



Peninsula Metropolitan Park District

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

REGULAR MEETING AGENDA

May 05, 2026, 6:00 PM

PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

Call to Order

Commissioner Roll Call:

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

ITEM 1 President's Report

ITEM 2 Executive Director's Report

ITEM 3 Special Presentations

ITEM 4 Board Committee Reports

- 4a. Park Services Committee
- 4b. Finance Committee
- 4c. Recreation Services Committee
- 4d. Campaign Committee
- 4e. 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 April 21, 2026 Study Session Minutes](#)
- 6b. [Approval of April 21, 2026 Regular Meeting Minutes](#)

ITEM 7 Consent Agenda

- 7a. [Resolution C2026-007 Approving Vouchers from March and April 2026](#)



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- 7b. [Resolution C2026-008 Approving Asset Names for Certain PenMet Parks Recreation Center Campus Facilities](#)

ITEM 8 Unfinished Business

ITEM 9 New Business

- 9.1 Purchasing Resolutions Requiring One Reading for Adoption

- 9.2 [Single Reading Resolutions Requiring One Reading for Adoption](#)

[9.2a Resolution R2026-005 Authorizing the Executive Director to Sign the Memorandum of Agreement with the PenMet Parks Foundation.](#)

[9.2b Resolution R2026-006 Accepting Gift\(s\) from the PenMet Parks Foundation](#)

- 9.3 Two Reading Resolutions Requiring Two Readings for Adoption

ITEM 10 Comments by Board

ITEM 11 Next Board Meetings

May 8, 2026 - Special Meeting, Board Property Tour at PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

May 9, 2026 - Special Meeting, Board Retreat - at PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

May 19, 2026 - Study Session at 5:00 pm and Regular Meeting at 6:00 pm at PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

ITEM 12 Executive Session

- 12a. Executive Session for the purpose of considering the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110 (b).

ITEM 13 Adjournment

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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STUDY SESSION – MINUTES

April 21, 2026, 5:01 PM

PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor WA 98335

Call to Order Time: 5:00 PM

Commissioner Roll Call:

Secretary:

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

Quorum: Yes

ITEM 1 Board Discussion

1a. PenMet Parks Foundation Update

Director of Development, Tracy Stirrett, introduces General Counsel Mark Roberts and Founding Board Member of PenMet Parks Foundation, Amanda Babich, as co-presenters. Executive Director, Ally Bujacich, notes she is pleased to see years of planning and visioning come to fruition and provides a brief history; establishing a foundation to support PenMet Parks became one of 36 initiatives in the 5-year strategic plan, adopted in 2023; also codified in the Parks, Recreation and Open Space (PROS) Plan.

Counselor Roberts reviews the bylaws, noting the Foundation’s purpose will be to support PenMet Parks exclusively; a minimum of five members will make up the Board; three must be current or former PenMet Parks Commissioners and never more than two current Commissioners on the board. The all-volunteer Board will not be compensated, but they will be reimbursed for expenses.

The Memorandum of Agreement (MOA) will create a structure for the board to communicate with the Foundation and will dictate the Foundation work toward a list of priorities set by the PenMet Parks Board of Commissioners. It does not prohibit the Foundation from also pursuing other opportunities, provided those opportunities are approved by the board first, which will ensure consistency, and avoid a gift that is not consistent with priorities, strategic plan, etc.

The Foundation will have space at the District Headquarters for its operations. The benefit from the Foundation will always be greater than



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what the District provides to the Foundation, which avoids actual, or the appearance of, the gifting of public funds. Use of the PenMet Parks Foundation name is subject to continued approval of the park board. If agreement is cancelled or terminated the Foundation loses use of the name and must transfer any assets within its control to the District.

The Foundation will contract with the Greater Tacoma Community Foundation to manage funds; interest earned on these funds, or accruing benefits, that would ultimately be conferred to the District. The Foundation is subject to the Board's underlying gift policy. The Foundation doesn't have the inherent ability to solicit; it will only do so in response to what the District finds appropriate.

Director Stirrett notes the PenMet Parks Foundation alignment with District Mission, Vision and values; in working to build a culture of philanthropy, park stewardship is a benefit that PenMet Parks brings to the community, and the Foundation is a goal of the Commissioners, memorialized in the 2023-2027 strategic plan. The Department of Treasury recognized the Foundation as a 501 (C)(3) in 2024.

Board Question: Is the Memorandum automatically renewed every year?

Answer: Yes, it depends on the will of the board. It can automatically renew and have provisions allowing the District to terminate it, based on certain criteria like default, or based on the District's decision that it does not want to continue. There are a number of ways to structure this; legal can assist and solicit input on whether modifications are desired.

Foundation Member Babich discusses Pillars of Service: parks, recreation, legacy, and future, which were created by the board with support of staff. Parks pillar can include capital projects, grants, conservation, bench tiles or other opportunities. Recreation pillar can include financial assistance and sponsorships for all ages. Legacy pillar can include securing planned giving, gifts of real property, stocks, bonds, future opportunities. Future pillars can be added in the future based on District priorities.

Once authorized, funds from the Foundation's first designated gift of \$210,500 from the Names Family Foundation will be transferred to PenMet Parks for the purchase of specific items in 2026, including a van with lift and space for two wheelchairs and adaptive recreation equipment including beach wheelchairs, basketball chairs, trail accessible universal wheelchair, power soccer kit, adaptive archery items and more. Next steps include the PenMet Parks Board consideration of the PenMet Parks Foundation MOA for adoption on May 5, 2026.

Board Question: What happens if there are any entities using a similar IRS name to our foundation? **Answer:** They will be notified by certified mail to stop any use or action under the PenMet Parks Foundation name.

Board Comment: Thank you and appreciation to all who worked on this exciting step, the committee and everyone who put their minds together to



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get us to this point and lift this off the ground. It's opening so many opportunities and doors for our community. Great job.

Board Question: If we know someone who is interested in the Foundation, do we direct them to the Director of Development here at the District Headquarters? **Answer:** We would invite the donor in to meet here at Headquarters, likely location would be current Development office or conference spaces and talk with them about their wishes and figure out where there is a fit.

ITEM 2 Adjournment Time: 5:29 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

William C. (Billy) Sehmel, Board President

Kurt Gimmer, Board Clerk

Attest: Emily Murphy, Board Secretary



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REGULAR MEETING – MINUTES

April 21, 2026, 6:00 PM

PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

Call to Order Time: 6:00 PM

Commissioner Roll Call:

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

Quorum? Yes

ITEM 1 President's Report

We welcomed the Names Family Foundation, who held their annual retreat here at the Rec Center; also met with some Gig Harbor City Council members regarding collaboration opportunities; also met with member of Gig Harbor Peninsula (GHP) Youth Sports Coalition to discuss sports and partnership opportunities; enjoyed a pleasant time with family, biking along the Cushman trail.

ITEM 2 Executive Director's Report

Executive Director, Ally Bujacich, provides brief presentation.

Introduction to new staff member, Sarah Thompson, who joined PenMet as an Accounting Specialist with the Finance Department in April.

April 22 marks first day of the Peninsula Art League (PAL) Spring member show at Rec Center, featured on PAL Art Wall; all are invited to reception Thursday, 5-7 p.m. at the Rec Center; juried show runs through June 22.

Outdoors For All Adaptive cycling center, located between Rec Center and Cushman Trail, opens May 1; riders seven and up can enjoy free, onsite day use of adaptive cycles from 10 a.m. – 6 p.m. on a first come first served basis; recent pop-up event featured Outdoors For All adaptive cycles during part of our adaptive Egg Scramble.

Board Comment: Stopped by the pop-up event to say hello and thank them for bringing equipment and saw joy on the faces of those attending.

ITEM 3 Special Presentations

3a. January and February 2026 Financial Report

Director of Finance, Jessica Wigle, provides a brief presentation, reviewing budgeted and actual year-to-date revenue and expenses for January and February 2026.



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Board Question: Does the Recreation Center revenue include any earnings from District Headquarters? **Answer:** No, District Headquarters are separate.

Board Question: Do we have last year's numbers for comparison of the athletic fields, Sehmel Homestead Park (SHP) and other facilities? **Answer:** Yes, we will include those as part of First Quarter review.

Board Comment: If we don't see movement soon regarding Madrona Links Golf Course operations, an amendment sooner rather than later would be helpful to provide clarity in future financial reports.

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. **Recreation Services Committee** – Has not met since last meeting.
- 4d. **Campaign Committee** – Has not met since last meeting.
- 4e. **External Committees**

Initial meeting was held with representatives from PenMet Parks, Peninsula School District, Pierce County, City of Gig Harbor, Fire Department and KeyPen Parks regarding initial conversation about blue zone and environmental longevity.

YMCA Advisory Board Committee met and celebrated Executive Director Gonzalez's work as he is departing for San Diego to accept a position at another YMCA. Tom Taylor YMCA is rapidly recruiting for a replacement.

ITEM 5 Public Comments:

No Speakers

ITEM 6 Minutes

- 6a. **Approval of April 7, 2026 Study Session Minutes**
- 6b. **Approval of April 7, 2026 Regular Meeting Minutes**

Commissioner moved to adopt the minutes as presented
 Commissioner seconded.

Roll Call Vote: Motion carried.

ITEM 7 Consent Agenda

- 7a. **Resolution C2026-006 Authorizing Submission of Recreation And Conservation Office Grant Applications**

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

Roll Call Vote: Motion carried.

ITEM 8 Unfinished Business



Peninsula Metropolitan Park District

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8a. RR2026-002 Adopting Policy P20-101: Amended Rules for Park Use (second reading)

This item was moved and seconded on April 7th, 2026.

No further presentation by staff; No further board discussion.

Roll Call Vote: Motion carried.

ITEM 9 New Business

9.1 Purchasing Resolutions Requiring One Reading for Adoption – None

9.2 Single Reading Resolutions Requiring One Reading for Adoption – None

9.3 Two Reading Resolutions Requiring Two Readings for Adoption – None

ITEM 10 Comments by Board

Compliments for Outdoors for All; awesome program we are glad to be partnering with; thrilled they are hosting services and equipment here, as their second location and only site in Pierce County; looking forward to seeing the new program and smiles.

Park Use Rules noted a first reading on 1/6/26, should be corrected to show reading on 4/7/26 meeting. Staff notes agenda contained a typo and confirmed the first reading was held 1/6/26; minutes corrected accordingly.

Excitement for the pickleball tournament coming up at the Rec Center; connected with a few local pickleball players who shared tips for more confident play.

ITEM 11 Next Board Meetings

May 5, 2026 - Study Session at 5:00 pm and Regular Meeting at 6:00 pm at PenMet Parks District Headquarters - 2416 14th Ave NW, Gig Harbor, WA 98335

ITEM 12 Executive Session

12a. The Board of Park Commissioners will now meet in executive session for a period of 60 minutes to consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110 (b).

The estimated length of time for the executive session is 60 minutes.

The Board is not expected to take final action following the executive session.

The board is starting executive session at: 6:30 PM

The board ended the executive session at: 7:30 PM

ITEM 13 Adjournment Time: 7:30 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

William C. (Billy) Sehmel, Board President

Kurt Grimmer, Board Clerk

Attest: Emily Murphy, Board Secretary



Peninsula Metropolitan Park District

RESOLUTION NO. C2026-007

APPROVING VOUCHERS FROM MARCH AND APRIL 2026

WHEREAS, the Peninsula Metropolitan Park District Board of Park Commissioners approved the 2026 operating budget in Resolution RR2025-007 and the 2026 capital budget in Resolution RR2025-008 on November 18, 2025; and

WHEREAS, expenditures are within the current resource projections at the fund level; and

WHEREAS, the Executive Director or his or her designee has certified that the materials have been furnished, the services rendered, or the labor performed as described, and that each claim represents a just, due, and unpaid obligation against the District;

NOW THEREFORE BE IT

RESOLVED by the Board of Park Commissioners of the Peninsula Metropolitan Park District that vouchers in the amounts and for the period indicated on Attachment "A" be approved for payment.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on May 5, 2026.

William C. (Billy) Sehmel, Board President

Kurt Grimmer, Board Clerk

Attest: Emily Murphy



Attachment A to Resolution C2026-007

For the period beginning 03/24/2026 and ending 03/24/2026

Voucher # 260304001 through # 260304022 is approved for payment in the amount of \$37,962.33.

and

For the period beginning 03/31/2026 and ending 03/31/2026

Voucher # 260305001 through # 260305023 is approved for payment in the amount of \$195,882.86.

and

For the period beginning 04/07/2026 and ending 04/07/2026

Voucher # 260401001 through # 260401044 is approved for payment in the amount of \$159,420.17.

and

For the period beginning 04/14/2026 and ending 04/14/2026

Voucher # 260402001 through # 260402038 is approved for payment in the amount of \$183,168.61.

and

For the period beginning 04/21/2026 and ending 04/21/2026

Voucher # 260403001 through # 260403021 is approved for payment in the amount of \$75,024.86.



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Tracy Stirrett, Director of Development

Date: May 5, 2026

Subject: **Resolution C2026-008 Approving Asset Names for Certain PenMet Parks Recreation Center Campus Facilities**

PenMet Parks has been conducting a capital campaign to support the new Recreation Center. The individuals and entities below have made significant contributions to this campaign and naming certain parts of the facilities after each of the donors would properly recognize their important contributions.

The proposed names and locations are as follows:

<u>Logo /Name(s)</u>	<u>Location(s) Size(s)</u>
Revitalize Metabolic Health	Mini Golf Hole Marker #11, 14" x 14" sign

Logo/Name(s) would remain on each location for a 20-year period beginning upon project completion.

Pursuant to Park Naming Policy P10-102, the Board must approve the naming of District assets. Staff recommends the approval of the above proposed names and locations.

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

Logo Artwork: Revitalize Metabolic Health
Exhibit A: C2026-008



Logo Artwork: Revitalize Metabolic Health Logo





Peninsula Metropolitan Park District

RESOLUTION C2026-008

APPROVING ASSET NAMES FOR CERTAIN PENMET PARKS RECREATION CENTER CAMPUS FACILITIES

WHEREAS, PenMet Parks has been conducting a capital campaign to support the new Recreation Center; and

WHEREAS, the individuals and entities below have made significant contributions to this campaign and naming certain parts of the facilities after each of the donors would properly recognize their important contributions.

The proposed names and locations for placement of the names are as follows:

<u>Logo/Name(s)</u>	<u>Location(s)</u>
Revitalize Metabolic Health	Mini Golf Hole Marker #11m 14" x 14" sign

WHEREAS, Naming Policy P10-102 provides for responsible management of the naming of District Assets and requires approval from the Board of Park Commissioners before any Asset is named;

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners that the names and locations for placement of the names specified above are approved.

The foregoing resolution was adopted at a regular meeting by the Board of Park Commissioners of the Peninsula Metropolitan Park District held on May 5, 2026.

William C. (Billy) Sehmel, Board President

Kurt Grimmer, Board Clerk

Attest: Emily Murphy



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Tracy Stirrett, Director of Development

Date: May 5, 2026

Subject: **Resolution R2026-005 Authorizing the Executive Director to Sign the Memorandum of Agreement with the PenMet Parks Foundation**

Background/Analysis

PenMet Parks enhances the quality of life by providing parks and recreation opportunities for our community, including providing stewardship opportunities.

Cultivating stewardship is a District priority. The Board of Park Commissioners identified advancing the development of a charitable foundation to support PenMet Parks as a strategic initiative in the 2023-2027 Strategic Plan. The 2023 Parks, Recreation, and Open Space Plan includes as an objective the establishment of a PenMet Parks charitable foundation as these foundations are valuable partners for many local park and recreation agencies and can provide expertise and support for fundraising, community engagement, and relationship building. The Board of Park Commissioners adopts annual goals and objectives, including the 2026 objective to operationalize the PenMet Parks Foundation in alignment with community priorities.

The PenMet Parks Foundation (Foundation) was established exclusively to support PenMet Parks' mission and goals. The Foundation's work will be compatible with these interests and goals, and it will support PenMet Parks' Capital Improvement Plan, Parks, Recreation, and Open Space Plan, Strategic Plan, the Park Board's priorities and other programs. The Foundation's primary purpose is to solicit, secure, manage, and invest private support solely for the benefit of PenMet Parks. The Foundation is a recognized 501(C)(3) tax exempt organization.

The proposed Memorandum of Agreement (MOA) with the PenMet Parks Foundation formalizes the relationship between PenMet Parks and the PenMet Parks Foundation, defines the terms under which the parties will collaborate to benefit PenMet Parks, and



defines the specific responsibilities of each party. The Board discussed the proposed MOA during its April 21, 2026, Study Session.

Policy Implications/Support

1. The Board passed Resolution RR2022-012 on January 3, 2023, adopting the District's five-year Strategic Plan, which identifies advancing the development of a charitable foundation.
2. The Board passed Resolution RR2023-012 on October 17, 2023, adopting the 2023 Parks, Recreation, and Open Space Plan, which identifies as a priority the establishment of a charitable foundation to support PenMet Parks.
3. The Board passed Resolution R2025-007 adopting the 2026 goals and objectives including the objective to operationalize the PenMet Parks Foundation in alignment with community priorities.
4. The PenMet Parks Foundation will be subject to District policies including:
 - Policy P10-105 Gift Acceptance Policy
 - Policy P10-102: Park Naming Policy

Staff Recommendation

Staff recommend that the Board approve Resolution R2026-005 authorizing the Executive Director to sign the Memorandum of Agreement with PenMet Parks Foundation.

Committee Recommendation

The Campaign Committee reviewed this action during its March 27, 2026, 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 R2026-005



Peninsula Metropolitan Park District

RESOLUTION R2026-005

AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN THE MEMORANDUM OF AGREEMENT WITH THE PENMET PARKS FOUNDATION

WHEREAS, the mission of the 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 strategic initiative to advance the development of a charitable foundation; and

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 as a priority the establishment of a charitable foundation to support PenMet Parks; and

WHEREAS, the Board of Park Commissioners passed Resolution R2025-007 adopting the 2026 goals and objectives, including the objective to operationalize the PenMet Parks Foundation in alignment with community priorities; and

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

WHEREAS, PenMet Parks Foundation is a qualified 501(c)(3) non-profit organization with the primary purpose to solicit, secure, manage, and invest private support solely for the benefit of PenMet Parks; and

WHEREAS, the PenMet Parks Foundation operates in alignment with PenMet Parks mission, vision, and values; and

WHEREAS, PenMet Parks and the PenMet Parks Foundation further recognize that a collaborative relationship would enhance, support, and sustain the services provided to the community through increased efficiency including philanthropic support; and

WHEREAS, philanthropic grants and gifts received through PenMet Parks Foundation will support and enhance PenMet Parks’ mission and goals; and

WHEREAS, a Memorandum of Agreement between PenMet Parks and the PenMet Parks Foundation benefits the community by formalizing the partnership and establishing the respective responsibilities of the parties

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners that the Executive Director is authorized to sign the Memorandum of Agreement with the PenMet Parks Foundation in substantially the form attached as Exhibit "A".

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on May 5, 2026.

William C. (Billy) Sehmel, Board President

Kurt Grimmer, Board Clerk

Attest: Emily Murphy

Exhibit A to Resolution R2026-005
MEMORANDUM OF AGREEMENT
BETWEEN
THE PENINSULA METROPOLITAN PARK DISTRICT
AND
THE PENMET PARKS FOUNDATION

THIS MEMORANDUM OF AGREEMENT (“Agreement”) is dated May ____, 2026 (for reference purposes only) and is made and entered into by and between the Peninsula Metropolitan Park District, a Washington municipal corporation (hereinafter “PenMet Parks”) and the PenMet Parks Foundation, a Washington nonprofit corporation (hereinafter the “Foundation”). PenMet Parks and the Foundation are sometimes collectively referred to herein as the “Parties” or singularly as a “Party”.

WHEREAS, PenMet Parks’ stated mission is to enhance the quality of life by providing parks and recreation opportunities for our community;

WHEREAS, PenMet Parks owns real property, buildings and other recreational facilities and operates a number of recreational and athletic programs in furtherance of this mission;

WHEREAS, PenMet Parks has a naming policy and in the future intends to authorize the “naming” of certain facilities, buildings, landscape areas, programs, and other related park and recreation assets, in return for private sector monies donated to the Foundation and managed by the Foundation in accordance with this Agreement;

WHEREAS, PenMet Parks establishes the terms of the naming agreements, including necessary gifting amounts, length of memorialization, management of funds, plaque locations and size. Additionally, PenMet Parks’ philosophically and by policy will not name any asset without the necessary notable volunteer or in-kind efforts, outstanding service or financial contributions as detailed in the applicable PenMet Parks Policies and Procedures;

WHEREAS, the Foundation wishes to support PenMet Parks’ mission and has the opportunity to accomplish more than public funding allows;

WHEREAS, the Foundation is a recognized 501(c)(3) tax exempt organization;

WHEREAS, PenMet Parks wishes to assist and enhance the operation of, and appropriately recognize, the Foundation;

WHEREAS, PenMet Parks wishes to support the fundraising activities of the Foundation and promote a positive relationship with their respective staff and volunteers; and

WHEREAS, the Foundation wishes to assure PenMet Parks that it will operate effectively and responsibly with the reasonable expectations of both public and private interests, on behalf of PenMet Parks.

NOW, THEREFORE, based on the foregoing, recitals that are incorporated herein, the Parties agree as follows:

Section 1. Foundation Representations. The Foundation represents and acknowledges the following with regard to its creation, purpose and operation:

- A. The Foundation is and at all times shall remain a recognized 501(c)(3) tax exempt organization.
- B. The Foundation is created and operated exclusively to support PenMet Parks' mission and goals and their work will be compatible with these interests and goals and it will support PenMet Parks' Capital Improvement Plan, Parks, Recreation and Open Space (PROS) Plan, Strategic Plan, the Park Board priorities and such other programs as mutually agreed upon, in writing.
- C. The Foundation's primary purpose is to secure, manage, and invest private support solely for the benefit of PenMet Parks.
- D. The Foundation will operate as a private legal entity separate from PenMet Parks.
- E. The Foundation will use sound fiscal and auditing procedures.
- F. The Foundation will not interfere with PenMet Parks' day-to-day operations.
- G. The Foundation will obtain and maintain its status as a tax-exempt, charitable organization under state and federal income tax laws to ensure that gifts and bequests received from donors may qualify as deductible, charitable contributions for the donor.

Section 2. Foundation Documents. The Foundation shall keep on file with PenMet Parks updated copies of all enabling documents including the Articles of Incorporation, Bylaws and any amendments to these documents. PenMet Parks' Executive Director or the Executive Director's designee shall review these documents annually.

Section 3. Foundation Enabling Documents – Required Provisions. The Foundation shall include language substantially similar to the following clauses in its enabling documents:

- A. Articles of Incorporation. In the event of its dissolution, the Foundation's assets and records will be distributed to the Peninsula Metropolitan Park District, provided the Peninsula Metropolitan Park District remains a qualified charitable organization under relevant federal and state income tax laws or to an organization or organizations, as designated by the Board of Park Commissioners of the Peninsula Metropolitan Park District, that is also recognized as exempt under Section 501(c)(3) of the Internal

Revenue Code or any successor provision, and used exclusively to accomplish the purposes for which the Foundation is organized and/or to comply with any donor specified restrictions.

B. Bylaws. The Bylaws shall provide as follows:

The Foundation Board shall consist of not less than three (3) nor more than five (5) Directors, the specific number to be set by resolution of the Foundation Board.

All Foundation Directors shall reside within the Peninsula Metropolitan Park District boundaries unless waived by the Peninsula Metropolitan Park District Board of Park Commissioners (the "Park Board").

Three (3) Directors (Positions 1, 2 and 3) shall be appointed by the Park Board. All of those Directors shall be either current or former Park Board Commissioners. Successor Directors (for Positions 1, 2 and 3) shall be appointed by the Park Board every two (2) years at the first Park Board meeting in November from the list of nominations provided by the Board and any nominations committee of the Board. Provided, however that the Park Board may increase or decrease the first term of the initial Directors for Positions 1, 2 and 3 so that the subsequent appointments are staggered to avoid having numerous new Directors appointed in the same year.

The remaining two (2) Directors (Positions 4 and 5) shall be appointed by the three current or former Park Board Commissioners that have been appointed to the Foundation Board. Successor Directors (for Positions 4 and 5) shall be elected by a majority of the Foundation's Board every two (2) years and within thirty (30) days of the Park Board's appointment of Positions 1, 2 and 3 from the list of nominations provided by the Foundation's Board and any nominations committee of the Board. Provided, however that the Foundation Board may increase or decrease the first term of the initial Directors for Positions 4 and 5 so that subsequent appointments are staggered to also avoid having numerous new Directors appointed in the same year.

Section 4. Bond and Insurance. The Foundation shall insure that officers and staff members are bonded in an amount mutually agreed upon between PenMet Parks and the Foundation. The premiums payable on such bonds shall be payable from the funds of the Foundation. Further, the Foundation shall obtain and maintain general liability and directors' and officers' liability insurance in a reasonable and appropriate amount as determined by the Foundation Board. The Foundation shall annually provide to PenMet Parks documentation of its compliance with this Section.

Section 5. Accountability and Stewardship. As PenMet Parks and the Foundation want to maintain the highest levels of accountability and stewardship, the Foundation agrees to share information with PenMet Parks, as reasonable requested, develop reporting processes and institute compliance and auditing procedures that ensure

donated funds are accounted for, expenditures are made in accordance with donors' wishes and reports are made to donors on the use of such funds.

Section 6. Donor Solicitation.

A. **Donor Communication.** The Foundation agrees to make the following clear to prospective donors:

1. The Foundation is a separate, legal and tax entity organized for the purpose of encouraging voluntary, private gifts, trusts, and bequests for the benefit of PenMet Parks.
2. Responsibility for governance of the Foundation, including investment of gifts and endowments, resides in the Foundation's Board.
3. Checks for charitable gifts to any PenMet Parks' programs should be made payable to the Foundation.
4. Gifts made for a designated purpose will be dedicated in their entirety to that purpose unless it is specifically stated that an administrative charge will be applied.

B. **Conditions of Gift Acceptance.** The Foundation agrees that in accepting gifts of any kind, it will:

1. Advise donors that any restrictive terms and conditions they attach to gifts for PenMet Parks are subject to PenMet Parks review and approval and applicable policy.
2. Ensure that gifts designated for specific purposes are in compliance with PenMet Parks' gift acceptance policy, capital improvement plans, PROS plans, strategic plans, mission and philosophy and Park Board priorities.
3. Ensure that PenMet Parks' naming policies and procedures are adhered to as delineated in the relevant PenMet Parks policies.
4. Ensure that gifts are promptly reported to and approved for acceptance by PenMet Parks' Board or Executive Director in accordance with any applicable PenMet Parks policies and delegations of authority.
5. Coordinate its funding goals, programs, and campaigns with PenMet Parks.
6. Any gift, grant, or contract that includes a financial or contractual obligation binding upon PenMet Parks must have prior concurrence in writing from PenMet Parks' President or his or her designee.

Section 7. Financial Procedures. The Foundation will hold and invest endowments and funds functioning as endowments on a long-term basis. For this purpose, the Foundation should ensure that the following standards are applied:

- A. Prudent Practices. In general, Foundation investment procedures should be conducted in accordance with prudent, sound practices to ensure that gift assets are protected and enhanced, that a reasonable return is achieved, and with due regard for the fiduciary responsibilities of the Foundation's Board. The investments must be consistent with the terms of the gift instrument.

- B. Administration of Income. Income from investments, net of administrative fees, should be administered in accordance with pertinent Foundation policies, and, where appropriate, transferred to PenMet Parks so as to be expended from the appropriate PenMet Parks' department or program accounts.

- C. Annual Report. The Foundation shall prepare an annual report to PenMet Parks that summarizes the funds transferred to each PenMet Parks' department. The report shall summarize these amounts by each account and the total for each department. PenMet Parks and the Foundation shall provide each other with other reports necessary to assure proper financial oversight.

Section 8. PenMet Parks - Accountability of Funds. Consistent with good stewardship, PenMet Parks' departments or programs into which the Foundation funds are transferred, shall both account for the funds in accordance with PenMet Parks' policies and procedures, and notify the Foundation on a timely basis regarding the use of such funds. The Foundation in consultation with PenMet Parks shall determine who shall be responsible for reporting to the donor regarding the use of such funds.

Section 9. Financial Commitments Consistent with PenMet Parks' Mission. The Foundation should carry out financial commitments and expenditures consistent with pertinent policies, plans, and budgets approved by the Foundation's Board and consistent with PenMet Parks' policies, mission and objectives.

Section 10. Financial Statement. The Foundation should maintain books in accordance with generally accepted accounting principles, and should be audited annually by a firm of certified public accountants. Copies of the audited financial statement and a current list of Foundation directors and officers shall be made available to PenMet Parks' Executive Director.

Section 11. Inspection of Foundation Records. Because private funds are raised to support public projects, the Foundation will permit authorized PenMet Parks' officials or their designees to inspect all Foundation books and records, except to the extent such inspection violates rights to privacy or confidential donor information. The Parties acknowledge that PenMet Parks is subject to the Washington Public Records Act chapter 42.56 RCW. Foundation records shall not be deemed public records unless required by law. The Parties shall cooperate in responding to public records requests, while protecting donor confidentiality to the extent permitted by law.

Section 12. Compliance Reviews. PenMet Parks will conduct periodic compliance reviews of the use of donated funds. These reviews will be conducted by PenMet Parks on an annual basis. Their purpose will be to ensure that dispositions of donated funds have complied with the purposes and restrictions set forth by the donors and/or the Foundation. The scope of the review will be mutually agreed upon in advance by PenMet Parks and the Foundation. A written report of the results of such review shall be provided to the Foundation.

Section 13. Designation as a Gift. Funds received by PenMet Parks shall only be accounted for as gifts where the appropriate donative intent is present. Amounts received solely in exchange for services or property shall not be accounted for as gifts.

Section 14. PenMet Parks Assistance to the Foundation.

- A. As long as the Foundation complies with all provisions of this Agreement, PenMet Parks will assist the Foundation in the following manner:
 - 1. Allow the Foundation to use the name “PenMet Parks” and images of PenMet Parks’ parks, facilities and programs.
 - 2. Allow the Foundation to use PenMet Parks office space, office supplies, phone line, equipment, and staff (Executive, Finance, Development) in the performance of the Foundation's activities.
 - 3. Assist the Foundation by suggesting and recommending donors and contribution amounts to the Foundation.

- B. Any benefits received from the Foundation to PenMet Parks will always exceed the value of those benefits provided by PenMet Parks to the Foundation. PenMet Parks shall annually document and reasonably value any in-kind support provided to the Foundation. The Foundation shall cooperate in such valuation, and PenMet Parks may reduce or revoke such support if the value of public support exceeds the benefit received by PenMet Parks from the Foundation.

Section 15. Notice of Non-compliance – Opportunity to Cure. In the event of noncompliance with any provision of this Agreement, PenMet Parks shall notify the Foundation in writing of the event or practice PenMet Parks believes does not comply with this Agreement. The Foundation shall, within fifteen (15) days from receipt of the notice of non-compliance, either correct the non-compliance or show cause to PenMet Parks that the Foundation is in compliance. In the event the Foundation fails to comply within this time period, PenMet Parks, may, at its option, terminate this Agreement and its relationship with the Foundation.

Section 16. Termination. In addition to the method of termination provided for in Section 15, this Agreement may be terminated by either party by delivering written notice of termination to the non-terminating party at least ninety (90) days prior to the effective date

of any termination. In the event of termination, the Foundation shall provide to PenMet Parks an accounting of all funds in its possession or that are pledged and transfer those funds, including the right to receive the pledges, along with any donor restrictions thereon and all donor records, to PenMet Parks or to an organization or organizations, as designated by the PenMet Parks Board of Park Commissioners, that is also recognized as exempt under Section 501(c)(3) of the Internal Revenue Code or any successor provision, and used exclusively to accomplish the purposes for which the Foundation is organized. PenMet Parks has granted the Foundation a license to use the name "PenMet Parks". If this Agreement is terminated for any reason, the Foundation shall also cease using the name "PenMet Parks" and amend its Articles of Incorporation to use a new and different name that is completely unrelated to PenMet Parks.

Section 17. Indemnification. To the fullest extent permitted by law, the Foundation shall indemnify, defend, and hold harmless PenMet Parks, its officers, commissioners, employees, and agents from any claims arising out of the Foundation's negligence and/or wrongful acts or omissions, except to the extent caused by the sole negligence and/or wrongful acts or omissions of PenMet Parks. To the fullest extent permitted by law, PenMet Parks shall indemnify, defend, and hold harmless the Foundation, its officers, directors, employees, and agents from any claims arising out of PenMet Parks' negligence and/or wrongful acts or omissions, except to the extent caused by the sole negligence and/or wrongful acts or omissions of the Foundation.

Section 18. No Assignment. Neither Party shall assign this Agreement or any rights hereunder without the express written consent of the other Party, which consent may be withheld for any reason.

Section 19. No Agency. Nothing in this Agreement shall be deemed to create any partnership, joint venture, agency, or fiduciary relationship between the Parties. The Foundation is not authorized to act on behalf of PenMet Parks, nor to bind PenMet Parks to any obligation, except as expressly stated herein.

Section 20. Entire Agreement and Amendment. This Agreement represents the parties' entire agreement with respect to the matters specified herein.

Section 21. Governing Law and Venue. It is understood that this Agreement shall be governed by and construed under and in accordance with the laws of the State of Washington. Venue for any actions arising under this Agreement shall be Pierce County, Washington.

Section 22. Severability. Any provision of this Agreement which is prohibited or unenforceable shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the remaining provisions thereof.

This Agreement is hereby executed by the duly authorized representatives of the Parties as of the date below each signature and is effective on the date of the last signature.

Peninsula Metropolitan Park District

PenMet Parks Foundation

By: _____
Ally Bujacich
Executive Director
Dated: May ____, 2026.

By: _____
Amanda Babich
President
Dated: May ____, 2026.



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Tracy Stirrett, Director of Development

Date: May 5, 2026

Subject: **Resolution R2026-006 Accepting the Gift(s) from the PenMet Parks Foundation**

The PenMet Parks Foundation received a cash gift from the Names Family Foundation in the amount of \$202,600 to be used for the purchase of a wheelchair accessible van and various equipment as specified on Exhibit A to support and expand the PenMet Parks' adaptive recreation program. The PenMet Parks Foundation would like to provide the gift to PenMet Parks.

The individuals and entities below have made significant contributions to the PenMet Parks Foundation for the benefit of PenMet Parks. The restricted gift(s) to be transferred to PenMet Parks are intended for the purchase of the items specified on Exhibit A in 2026.

The donor, proposed gift purpose and other relevant details are as follows:

<u>Donor Name(s)</u>	<u>Gift(s)</u>
The Names Family Foundation	\$202,600

Purpose

The gift is restricted to the purchase of Adaptive Recreation Program equipment and a specialized van.



Board Approval Requirement

Pursuant to Gift Acceptance Policy P10-105, the Board must approve acceptance of this gift.

Staff Recommendation

Staff recommends the Board pass Resolution R2026-006 accepting the gift(s) from the PenMet Parks Foundation.

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: Designated Gift/Grant Request
Exhibit B: Resolution R2026-006



Exhibit A: Designated Gift/Grant Request

PenMet Parks Adaptive Recreation Enhancement Equipment Request

Adaptive Recreation Enhancement Equipment	Quantity	Item Cost	Total	
EZ Trax - 20 mat Bundle	2	\$1,800	\$3,600	
Adult Wheelchair Basketball Chairs	2	\$4,800	\$9,600	
Youth Wheelchair Basketball Chairs	4	\$4,800	\$19,200	
Beach Wheelchairs	2	\$20,000	\$40,000	
Trail accessible "free wheel" universal wheelchair attachment to help with rough terrain/gravel	2	\$800	\$1,600	
Power Soccer Starter Kit	2	\$500	\$1,000	
Training/Para Rowing Portable Roller	1	\$700	\$700	
Boccia Ball Ramps	1	\$1,000	\$1,000	
Adaptive Archery Bow Stand	1	\$900	\$900	
Total for Adaptive Recreation Items			\$77,600	Priority #1
Van with lift and space for 2+ wheelchairs		estimate	\$125,000	Priority #2
(2 wheelchairs and 4+ passengers depending on configuration)				
TOTAL REQUEST			\$202,600	



Peninsula Metropolitan Park District

RESOLUTION R2026-006

ACCEPTING GIFT(S) FROM THE PENMET PARKS FOUNDATION

WHEREAS, the PenMet Parks Foundation was created and is operated exclusively to support PenMet Parks and its mission, vision and goals; and

WHEREAS, the Foundation’s primary method of supporting PenMet Parks is to solicit, secure, manage, and invest private donations solely for the benefit of PenMet Parks; and

WHEREAS, the donor(s) listed below have made a significant donation to the PenMet Parks Foundation for the benefit of PenMet Parks as follows:

<u>Donor Name(s)</u>	<u>Gift(s)</u>
Names Family Foundation	\$202,600

Purpose: The gift is restricted to the purchase of Adaptive Recreation Program equipment and a specialized van as specified on the attached Exhibit A.

WHEREAS, Gift Acceptance Policy P10-105 states that the Board will have final approval for accepting restricted gifts;

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners that PenMet Parks hereby accepts the gifts subject to the restrictions as specified above.

The foregoing resolution was adopted at a regular meeting by the Board of Park Commissioners of the Peninsula Metropolitan Park District held on May 5, 2026.

William C. (Billy) Sehmel, Board President

Kurt Grimmer, Board Clerk

Attest: Emily Murphy

Exhibit A to Resolution R2026-006: Designated Gift/Grant Request

**PenMet Parks Adaptive Recreation
Enhancement Equipment Request**

Adaptive Recreation Enhancement Equipment	Quantity	Item Cost	Total	
EZ Trax - 20 mat Bundle	2	\$1,800	\$3,600	
Adult Wheelchair Basketball Chairs	2	\$4,800	\$9,600	
Youth Wheelchair Basketball Chairs	4	\$4,800	\$19,200	
Beach Wheelchairs	2	\$20,000	\$40,000	
Trail accessible "free wheel" universal wheelchair attachment to help with rough terrain/gravel	2	\$800	\$1,600	
Power Soccer Starter Kit	2	\$500	\$1,000	
Training/Para Rowing Portable Roller	1	\$700	\$700	
Boccia Ball Ramps	1	\$1,000	\$1,000	
Adaptive Archery Bow Stand	1	\$900	\$900	
Total for Adaptive Recreation Items			\$77,600	Priority #1
Van with lift and space for 2+ wheelchairs		estimate	\$125,000	Priority #2
(2 wheelchairs and 4+ passengers depending on configuration)				
TOTAL REQUEST			\$202,600	