3400.

Attachments

Exhibit A: Resolution RR2024-001



Peninsula Metropolitan Park District

RESOLUTION RR2024-001

ADOPTING THE AMENDED POLICY P10-102: PARK NAMING POLICY

WHEREAS, the mission of Peninsula Metropolitan Park District is to enhance the quality of life by providing parks and recreation opportunities for our community; and

WHEREAS, the Board of Park Commissioners passed Resolution RR2022-012 on January 3, 2023 adopting the District’s five-year Strategic Plan, which identifies the initiative to strategically identify key partners to augment the District’s ability to offer services; and develop and grow alternative sources of revenue;

WHEREAS, the Board of Park Commissioners passed Resolution RR2023-012 on October 17, 2023 adopting the 2023 Parks, Recreation, and Open Space Plan, which identifies the priority to seek funding for parks, facilities, and renovations through various sources including donations, and partnerships;

WHEREAS, PenMet Parks relies on community engagement to enhance the park and recreation opportunities it provides; and

WHEREAS, the Policy provides for responsible management of the naming of District’s Assets, and wishes to further amend the Policy 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 P10-102: Park Naming Policy, attached as Exhibit “A”, which supersedes all previous versions of Policy P10-102.

The foregoing resolution was heard as a first reading on February 20, 2024 and adopted at a regular meeting by the Board of Park Commissioners of the Peninsula Metropolitan Park District held on March 5, 2024.

Maryellen “Missy” Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich



Peninsula Metropolitan Park District

Park Naming Policy

Policy Number:	Resolution Number:	Date Approved:	Supersedes the following Resolutions and Policies:
P10-102	RR2024-001	March 5, 2024	R2006-006 April 17, 2006

Policy: Park Naming Policy

Purpose: To provide direction regarding soliciting, considering, and entering into agreements to name and rename parks, recreation areas, natural areas, facilities, interior spaces, objects, programs, and features.

Goals: The goals of the Park Naming Policy are to:

- Recognize individuals and organizations that have made significant contributions to PenMet Parks or to the community through notable volunteer or in-kind efforts, outstanding service, or financial contributions by naming PenMet Parks’ parks, recreation areas, natural areas, facilities, interior spaces, objects, programs, or features (collectively “Assets”) in their honor.
- Set and maintain appropriate standards for naming Assets.
- Provide opportunities for revenue-generation through naming of Assets through capital campaigns, corporate naming rights or memorial donations as appropriate.

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Section 1. Naming Assets

- A. The designation of Assets for naming purposes and the process for naming those Assets must be in accordance with District approved criteria and procedures developed and approved by the Executive Director.

- B. PenMet Parks shall only name (and rename) its designated Assets for the purpose of honoring people, organizations, or places consistent with PenMet Parks' vision and mission. PenMet Parks' vision is to be a leader promoting health and well-being in a thriving community. The District's mission is to enhance the quality of life by providing parks and recreation opportunities for our community.

Section 2. Right of Refusal

PenMet Parks reserves the right to refuse any naming request or submission, at its sole discretion, for any or no stated reason. PenMet Parks may consider name changes or requests for name removals when appropriate based on community values and the cultural context.

Section 3. Recognition

The form of recognition should be consistent and in alignment with the standards set and maintained in the naming and signage procedures to ensure proper placement and size on the Asset.

Section 4. Approval

All naming rights options and gift levels created for a capital campaign must be approved by the Executive Director. The consideration of any request to name or rename any Asset must be submitted to the Board for final approval.

Section 5. Duration and Discontinuation

- A. If a name designated on an Asset comes into dishonor as determined by the Executive Director, the Executive Director may discontinue the use of that name.

- B. In the event that a named Asset is moved, stolen or damaged, PenMet Parks will use reasonable efforts to replace or repair the Asset. If the named Asset is rendered unfit for continued use or exhibition, the person or entity named, or the donor will be notified that the Asset is no longer in use. Naming rights will not extend past the ordinary life cycle of the Asset.

- C. When a naming right is approved, the time period for use should be established (e.g., the Asset will be named “_____” for the period of “_____” years). At the time the name is to be discontinued, PenMet Parks may provide to the person, organization, or donor the first opportunity to renew their naming upon terms mutually agreeable to the parties.

Section 6. Inherent Privileges

The person or entity who has been named on an asset does not have any inherent privileges to use the Asset unless otherwise stated in an agreement with PenMet Parks.

Section 7. Authorization

The Board of Park Commissioners authorizes the Executive Director to create and adopt the procedures necessary to implement these policies.



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

Through: Zemorah Murray, Director of Administrative Services

From: Jobeth Cortese, Human Resources Generalist

Date: February 20, 2024

Subject: **First Reading of Resolution RR2024-002 Adopting the Amended Policy P30-101: Human Resource Policy**

Background/Analysis

The Board of Park Commissioners passed Resolution R2004-012 on October 13, 2004, adopting Policy P30-101: Human Resource Policy. This policy has been amended several times, most recently in 2022. The purpose of Policy P30-101 is to guide the administration of human resources programs for District staff in alignment with all local, state, and federal laws and regulations related to employment.

Staff and legal counsel reviewed the policy and recommended changes. These changes included removing procedural language, adding a reference to the 2023 collective bargaining agreement, and adding a travel policy. An employee handbook and a collective bargaining agreement provide more detailed guidance and information to District staff on the human resources programs, practices, policies, and procedures, all of which will be implemented as part of the amended policy.

Legal counsel has reviewed the amended policy.



Policy Implications/Support

1. Policy P40-101: Comprehensive Financial Management Policy states, in part, that the District shall establish and maintain a compensation and benefit package that is competitive with the public and private sectors to attract and retain employees necessary for providing high-quality services.
2. The Board passed Resolution RR2022-012 adopting the five-year Strategic Plan for 2023-2027, including the strategic themes of balanced financial accountability and an inspired and accountable district.

Staff Recommendation

Staff recommends the Board pass Resolution RR2024-002 adopting amended Policy P30-101: Human Resource Policy.

Staff Contact

If you have any questions or comments, please contact Jobeth Cortese at 253-858-3400 or via e-mail at jcortese@penmetparks.org.

Attachments

Exhibit A: Resolution RR2024-002



Peninsula Metropolitan Park District

RESOLUTION RR2024-002

ADOPTING THE AMENDED POLICY P30-101: HUMAN RESOURCE POLICY

WHEREAS, the Board of Park Commissioners recognizes the importance of guiding the overall administration of Human Resource programs; and

WHEREAS, Policy P30-101: Human Resource Policy establishes compliance with local, state, and federal laws related to employment; and

WHEREAS, Peninsula Metropolitan Park District provides a separate Employee Handbook and Collective Bargaining Agreement to employees outlining more detailed guidance and information to PenMet Parks employees on the Human Resources programs, practices, and procedures; and

WHEREAS, The Executive Director or designee has the authority to utilize the policy for making operational and personnel decisions for the District; 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 P30-101: Human Resource Policy attached as Exhibit "A" which supersedes all previous versions of Policy P30-101.

The foregoing resolution was heard as a first reading on February 20, 2024 and adopted at a regular meeting by the Board of Park Commissioners of the Peninsula Metropolitan Park District held on March 5, 2024.

Maryellen "Missy" Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich



Peninsula Metropolitan Park District

Human Resource Policy

Policy Number:	Resolution Number:	Date Approved:	Supersedes the following Resolutions and Policies:
P30-101	RR2024-002	March 5, 2024	R2017-008 December 11, 2017 R2016-005 March 28, 2016 R2015-014 September 28, 2015 R2015-008 August 10, 2015 R2014-010 May 5, 2014 R2012-033 December 17, 2012 R2007-006 May 21, 2007 R2006-002 March 20, 2006 R2004-012 October 13, 2004 RR2022-002 March 15, 2022

Policy: Human Resource Policy

Purpose: This Human Resource Policy document guides the overall administration of Human Resources programs. The Executive Director of Peninsula Metropolitan Park District (referred to as “PenMet Parks”) has the authority to utilize the guidelines and policies incorporated in this document for making operational and personnel decisions for the organization.

All employment policies will be executed in alignment with all local, state, and federal laws and regulations related to employment.

There is a separate Employee Handbook and a Collective Bargaining Agreement, approved by the Executive Director, that provides more detailed guidance and information to PenMet Parks employees on the Human Resource programs, practices, policies, and procedures. This Human Resource Policy will be an Appendix of the Employee Handbook.

The Executive Director shall adopt rules, processes, and procedures to administer the Human Resources Policy.

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Section 1. Employment At Will.

Employment at PenMet Parks is on an at-will basis which means that either the employee or PenMet Parks may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this document, or any other document provided to an employee, creates or is intended to create an employment agreement, express or implied.

Section 2. Equal Employment Opportunity (EEO).

PenMet Parks provides equal employment opportunities to all employees and applicants for employment without regard to race, color, creed, ancestry, national origin, citizenship, sex or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, religion, age, disability, genetic information, service in the military, or any other characteristic protected by applicable federal, state, or local laws and ordinances.

Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training. PenMet Parks believes in treating all employees with fairness, respect, and dignity. PenMet Parks believes in creating and maintaining an inclusive work environment that respects diverse ideas, backgrounds, and styles and believes diversity is supported through the selection, management, and retention of diverse employees.

Section 3. Recruitment and Selection

PenMet Parks is committed to an open and fair recruitment and selection process that aligns with its mission and values. In support of this, PenMet Parks will strive to utilize a consistent approach to creating job descriptions, advertising jobs, and screening and selecting candidates.

Section 4. Background Checks

PenMet Parks has a Criminal History Background Check Policy pursuant to RCW 35.61.130 (4).

Section 5. Compensation

PenMet Parks strives for fair and equitable pay programs that are competitive and financially sustainable. We believe compensation is one important tool within a system to support, reinforce and align employees with our mission, culture, and operational and financial needs.

With the exception of the Executive Director, each job title within the District is classified into one of the District's classifications for salary purposes, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title. Each classification is designated a particular salary or salary range shown on the District's salary and wage schedule, which is approved annually by the Board of Park Commissioners.

Section 6. Benefits

PenMet Parks supports work life balance and provides paid time off benefits including holidays, vacation, and sick time for employees to enjoy their life outside of work.

PenMet Parks strives to provide competitive insurance and retirement benefit programs that meet the needs of its employees and are financially sustainable. The benefits offerings will be reviewed and evaluated on a periodic basis to assess if they remain competitive and relevant to employees. Benefits are an important part of the total compensation package and support the organization's ability to attract and retain talent.

Section 7. Employee Growth and Development

PenMet Parks believes that providing growth and development opportunities for its employees contributes to the enrichment of the whole person and aids in attracting and retaining talent that supports the mission and values of the organization.

It is expected that leaders at PenMet Parks will conduct annual performance appraisals and engage in regular coaching and development conversations with their subordinate employees.

Section 8. Leaves of Absences

PenMet Parks realizes that an employee may periodically incur a life event or health issue for themselves or a family member. The organization will comply with all state and federal leave laws to support an employee's time off needed during these situations.

Section 9. Technology Usage

PenMet Parks believes that the organization's assets and property should be used by employees while performing work and that personal usage should be limited to emergency situations only.

PenMet Parks understands that most items relating to the conduct of government or the performance of governmental functions, whether written, recorded, taped, or electronically stored is subject to public inspection and constitutes a public record.

Section 10. Code of Conduct

PenMet Parks believes that employees should represent the organization to the public in a manner that is professional, courteous, efficient, and helpful. PenMet Parks also

expects that leaders and employees should treat each other with professionalism, courtesy, dignity, and respect. In addition, employees will preserve and protect the organization's equipment, grounds, facilities, and resources.

Section 11. Confidentiality

PenMet Parks believes that the protection of confidential business information is vital to the interests and success of the organization. Therefore, employees are prohibited from providing or disclosing confidential documents or information to anyone not authorized to have such information.

PenMet Parks understands that as a public agency, the organization is required to make certain documents and information available to the public upon request. However, some employees' personal information and documents are considered confidential and not subject to disclosure.

Section 12. Conflict of Interest

PenMet Parks expects that all employees will conduct themselves and the organization's business in a manner that reflects the highest standards of ethical conduct and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Section 13. Workplace Harassment

PenMet Parks is committed to providing a work environment that is safe and free from harassment. It is PenMet Parks' policy to prohibit intentional and unintentional harassment of or against employees, job applicants, contractors, interns, volunteers, or employees based on actual or perceived race, color, creed, religion, national origin,

ancestry, citizenship status, age, sex, or gender (including pregnancy, childbirth, and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state, or local laws.

Section 14. Complaint Resolution

PenMet Parks believes open communication supports a more enjoyable and productive work environment. PenMet Parks strives to work together with employees and mutually resolve issues in a timely and responsible manner. PenMet Parks believes that employees should have an avenue to discuss any issues that remain unresolved and provides its employees with complaint resolution procedures for resolving those situations.

Section 15. Whistleblower

PenMet Parks recognizes and supports the right of every employee to report alleged improper actions by a PenMet Parks official or employee that violates the law, abuses their authority, creates a danger to the public health or safety, or is a gross waste of public funds. PenMet Parks supports State law that protects employees from retaliation or disciplinary action for reporting improper action in good faith and commits that employees will be protected from retaliation for reporting any such actions.

Section 16. Health and Safety

PenMet Parks is committed to providing a safe and productive workplace for its employees, volunteers, guests, contractors, vendors, and the general public. This includes a work environment that is free from alcohol, drugs, other controlled substances, or threatened or actual workplace violence.

Section 17. Travel

As a function of their officially assigned duties, or to receive pre-approved training, certification or development opportunities, employees may occasionally be required to travel. Under those circumstances, or any other travel for approved public purposes, PenMet Parks will reimburse employees for their reasonable and necessary travel expenses.

To receive travel reimbursement, employees must complete a reimbursement application in compliance with this policy and Chapter 42.24 RCW. Reimbursement will be based on the employee's actual travel expenses, including lodging and meals.

If an employee uses a personal vehicle, mileage will be reimbursed at the standard mileage rate set by the IRS for that year. However, employees are encouraged to use District vehicles and/or carpooling for travel when reasonably available. Reimbursement for meals shall not exceed the per diem rate.

Employees are to use good judgment and discretion when incurring travel expenses with the best interests of PenMet Parks at the forefront. Excessive and/or unnecessary travel expenses will not be reimbursed. Employees are encouraged to obtain approval prior to incurring travel expenses.

All reimbursement applications for travel expenses must be approved by the Executive Director or the Executive Director's designee.

Section 18. Conclusion

This document supersedes any previous verbal or written policies that may be inconsistent with this version of the Human Resource Policy. As PenMet Parks grows and changes, the Human Resource Policy may change. Therefore, PenMet Parks reserves the right to revise, supplement, clarify, or rescind any policy or portion of a policy when deemed appropriate by the Board of Park Commissioners.