



Peninsula Metropolitan Park District

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

REGULAR MEETING AGENDA

June 20, 2023, 6:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order

Commissioner Roll Call:

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

ITEM 1 President's Report

ITEM 2 Executive Director's Report

ITEM 3 Special Presentations

- 3a. [Kiwans Partnership Update](#)
- 3b. [Freshservice Presentation](#)

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 June 6, 2023 Study Session Minutes](#)
- 6b. [Approval of the June 6, 2023 Regular Meeting Minutes](#)



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ITEM 7 Consent Agenda

- 7a. [Resolution C2023-009: Approval of the May Vouchers](#)

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 R2023-007 Authorizing the Executive Director to Sign an Interlocal Agreement Between Pierce County, Washington and Peninsula Metropolitan Park District Regarding the Second REET Parks Fund](#)

- 9.3 [Two Reading Resolutions Requiring Two Readings for Adoption](#)

[9.3a First Reading of Resolution RR2023-009 Providing for a Proposition Authorizing a Renewal of the Property Tax Levy Rate at the November 7, 2023 Election](#)

ITEM 10 Comments by Board

ITEM 11 Next Board Meetings

Please note PenMet Parks District will be closed July 4th in observance of Independence Day.

July 18, 2023 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive 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).

- 12b. 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

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Annual Partnership Report

Kiwanis Club of Gig Harbor
June 2023

Shared Intent

Kiwanis Club of Gig Harbor and PenMet Parks

The mission of PenMet Parks is to enhance the quality of life by providing parks and recreation opportunities for our community.

The vision of the Kiwanis Club of Gig Harbor is to be a leader in providing service to the community and improving the quality of life for all of its citizens.

We accomplish this together by collaborating to advance the mission of each organization to benefit the community.

Kiwanis Club of Gig Harbor and PenMet Parks

PenMet Parks relies on community engagement and volunteerism to enhance the park and recreation opportunities it provides.

A goal of the Kiwanis Club of Gig Harbor is to enhance visibility as a leader in community service.

We accomplish this together by enhancing the services each organization currently provides to the community through increased efficiency and performing marketing and outreach for co-branded events using each organization's typical platforms.

Kiwanis Club of Gig Harbor and PenMet Parks

One of PenMet Parks' strategic themes is to delight and engage the community.

Kiwanis desires to increase community impact and to perform meaningful community service, with children the priority.

We accomplish this together through food drives, event enhancements, and volunteerism.

Family Fun Fest June 2022



Food Drive

- 126 lbs for Food Backpacks 4 Kids
- \$82 cash

Event Enhancements

- Affordable meal package of a hot dog, chips and a drink for \$5 (over 300 served)

Volunteerism

- 40 hours
- 8 people



Scarecrow Festival October 2022



Item 3a.

Food Drive

- 640 lbs for Food Backpacks 4 Kids

Event Enhancements

- Free hot cocoa, cider, and water

Volunteerism

- 67 hours
- 12 people

Cookies with Mr. and Mrs. Claus December 2022

Food Drive

- Just under 200 lbs for Food Backpacks 4 Kids

Event Enhancements

- 400 cookie kits assembled
- 200 letters from Santa

Volunteerism

- 242 hours
- 18 people



Spring Egg Hunt 2023

Spring Egg Hunt



Food Drive

- 555 lbs for FISH Food Bank

Event Enhancements

- Bunny Bites Stand complete with easy to go snacks, picture booth, and a bunny suit

Volunteerism

- 7 people contributed 16 hours stuffing eggs
- 8 people contributed 31 hours event day

Thank you Gig Harbor Kiwanis
for providing 396 hours of
volunteer time and collecting
1,521 lbs of food for those in need
in the greater Gig Harbor area.

Partnership Satisfaction Survey

Kiwanis Club Feedback



“Highly valuable...”

The Kiwanis Board of Directors is very pleased with the relationship and considers it highly valuable to the organization. The Kiwanis Board is interested in continuing our partnership.

“Very satisfied...”

The Gig Harbor Kiwanis President is very satisfied with the alignment of the organizations’ mission, vision, and goals. She is also very satisfied with accomplishing our shared goals and objectives.

“How can we improve?”

Continued focus on timely communication. Since the formal partnership began, Kiwanis states the communication between the two organizations is much better.

The MOU

Gig Harbor Kiwanis Club of Gig Harbor and PenMet Parks MOU

The MOU states the provisions shall be reviewed annually by the Parties to determine if this MOU should continue and/or be modified.

PenMet Parks and Kiwanis have reviewed the agreement and determined it should continue without modifications.

Gig Harbor Kiwanis Club of Gig Harbor and PenMet Parks MOU

Kiwanis provided 396 hours of volunteer service during the first year of the agreement.

PenMet Parks provided meeting space and set up support for Kiwanis' 26 membership meetings, storage space for their meeting supplies, and recognized Kiwanis as a sponsor in event marketing and promotional opportunities.

As required in the MOU, the monetary value Kiwanis contributed to PenMet Parks through volunteers or otherwise was equal to or greater than the value received by Kiwanis from PenMet Parks during the first year of the agreement.

Moving Forward

Quarterly Check-Ins

We will continue our quarterly check-ins between PenMet Parks and Kiwanis leadership to ensure communication channels are clear, goals are regularly discussed, and hours are accurately reported.

With a fully staffed team at PenMet Parks, we can expect continued improvements in the area of communication between the two organizations.

Meeting Space

Kiwanis has been using the Pavilion for regular meetings twice a month and will move to the CRC when it is complete and ready for rentals for their weekly meetings.

New IT Ticketing System

Board of Commissioners Regular Meeting
June 20, 2023

Managing IT Services

We are utilizing Freshservice to manage our tickets, granular project tracking, and division of labor.

Why?

- To collect data on outages, projects, and common issues to better serve PenMet Parks and the community.
- To track granular tasks and assign tasks to each IT person.
- To help triage issues. Tickets are prioritized to ensure business continuity.
- To collect a ticket history of common issues to refer to if similar issues arise again.
- To provide a centralized IT knowledge base for us and our users to utilize to help themselves.
- It helps us be accountable to you!

Our previous process

1. Employee sends the problem.
2. IT support solves it.
3. But without recording the problem.

There was no centralized adopted system for managing tickets, knowledgebases, and metrics. This solves this issue.

The new process

1. Employee sends the problem.
2. IT support receives and solves it.
3. Send the solution to the user and IT documents the problem automatically within Freshservice.

IT can categorize each request to find problem areas in our tech stack. This will give quick solutions to future problems.

Current usage

- Handling incoming requests from internal users with a PenMet Parks Microsoft account.
- Automating ticket creation for periodic systems maintenance.
- Common Vulnerabilities and Exposures reports (from our vendors like Aruba, Microsoft, Watchguard etc.) are routed to the ticket system for IT to review upon receipt.
- Documenting common workflows and issues.
- Collecting data on common issues for proactive infrastructure change.

Future usage

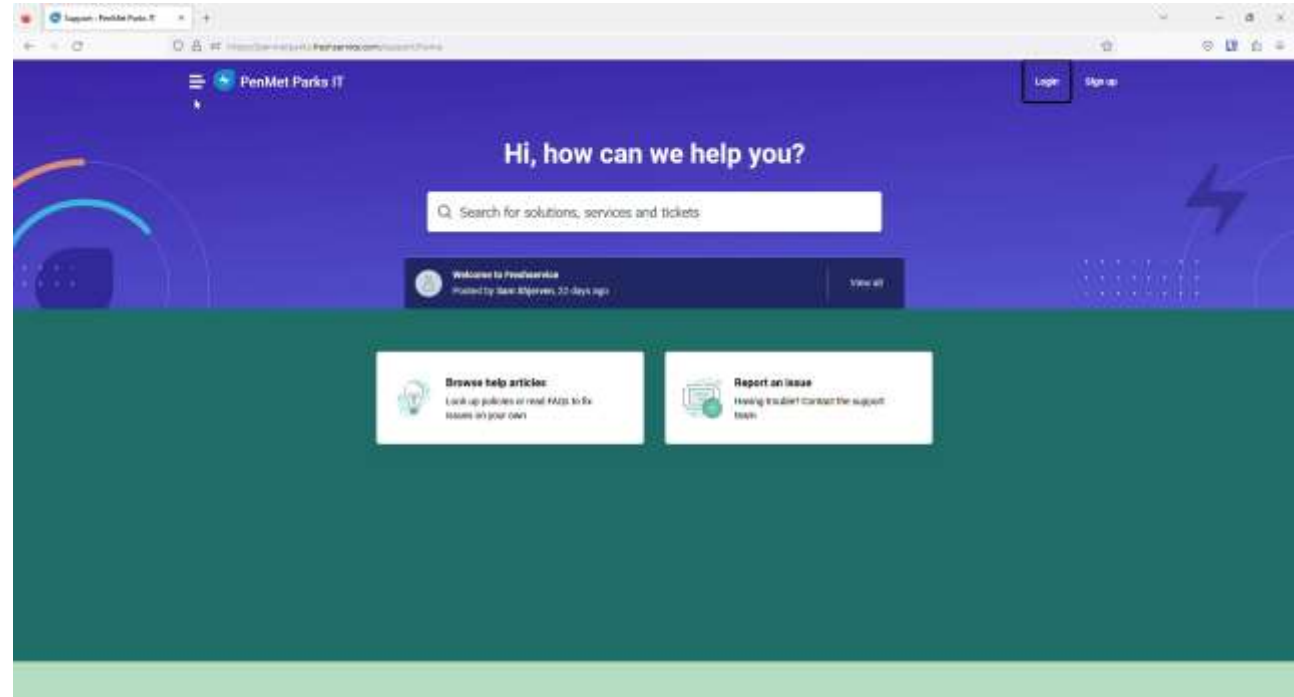
Freshservice has an Application Programming Interface (API) allowing it to connect to other services we utilize. Such integrations could:

- Automate new hire account creation.
- Automate certain maintenance tasks such as updating servers or restarting services.
- Connect to Smartsheet to visualize our data.

The more we use this, the more help articles IT can generate to increase institutional knowledge.

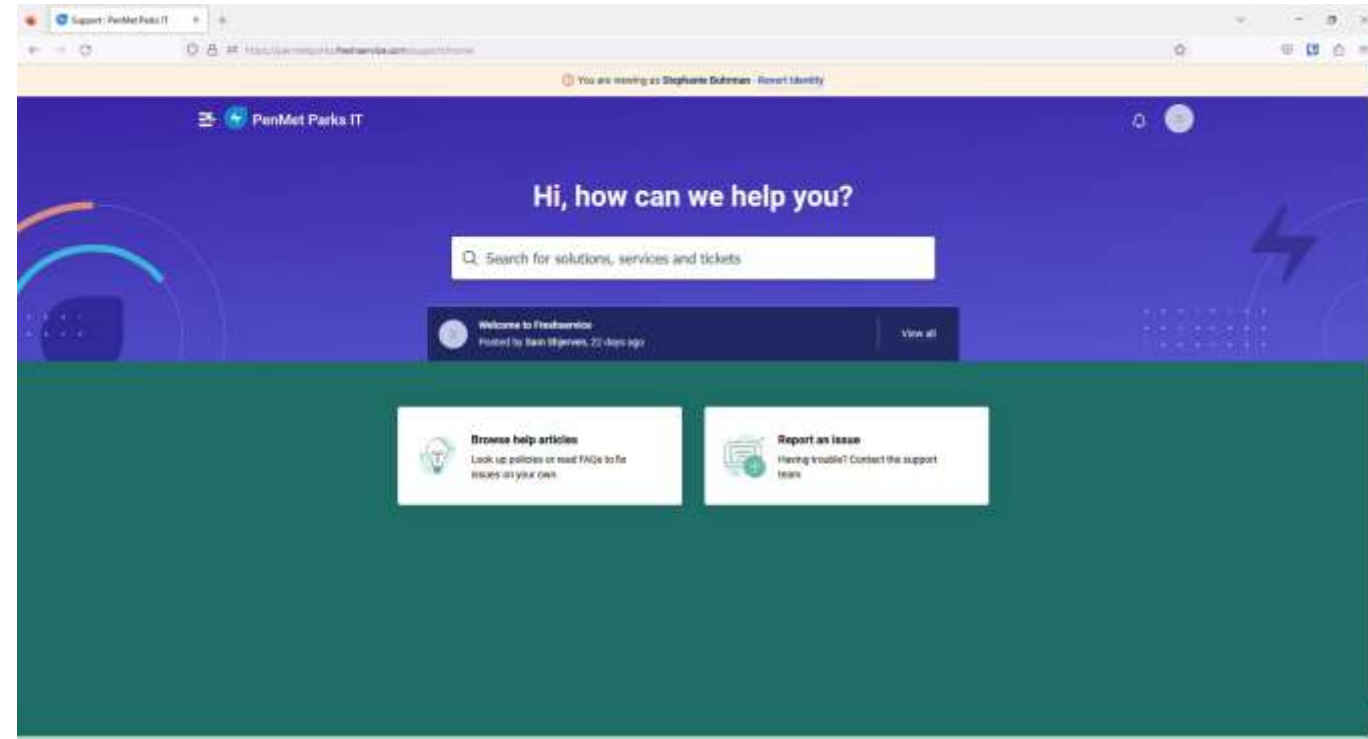
How to log into Fresh service

1. Click on the “IT Support Ticket” on the staff intranet or Board Sharepoint site.
2. Click Login.
3. Select Login with SSO.
4. Enter your PenMet Parks credentials.



How to enter a ticket

1. Make sure you are logged in.
2. Click Report an issue.
3. Fill out applicable fields



How to enter a ticket (alternate)

For a fast way to raise a ticket, email helpdesk@penmetparks.org (but we get to set the priority for you).

helpdesk@penmetparks.org should only be used to service requests, tickets and technical support. This account is not intended for group email chains or meeting invites.

Questions?



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STUDY SESSION MINUTES

June 06, 2023, 5:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order Time: 5:02 PM

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President	X		
Maryellen "Missy" Hill, Clerk	X		
Amanda Babich	X		Via Zoom
Kurt Grimmer	X		
Laurel Kingsbury	X		

Quorum, Yes

ITEM 1 Board Discussion

1a. 2023 Capital Project Update

PowerPoint Presentation by Executive Director Ally Bujacich and Director of Park Services Denis Ryan

Sehmel Playground: The play structure has estimated 20-plus years of life, and staff will research the estimated life of the new Sehmel playground surface.

Pen Gardens Options: Pickleball Court option discussion. Can't wait to see the results of the feasibility studies. Include South Sound Pickleball Club in research for pickleball courts.

1b. Review 2024 CIP

PowerPoint Presentation by Executive Director Ally Bujacich and Director of Park Services Denis Ryan

For Tubbys, the history and name are unique. As we update that park, can we highlight that and a statue of Tubby or something to beautify it. Staff will research that possibility.

ITEM 2 Adjournment Time: 5:54 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Steve Nixon, Board President

Maryellen “Missy” Hill, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



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REGULAR MEETING MINUTES

June 06, 2023, 6:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order Time: 6:01 PM

Commissioner Roll Call:

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

Quorum, yes

ITEM 1 President's Report

- 5/11 Met with Councilmember Denson and attended Gig Harbor Study Session via Zoom
- 5/15 attended a campaign meeting
- 5/17 attended the PROS Plan open house
- 5/18 Presentation for New Neighbors of Gig Harbor
- 5/19 Met with Fish Foodbank
- 5/19 Property Tour
- 5/24 Campaign meeting & Grant interview via Zoom
- 5/25 CRC Tour with Gig Harbor City Councilmember Brenda Lykins

ITEM 2 Executive Director's Report

- Introduce Jacob Plumber, Facilities Specialist
- Introduce Marketing Coordinator, Jacque Goodwill
- CRC Phase II Update

ITEM 3 Special Presentations

3a. Family Dances Event Report - PowerPoint Presentation by Special Event Coordinator, Ryan Sparks

BOC Comment: Appreciate the language that was used. Staff heard our comments and updated language and made it more inclusive this year.

BOC Question: Why was there no sponsorship this year? Also, noted and shared that the BOC has Legislative funds to sponsor. **Staff:** Sponsorship funding is on track overall this year. Secured in-kind sponsorship for this event. **BOC Comment:** Commissioners have legislative funds and enjoy helping out. **BOC Questions:** Were Decorations reusable? **Staff:** Yes, a majority are. **BOC Questions:** Could we share marketing with the facility?



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Staff: We can look at additional shared marketing at the location for the event. **BOC Comments:** Would like to see sponsorship options for families who can afford the attendance these events, like the idea of exploring different times of the year and spouses' welcome. Look at having it the slow time of year, which might be good for Ocean5, too, like February and October. Kudos for jumping in and filling in. Notes of other successful dances at the CRC, which included an outdoor Putt-Putt golf activity. Impressed with the Ocean5 partnership.

3b. April 2023 Financial Report - PowerPoint Presentation by Director of Finance Stephanie Buhrman.

ITEM 4 Board Committee Reports

4a. Park Services Committee –

- Community Recreation Center Phase II Project Update
- Rosedale Hall Renovation Update
- BerryDunn Interview and Community Partner Interviews Update
- PROS Plan Open House Follow-up
- Community Recreation Center Phase I Project Status Update
- DeMolay Sandspit Nature Preserve Project
- Peninsula Garden Site Evaluation

4b. Finance Committee - Has not met since the last meeting

4c. Administrative Services Committee - Has not met since the last meeting

4d. Recreation Services Committee –

- **Athletics & Fitness:** Youth baseball is wrapping up 6/3, Adult Softball begins on 6/11, Youth Soccer registration begins on 6/25, and Youth Flag Football registration begins on 7/16.
- **Community Recreation:** Teen programs continue to grow. 30+ teens participated in the dodgeball tournament; there are 10 Teen Advisory Committee members. Summer camps are filling up. We are partnering with Ocean5 for a Youth Culinary Camp.
- **Seniors:** New: 2nd SAIL class (Tu/Th), Gentle Yoga/Hatha Yoga (Tu/Th): Continuing: Intro to Watercolor (T), Summer Walking Club.
- **Specialized Recreation:** Exploring an opportunity to work with Pierce County Specialized Recreation for programs and events beginning in 2024. More information to come at our next meeting.
- **Special Events:** Prepping for summer events, including Maritime Gig Festival, Fleetwood Mac "Concert" on the big screen, Concerts in the Park, Movies in the Park, Family Fun Fest w/Bike Bash.
- Discussion regarding the implementation of the Recreation Assessment including the Cost Recovery Policy and the Pricing Policy. The Board is anticipated to consider adopting the Cost Recovery Policy in July 2023 and the Pricing Policy in October 2023.



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- PenMet Parks 20th Anniversary Celebration (2024) – Next year marks the 20th anniversary of PenMet Parks. The Rec Services Committee will guide the planning (theme, activities, events, etc.)

4e. Campaign Committee –

- The committee completed a grant interview via Zoom
- Discussed upcoming tours and events
- Discussed upcoming foundation grant applications
- All remaining 1:1's with Commissioners completed

4f. External Committees - None

ITEM 5 Public Comments: None

ITEM 6 Minutes

6a. Approval of the May 16, 2023 Study Session Minutes

6b. Approval of the May 16, 2023 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 C2023-008: Authorizing Application for Secretary of State Local Records Grant Program

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:

9.1a Resolution P2023-004: Authorizing the Executive Director to Sign an Architectural/Engineering Agreement for the Design of the Tacoma DeMolay Sandspit Nature Preserve Master Plan, Facility, and Accessibility Improvement Project with Baumwelt

Commissioner moved; Commissioner Seconded.

Memo overview by Director of Parks Services Denis Ryan

Board Discussion: None

Roll call vote. Approved Unanimously. Motion Carried.

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

Invite Betty Lilienthal to share about the Senior Movie Sponsorship opportunity.
 Suggest that PenMet Parks be a co-sponsor for Senior Movies on the Last Friday



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of the month. Gary and Joe pay for this out of their pocket. Commissioner Grimmer has paid for it many times. It is popular and successful. Bingo on Tuesdays at BBQ2U can also be sponsored, filling a void as a place for the seniors to go.

Commissioner Hill proposed to sponsor a day at the movies with legislative funds and offered \$600 for the next movie event for seniors.

Thank staff, in particular, Ally, for getting the CRC Bid Documents out! That has been such a long process, so to have Phase I nearing completion and Phase II out for Bid is an incredible step. This is going to be huge for our community. Shout out to Ocean5 for their support to our community, and the in-kind sponsorship.

ITEM 11 Next Board Meetings

June 20, 2023 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

ITEM 12 Closed Session

12a. Closed Session Pursuant to RCW 42.30.140(4)

The Board of Park Commissioners met in closed session for a period of 60 minutes pursuant to RCW 42.30.140(4).

Entered the closed session at 6:45 PM. Ended the closed session at 7:44 PM.

ITEM 13 Adjournment time 7:44 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Steve Nixon, Board President

Maryellen "Missy" Hill, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



Peninsula Metropolitan Park

District RESOLUTION NO. C2023-009

APPROVING VOUCHERS FROM MAY 2023

WHEREAS, the Peninsula Metropolitan Park District Board of Park Commissioners approved the 2023 operating budget in Resolution RR2022-010 and the 2023 capital budget in Resolution RR2022-011 on November 15, 2022; 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 June 20, 2023.

Approved By the Board on _____

Steve Nixon, Board President

Maryellen "Missy" Hill, Board Clerk

Attest: Ally Bujacich



Attachment A to Resolution C2023-009

For the period beginning 05/01/2023 and ending 05/02/2023

Voucher #230501001 through #230501030 is approved for payment in the amount of \$80,217.82.

and

For the period beginning 05/03/2023 and ending 05/09/2023

Voucher #230502001 through #230502039 is approved for payment in the amount of \$107,703.21.

and

For the period beginning 05/10/2023 and ending 05/16/2023

Voucher #230503001 through #230503027 is approved for payment in the amount of \$13,305.19.

and

For the period beginning 05/17/2023 and ending 05/23/2023

Voucher #230504001 through #230405026 is approved for payment in the amount of \$158,807.70.

and

For the period beginning 05/24/2023 and ending 05/30/2023

Voucher #230505001 through #230505046 is approved for payment in the amount of \$143,844.43



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

Through: Stephanie Buhrman, Director of Finance

Date: June 20, 2023

Subject: **Resolution R2023-007 Authorizing the Executive Director to Sign and Interlocal Agreement Between Pierce County, Washington and Peninsula Metropolitan Park District Regarding the Second REET Parks Fund**

Background/Analysis

Pierce County imposes an excise tax on each sale of real property in the unincorporated area of the County at a rate equal to one-quarter of one percent of the selling price. The excise tax proceeds are to be used solely for financing capital projects specified in the capital facilities plan element of the County Comprehensive Plan.

Pierce County Ordinance 2001-99s and Pierce County Code, Chapter 4.24.015 imposed an additional excise tax (“Second REET”) on each sale of real property in the unincorporated area of Pierce County at a rate of one quarter of one percent of the selling price. These tax proceeds are placed in the County’s Second REET Parks Fund

Pierce County Ordinance No. 2022-76s2 included a proviso regarding the Second REET Parks Fund in the County’s 2023-23 biennial budget specifying \$600,000 of the appropriation shall be allocated to the Peninsula Metropolitan Park (PenMet Parks), the City of Gig Harbor and Key Peninsula Metropolitan Park District as follows:

Key Peninsula Metropolitan Park District:	\$200,000
Peninsula Metropolitan Park District:	\$280,000
City of Gig Harbor	\$120,000

The funds allocated shall be utilized solely for capital purposes consistent with state law and shall be contingent upon an interlocal agreement being executed between Pierce County and the District.



PenMet Parks' 2022 adopted budget and 2023 adopted budget include a combined total of \$738,600 revenue from Second REET and park impact fees collected by Pierce County. The Interlocal Agreement appropriates \$280,000 to be allocated to PenMet Parks in the 22-23 biennium, which supports the budgeted combined total.

The Interlocal Cooperation Act, chapter 39.34 RCW, authorizes government agencies to contract with each other to provide mutually beneficial services, activities, and undertakings, and an interlocal agreement between the District and Pierce County will provide a significant public benefit including but not limited to providing additional funding for capital projects.

This agreement has been reviewed by the District's legal counsel.

Policy Implications/Support

1. The Board passed Resolution RR2022-010 adopting the 2023 Annual Operating Budget.
2. The Board passed Resolution R2021-032 adopting the 2022 Annual Operating Budget.
3. RR2022-011 2023 Capital Budget and CIP Approval.
4. The Board passed Resolution R2022-003 adopting the 2023 Goals and Objectives which included:
 - Manage and maintain assets to preserve existing infrastructure and provide parks and recreation opportunities for our community.

Staff Recommendation

Staff requests that the Board approve Resolution R2023-007, authorizing the Executive Director to sign the Interlocal Agreement with Pierce County regarding the Second REET Parks Fund.

Staff Contact

If you have any questions or comments, please contact Stephanie Buhrman, Director of Finance at (253) 313-5088 or via e-mail at SBuhrman@penmetparks.org.

Attachments

Exhibit A: Resolution R2023-007



Peninsula Metropolitan Park District

RESOLUTION NO. R2023-007

AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AN INTERLOCAL AGREEMENT BETWEEN PIERCE COUNTY, WASHINGTON AND PENINSULA METROPOLITAN PARK DISTRICT REGARDING THE SECOND REET PARKS FUND

WHEREAS, RCW 82.46.010 grants to Pierce County the authority to impose an excise tax on each sale of real property in the unincorporated area of the county at a rate not exceeding one-quarter of one percent of the selling price to be used solely for financing capital projects specified in the capital facilities plan element of the County Comprehensive Plan; and

WHEREAS, Pierce County Code Chapter 4.24 sets forth the imposition of a tax on each sale of real property situated in the unincorporated area of the County equal to one-quarter of one percent of the selling price; and

WHEREAS, Ordinance 2001-99s and Pierce County Code, Chapter 4.24.015, imposed an additional excise tax ("Second REET") on each sale of real property in the unincorporated area of Pierce County at a rate of one quarter of one percent of the selling price; and

WHEREAS, Pierce County Ordinance No. 2022-76s2 included a proviso regarding the Second REET Parks fund specifying \$600,000 of the appropriation shall be allocated to the Peninsula Metropolitan Park, City of Gig Harbor, and Key Peninsula Metropolitan Park Districts contingent upon an interlocal agreement being executed between Pierce County and each district; and

WHEREAS, the Interlocal Cooperation Act, chapter 39.34 RCW, authorizes government agencies to contract with each other to provide mutually beneficial services, activities, and undertakings; and

WHEREAS, an interlocal agreement between PenMet Parks and Pierce County will provide a significant public benefit including but not limited to providing additional funding for capital projects;

NOW, THEREFORE BE IT

RESOLVED by the Board of Park Commissioners that the Executive Director is authorized to sign the Interlocal Agreement Between Pierce County, Washington, and Peninsula Metropolitan Park District regarding the Second REET Parks Fund, 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 June 20, 2023.

Steve Nixon, Board President

Maryellen "Missy" Hill, Board Clerk

Attest: Ally Bujacich

**INTERLOCAL AGREEMENT FOR APPROPRIATION OF SECOND REET PARKS
FUNDS TO PENINSULA METROPOLITAN PARK DISTRICT**

THIS INTERLOCAL AGREEMENT ("Agreement") is made and entered into by and among the Peninsula Metropolitan Park District ("PenMet Parks") and Pierce County.

RECITALS

- A. RCW 82.46.010 grants the legislative body of any county or city the authority to impose an excise tax on each sale of real property in the unincorporated area of the county at a rate not exceeding one-quarter of one percent of the selling price. After April 30, 1992, revenues generated from this tax are to be used solely for financing capital projects specified in the capital facilities plan element of the County Comprehensive Plan.
- B. Pierce County Code, Chapter 4.24, County Excise Tax on Real Estate Sales, sets forth the imposition of a tax on each sale of real property situated in the unincorporated area of the County equal to one-quarter of one percent of the selling price, effective January 1, 1986.
- C. Ordinance 2001-99s and Pierce County Code, Chapter 4.24, Imposition of Additional Tax, imposed an additional excise tax ("Second REET") on each sale of real property in the unincorporated area of Pierce County at a rate of one quarter of one percent of the selling price, effective January 1, 2002. It further specifies that the County Auditor shall place one percent of the proceeds of the taxes in the County General Fund to defray the cost of collection and twenty-five percent of the remaining proceeds of the Second REET shall be used solely for Park and Recreation Capital Projects financing capital projects specified in Title 19E PCC, the Capital Facilities Element of the Pierce County Comprehensive Plan (the "Second REET Parks Fund"). PCC 4.24.015 defines "Capital Project" to mean "those public works projects of a local government for planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, or improvement of streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, and planning, construction, reconstruction, repair, rehabilitation, or improvement of parks."
- D. Pierce County Ordinance 2021-100s2, adopted on November 23, 2021, Adopted Biennial Budget for Fiscal years 2022-2023 and included an appropriation of \$480,000 of Second REET funds to be allocated to the metropolitan parks Districts located on Key Peninsula and Gig Harbor Peninsula. The budget included an allocation of \$60,000 to each district with the remainder to be determined based on a per capita basis.
- E. Pierce County Ordinance No 2022-76s2, adopted on November 29, 2022, amended Ordinance No. 2021-100s2 Adopted Biennial Budget of Pierce County for Fiscal Years 2022-2023. Ordinance 2022-76s2 included the same proviso regarding the Second REET Parks Fund but stated the specific allocation to each district and increased the Second REET allocation to include funding for the City of Gig Harbor as follows:

PROVIDED, \$600,000 of this appropriation shall be allocated to the Peninsula Metropolitan Park District, the City of Gig Harbor, and the Key Peninsula Metropolitan Park Districts as follows:

Key Peninsula Metropolitan Park District.....	200,000
Peninsula Metropolitan Park District	280,000
City of Gig Harbor.....	120,000

PROVIDED FURTHER, the funds allocated to the Peninsula Metropolitan Park District, City of Gig Harbor, and Key Peninsula Metropolitan Park Districts shall be utilized solely for park capital project purposes consistent with state law, and shall be contingent upon an interlocal agreement being executed between Pierce County and each district entity, and the incorporation of each District's entities' proposed capital project use for said funds into the Pierce County Capital Facilities Plan.

- F. This Agreement is entered into pursuant to RCW 39.34 (the "Interlocal Cooperation Act"). The Parties represent that under state law, including but not limited to RCW 39.34.080 and RCW 67.20.010, they each have authority to perform the services, activities, and undertakings contemplated herein.

NOW, THEREFORE, pursuant to the above Recitals which are incorporated herein as if fully set forth below and in consideration of the terms, conditions, and performances contained herein, the Parties mutually agree as follows:

TERMS AND CONDITIONS

1. PURPOSE. The Purpose of this Agreement is to distribute \$280,000 of the Second REET Parks Fund appropriation to the Peninsula Metropolitan Park District for the biennium 2022-2023.
2. Second REET Parks Funds shall be utilized solely for capital purposes consistent with state law.
3. To receive the allocation by December 31, 2023, PenMet Parks will provide Pierce County with a list of the proposed project(s) for the next six (6) years including the total cost (comprised of land acquisition cost, design engineering cost and construction cost), funding sources, and a description of each proposed project(s) using Second REET Parks Funds no later than November 1, 2023. The Capital Facilities Element of the County's Comprehensive plan identifies the REET allocation to the Districts.

4. No later than November 30, 2023, PenMet Parks shall submit a request for the annual allocation to Pierce County, certifying expenses related to the project(s) eligible for the Second REET Park Funds.
5. Funding will be on a reimbursement basis for expenditures incurred during the same calendar year as the allocation.
6. **TERM.** The term of this Agreement shall commence on April 1, 2023, and terminating midnight on December 31, 2023, unless sooner terminated as provided in Section 8.
7. **INDEMNIFICATION.**
 - 7.1 To the extent authorized by law, the Parties shall protect, defend, indemnify, and hold harmless each other and their employees, authorized agents, and/or contractors, while acting within the scope of their employment as such, from any and all costs, claims, judgments, and/or awards of damages (both to persons and/or property), arising out of, or in any way resulting from, each Party's obligations to be performed pursuant to the provisions of this Agreement. The Parties shall not be required to indemnify, defend, or hold harmless the other Party if the claim, suit, or action for injuries, death, or damages (both to persons and/or property) is caused by the negligence of the other Party; provided that, if such claims, suits, or actions result from the concurrent negligence of the parties or their employees, authorized agents, or contractors or involves those actions covered by RCW 4.24.115, the indemnity provisions provided herein shall be valid and enforceable only to the extent of the negligence of each Party, its employees, authorized agents, and/or contractors.
 - 7.2 The Parties agree that their obligations under this section extend to any claim, demand and/or cause of action brought by, or on behalf of, any of its officers while performing under the terms of this Agreement. For this purpose, the Parties, by mutual negotiation, hereby waive any immunity that would otherwise be available to it against such claims under the Industrial Insurance provisions chapter 51.12 RCW
8. **TERMINATION.** This Agreement is subject to termination based upon the following:
 - 8.1 Necessity. In the event that the County determines that termination of this Agreement is necessary due to lack of funding or any other reason, in its sole discretion, justifies termination, the County shall give the other Party thirty (30) calendar days' notice of termination of this Agreement. Upon Pierce County's termination of the Agreement, all Parties shall be released from any future funding or other obligations related to this Agreement.
 - 8.2 Default. By reason of a breach of this Agreement by a Party, the other Party may terminate this Agreement; provided that, written notice specifying the breach and thirty (30) calendar days to cure the breach is given, and thereafter, in the absence

of a substantial cure, the dispute resolution procedures set forth in Section 9 below is followed. The notice and dispute resolution requirements do not apply where protection of the public's health, welfare, or safety requires immediate termination.

- 8.3 Lack of Appropriation. Any Party's obligation under this Agreement that may extend beyond the current appropriation year is expressly conditioned upon that Party's legislative appropriation of sufficient funds to support the activities described in this Agreement. If the Party's legislative body does not appropriate sufficient funds for those purposes, then that Party's participation under this Agreement shall automatically terminate at midnight at the end of the current appropriation year.
- 8.4 Public Convenience. Any Party may withdraw from the Agreement for public convenience upon thirty (30) calendar days' written notice to the other Party; provided that, to the extent each Party has obligated itself to provide funding, that funding obligation shall survive the Party's withdrawal from the Agreement and the obligated funding shall continue to be provided by the Party until the end of the Party's current appropriation year, after which the Party shall have no further funding obligation.
9. **DISPUTE RESOLUTION.** If a Party claims that another Party has breached any term of this Agreement, the following procedures shall be followed if, and when, informal communications such as telephone conversations fail to satisfy the claiming Party:
- 9.1 The claiming Party's representative shall provide a written notice to the other Party's representative of the alleged breach. The notice shall identify the act or omission at issue and the specific term(s) of the Agreement which the complaining Party alleges was violated.
- 9.2 The responding Party's representative shall respond to the notice in writing within seven (7) business days. The response shall state that Party's position as well as what, if any, corrective action the responding Party agrees to take.
- 9.3 The claiming Party shall reply in writing, indicating either satisfaction or dissatisfaction with the response. If satisfied, then the responding Party shall take any corrective action within fourteen (14) business days after receipt of the claiming Party's reply. If dissatisfied, the claiming Party shall call an in-person meeting. The meeting shall occur within a reasonable period of time and shall be attended by the designated representatives of each Party, and such others as they individually invite. If the claiming Party remains dissatisfied with the results of the meeting, it may sue to enforce the terms of this Agreement or it may withdraw from this Agreement. The Parties also may agree to an alternate dispute resolution process.
10. **INSURANCE.**

10.1 Notwithstanding any other provision within this Agreement, PenMet Parks shall procure and maintain for the duration of the Agreement:

a) Commercial General Liability Insurance. Against claims for injuries to persons or damages to property that may arise from or in connection with activities performed under this Agreement.

The insurance limits shall be no less than one million dollars (\$1,000,000) combined single limit per occurrence and two million dollars (\$ 2,000,000) in the aggregate for bodily injury and property damage.

b) Automobile Liability Insurance. The limit of liability shall be no less than one million dollars (\$ 1,000,000) per occurrence.

c) Workers Compensation/Stop Gap. Statutory Worker's Compensation coverage and Stop Gap Liability for a limit no less than one million dollars (\$1,000,000).

10.2 The insurance policies required in this Agreement are to contain or be endorsed to contain the following provisions with respect to all Liability Policies except Professional Liability and Worker's Compensation:

Pierce County, Peninsula Metropolitan Park District, their officers, officials, employees, agents, and consultants are to be covered as additional insureds as respects liability arising out of activities performed under this Agreement. Such insurance shall be Primary.

11. NOTICE. Any written notice, which is required or permitted regarding this Agreement, shall be given by U.S. first-class mail or by personal delivery to the Party which is the intended recipient of the notice at its address as follows:

If to Peninsula Metropolitan Parks District:

PenMet Parks
Executive Director
5717 Wollochet Drive
Gig Harbor, WA 98335

If to Pierce County Parks and Recreation Department:

Pierce County Parks and Recreation Department
Parks Director
Environmental Services Building
9850 64th St. W,
University Place, WA 98467

12. **ENTIRE AGREEMENT.** This Agreement contains the Parties' entire understanding with respect to the subject matter hereof. There are no other agreements, oral or written, except as expressly set forth herein.
13. **AMENDMENTS IN WRITING.** Any amendment or modification of this Agreement must be in writing and executed by the Parties agreeing thereto.
14. **NO CONTINUING WAIVER OF DEFAULT.** The waiver of any default under any provision of this Agreement must be in writing to be valid and shall not constitute a waiver of any other default, whether of the same or of any other provision.
15. **APPLICABLE LAW.** This Agreement and the rights of the parties herein shall be governed by the laws of the state of Washington. Venue shall be in any of the three superior courts authorized by RCW 36.01.050 for actions against Pierce County. Venue shall exclusively be in Pierce County for actions against PenMet Parks.
16. **EXECUTION IN COUNTERPARTS.** This Agreement may be executed in counterparts, each of which shall be deemed an original.
17. **HEADINGS NOT PART OF TERMS OR CONDITIONS.** The headings of the various sections and subsections of this Agreement are inserted for convenience only and shall not be deemed to expand, limit, or otherwise affect them.
18. **ASSIGNABILITY; TERMS AND CONDITIONS BINDING ON SUCCESSORS AND ASSIGNS.** Any or all of the rights and obligations of a Party to this Agreement may be assigned and delegated to other persons, firms, or corporations only with the express written consent of the other Parties. This Agreement shall be binding on such approved assignees and delegates.
19. **NO AGENCY, PARTNERSHIP, OR EMPLOYMENT RELATIONSHIP CREATED.** Nothing herein shall be construed as creating an agency, partnership, or employment relationship between or among the Parties or any of their employees, representatives, or agents.
20. **NO THIRD PARTY BENEFICIARIES.** Nothing in this Agreement shall create or be construed to create any rights, duties, obligations, or cause of action in any person not a Party to it.
21. **NO RESTRICTION ON POLICE POWERS.** Nothing in this Agreement shall diminish any of the Parties' governmental or police powers.
22. **SEVERABILITY.** If any provision of this Agreement is deemed unlawful or unenforceable, such provisions shall be fully severable, and the remainder of this Agreement shall be in full force and effect with the automatic addition of a provision as similar in its terms to such illegal or unenforceable provision as may be possible to make such provision legal and enforceable.

- 23. RECORDING. Pierce County shall publish this Agreement on its website following approval by all of the Parties' legislative bodies and execution by all the Parties in accordance with RCW 39.34.040.

- 24. BUSINESS DAYS: Business days for this Agreement are defined as Monday through Friday, excluding Washington State holidays per RCW 1.16.050.

Pierce County

Signature Page

PenMet Interlocal Agreement REET 2022-2023

Contract # SC -

IN WITNESS WHEREOF, the parties have executed this agreement this _____ day of _____, 20____.

PIERCE COUNTY:

Approved as to form only:

**PENINSULA METROPOLITAN
PARK DISTRICT:**

By _____
Deputy Prosecuting Attorney Date

Executive Director Date

By _____
Budget & Finance Date

Approved as to form only:

Approved:

Peninsula Metropolitan Park District Attorney Date

By _____
Director Date

By _____
Pierce County Executive (\$250,000 or more) Date

1 Sponsored by: Councilmember
2 Requested by: County Council

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RESOLUTION NO. R2023-[Subject]

A Resolution of the Pierce County Council Authorizing the Pierce County Executive to Execute an Interlocal Agreement with the Peninsula Metropolitan Park District for Distribution of Parks Second REET Funds.

Whereas, the County imposed an additional excise tax (Second REET) on each sale of real property in the unincorporated area of Pierce County at a rate of one quarter of one percent of the selling price effective January 1, 2002, and specified that revenue generated from this tax is to be used solely for financing capital projects specified in Chapter Title 19E of the Pierce County Code (PCC), the Capital Facilities Element of the Pierce County Comprehensive Plan; and

Whereas, Pierce County Ordinance 2021-100s2, adopted on November 23, 2021, Adopted Biennial Budget for Fiscal years 2022-2023 included an appropriation of \$480,000 of Second REET funds to be allocated to the metropolitan parks Districts located on Key Peninsula and Gig Harbor Peninsula. The budget included an allocation of \$60,000 to each district with the remainder to be determined based on a per capita basis.

Whereas, Pierce County Ordinance No 2022-76s2, adopted on November 29, 2022, amended Ordinance No. 2021-100s2 Adopted Biennial Budget of Pierce County for Fiscal Years 2022-2023. Ordinance 2022-76s2 included the same proviso regarding the Second REET Parks Fund but stated the specific allocation to each district and increased the Second REET allocation to include funding for the City of Gig Harbor as follows:

PROVIDED, \$600,000 of this appropriation shall be allocated to the Peninsula Metropolitan Park District, the City of Gig Harbor, and the Key Peninsula Metropolitan Park Districts as follows:

Key Peninsula Metropolitan Park District.....	200,000
Peninsula Metropolitan Park District	280,000
City of Gig Harbor.....	120,000

PROVIDED FURTHER, the funds allocated to the Peninsula Metropolitan Park District, City of Gig Harbor, and Key Peninsula Metropolitan Park Districts shall be utilized solely for park capital project purposes consistent with state law, and shall be contingent upon an interlocal agreement being executed between Pierce County and each district entity, and the

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incorporation of each District's entities' proposed capital project use for said funds into the Pierce County Capital Facilities Plan.

Whereas, the 2022-2023 Capital Facilities Plan, adopted by Ordinance 2021-110s3, included an allocation of \$480,000 of Second REET funds to the peninsula metropolitan park districts; and

Whereas, in accordance with RCW 82.46 Peninsula Park Metropolitan Park District will submit a Capital Facilities Plan document listing specific capital projects to be funded, in part, from Second REET funds, **Now Therefore**,

BE IT RESOLVED by the Council of Pierce County:

Section 1. The Pierce County Executive is hereby authorized to enter into an interlocal agreement, substantially in the same form of Exhibit A which is attached hereto and incorporated herein by reference, with the Peninsula Metropolitan Park District relating to the funding contribution to a capital project from Parks Second REET fund.

ADOPTED this _____ day of _____, 2023.

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

Denise D. Johnson
Clerk to the Council

Ryan Mello
Council Chair



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

From: Ally Bujacich, Executive Director

Date: June 20, 2023

Subject: **First Reading of Resolution RR2023-009 Providing for a Proposition Authorizing a Renewal of the Property Tax Levy Rate at the November 7, 2023 Election**

Background/Analysis

In 2004, voters approved the formation of the Peninsula Metropolitan Park District (PenMet Parks), which they funded by levying a tax on themselves at \$.75 per \$1,000 of assessed property value as authorized by RCW 35.61.210. Since then, PenMet Parks has established a comprehensive park and recreation system that enhances the quality of life by providing parks and recreation opportunities for our community.

2017 levy lid lift

In 2017, voters approved restoring the property tax levy to the statutorily-allowed rate of \$.75 per \$1,000 of assessed property value, setting the annual limit factor at 106% for six years, and using the 2023 levy amount to calculate subsequent levy limits. Levy funds from the 2017 “levy lid lift” have supported:

- Additional parks and recreation facilities:
 - Acquiring 17 acres for the Community Recreation Center in 2019, completing the design and construction of Phase I, and funding Phase II.
 - Acquiring 75 acres adjacent McCormick Forest in 2019.
 - Providing lights at Sehmel Homestead Park multipurpose field in 2020.
 - Replacing turf at Sehmel Homestead Park multipurpose field in 2022.
 - Renovating the Arletta Schoolhouse in 2022.
 - Renovating Rosedale Hall (underway).
- More access to Puget Sound:
 - Improvements at the Tacoma DeMolay Sandspit and Fox Island Fishing Pier to increase water access (underway).
 - Providing infrastructure near Rosedale Park to support public beach access.



- Enhanced trails and greenspace:
 - Extending the Cushman Trail from its current southern terminus to 24th Street NW. This project completes the link to the Narrows Bridge and regional trail system beyond and provides pedestrian access to the Community Recreation Center (underway).
 - Acquiring 75 acres adjacent to McCormick Forest to provide additional trail and greenspace access in 2019.

- Enhanced recreation programs serving seniors and people in our vulnerable populations:
 - Establishing dedicated positions equivalent to 1.0 FTE to deliver programs for seniors and people with disabilities.
 - Significantly increasing programs available to seniors by providing a broad range of enrichment, fitness, and social programs for seniors.
 - Providing year-round adaptive recreation programs to serve adults with disabilities.
 - Improvements to enhance ADA accessibility at the Arletta Schoolhouse in 2022, and at Rosedale Hall, Fox Island Fishing Pier, and the DeMolay Sandspit (underway).

Levy rate

Since voters last approved the \$.75 levy rate in 2017, the District's population has continued to grow. Today PenMet Parks is serving more people than ever before. At the same time, increased property values and the 6% annual limit, which PenMet Parks chose to impose in 2017 in order to be fiscally responsible with taxpayer funds, have eroded the levy rate to \$.58 per \$1,000 of assessed property value in 2023. This is well below the \$.75 levy rate voters approved in 2004 and again in 2017.

Annual limits

The average annual impact of population growth and inflation has averaged over 4% per year from 2004 - 2023. Population growth in the District is expected to slow over the next several years, and the forecasted combined annual impact of population growth and inflation is 3.2% per year. State law sets the annual levy limit factor at 101% per year, which will not keep pace with anticipated rates of population growth and inflation.

Community need

The Board of Park Commissioners adopted the District's five-year strategic plan in January 2023. The strategic plan, which was developed with input from our community, identifies PenMet Parks' vision "to be a leader in promoting health and well-being in a thriving community." In spring 2023, members of the public were invited to complete a



survey regarding parks, recreation, and open spaces provided by PenMet Parks. Over 900 people responded to the survey. The community's highest priorities include:

- Expand access to trails and open spaces:
 - Provide opportunities for more community access to PenMet Parks' unique natural resources.
 - Create public access into and through natural open space lands to provide passive recreation experiences to explore nature and personal connections with the environment.
- Expand access to saltwater beaches and water-based recreation:
 - Develop existing waterfront properties to support safe watercraft launch and beach access.
 - Enhance water-based recreation by acquiring more public shoreline access locations.
- Expand access to parkland amenities that support diverse recreation activities:
 - Provide more equitable access to park amenities for all residents.
 - Develop additional amenities at existing parks to support and enhance a diversity of recreation activities.
 - Enhance park and recreation opportunities in underserved locations.
- Expand access to exceptional programming for the benefit of all District residents, including seniors, adults, youth, and vulnerable populations.
 - Enhance park amenities to provide multi-generational activities throughout the park system.
 - Increase programs for seniors and people with disabilities. Citizens determined these programs provide considerable community benefit and should be supported by tax dollars.
 - Meet the physical health needs of all members of our community through fitness activities and organized and recreation programs.
 - Provide community events that promote community awareness, social opportunities and pride in local heritage, parks, and community.

Renewing the levy

After evaluating factors such as projected population growth, historic inflation rates, and community need, PenMet Parks will not be able to sustain or enhance the park and recreation services it provides for our community unless the levy rate is renewed to \$.75 as previously approved by voters. Providing for an annual increase of up to 6% (but limited to never exceed \$.75 per \$1,000 of assessed value) will help PenMet Parks keep pace with population growth and inflation. The additional funds would be used to acquire, provide, improve and maintain parks, park facilities, programs and services as



prioritized by the District's residents, including access to trails and open space, saltwater beaches and water-based recreation, parkland amenities that support diverse recreational activities, and exceptional programming for all the District's residents, including our seniors, adults, youth, and vulnerable populations.

Impact to taxpayers

If voters renew the levy, it would cost the owner of a property with an assessed value of \$700,000 about \$10 more per month.

Resolution RR2023-009

This resolution provides for a proposition on the November 7, 2023 general election for the purpose of submitting to the qualified electors of the District, for their ratification or rejection, a proposition approving a permanent increase in the District's regular property tax levy exceeding the limit factor provided in RCW 84.55.005- .0101. The proposition authorizes the District to continue to levy its regular property tax at a rate of \$0.75 per \$1,000 of assessed value in 2024 and to increase the levy amounts for the five succeeding years, subject to a limit factor of one hundred and six percent (106%) of the previous year (not to exceed \$0.75 per \$1,000 and otherwise applicable statutory limitations). The dollar amount levied in 2028 for collection in 2029 shall serve as the District's tax levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

Legal counsel has reviewed Resolution RR2023-009.

Policy Implications/Support

1. The Board passed Resolution R2022-003 adopting goals and objectives including:
 - Assess the necessity and viability of a levy lid lift.
2. The Board passed Resolution RR2022-011 adopting the 2023 annual capital budget and six-year Capital Improvement Plan.
3. The Board passed Resolution RR2022-012 adopting the District's five-year strategic plan.
4. Over 900 community members responded to a survey regarding priorities for parks, recreation, and open space in spring 2023.

Recommendation

Staff recommends the Board pass Resolution RR2023-009 providing for a proposition authorizing a renewal of the property tax levy rate at the November 7, 2023 election at its second reading planned for July 18, 2023.



Staff Contact

If you have any questions or comments, please contact Ally Bujacich at (253) 858-3400 or via e-mail at executivedirector@penmetparks.org.

Attachments

Exhibit A: Resolution RR2023-009

PENINSULA METROPOLITAN PARK DISTRICT
PIERCE COUNTY, WASHINGTON

RESOLUTION NO. RR2023-009

A RESOLUTION of the Board of Park Commissioners of the Peninsula Metropolitan Park District providing for the submission to the qualified electors of the District at the November 7, 2023 general election, of a proposition authorizing an increase in the regular property tax levy, not to exceed \$.075 per \$1,000 of assessed value, which is in excess of the limit factor established in RCW 84.55.010, and establishing a six consecutive year limit factor subject to otherwise applicable statutory limitations, to acquire, provide, improve and maintain high-quality parks and park facilities, and increase access to trails and open space, saltwater beaches and water-based recreation, parkland amenities that support diverse recreation activities, and exceptional programming for the benefit of all its residents, including our seniors, adults, youth, and vulnerable populations.

PASSED: July 18, 2023

PENINSULA METROPOLITAN PARK DISTRICT

RESOLUTION NO. RR2023-009

A RESOLUTION of the Board of Park Commissioners of the Peninsula Metropolitan Park District providing for the submission to the qualified electors of the District at the November 7, 2023 general election, of a proposition authorizing an increase in the regular property tax levy, not to exceed \$.075 per \$1,000 of assessed value, which is in excess of the limit factor established in RCW 84.55.010, and establishing a six consecutive year limit factor subject to otherwise applicable statutory limitations, to acquire, provide, improve and maintain high-quality parks and park facilities and increase access to trails and open space, saltwater beaches and water-based recreation, parkland amenities that support diverse recreation activities, and exceptional programming for the benefit of all its residents, including our seniors, adults, youth, and vulnerable populations.

WHEREAS, the Peninsula Metropolitan Park District (the “District”) owns and operates parks and recreation facilities, and provides recreation programming and services, in the Gig Harbor – Peninsula area, all of which require on-going funding; and

WHEREAS, RCW 35.61.210 authorizes the District to annually levy up to \$0.75 per \$1,000 of assessed valuation on property within the District to provide revenue for funding; and

WHEREAS, RCW 84.55.005-.0101 has limited the increase in property tax revenues to the District to 1% per year, a rate that has been less than the actual rate of inflation of the costs for providing parks, facilities and park and recreation services to the District’s residents; and

WHEREAS, the Board of Park Commissioners of the District (the “Board”) and District staff foresee that unless the District’s revenues keep pace with inflation and population growth, the District will not be able to acquire, provide, improve and maintain its parks, park facilities, programs and services as prioritized by the District’s residents including access to trails and open space, saltwater beaches and water-based recreation, parkland amenities that support diverse

recreational activities, and exceptional programming for all District residents, including our seniors, adults, youth, and vulnerable populations; and

WHEREAS, in order to have the funding sufficient to meet the needs of the District’s residents, the Board of Park Commissioners (the “Board”) finds it necessary to request the voters approve or reject a ballot proposition, pursuant to RCW 84.55.050(2), that authorizes the Board to levy its regular property tax in an amount that exceeds the limit factor that would otherwise be prescribed by RCW 84.55.010 for up to six consecutive years, during which period each year’s authorized maximum legal levy shall be used as the base upon which an increased levy limit for the succeeding year is computed; and

WHEREAS, the Board has determined that it is in the best interest of the District and its residents that the maximum allowable levy in the sixth year of the levy authorized by this Resolution serve as the levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE PENINSULA METROPOLITAN PARK DISTRICT AS FOLLOWS:

Section 1. Findings. The Board hereby finds that it is in the best interests of the District and its residents that there is additional funds to acquire, provide, improve and maintain parks, park facilities, programs and services as prioritized by the District’s residents including access to trails and open space, saltwater beaches and water-based recreation, parkland amenities that support diverse recreational activities, and exceptional programming for all the District’s residents, including our seniors, adults, youth, and vulnerable populations.

In order to provide the revenue to fund the parks, amenities, programs and services described in Section 1, and to assure the continuation and improvement of those important public assets, programs and services, pursuant to RCW 84.55.050(2)(a), a proposition shall be included on the ballot of the November 7, 2023 general election, for the purpose of submitting to the qualified electors of the District, for their ratification or rejection, a proposition approving a permanent increase in the District’s regular property tax levy exceeding the limit factor provided in RCW 84.55.005- .0101.

The proposition authorizes the District to continue to levy its regular property tax at a rate of \$0.75 per \$1,000 of assessed value in 2024 and to increase the levy amounts for the five succeeding years, subject to a limit factor of one hundred and six percent (106%) of the previous year (not to exceed \$0.75 per \$1,000 and otherwise applicable statutory limitations). The dollar amount levied in 2028 for collection in 2029 shall serve as the District’s tax levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

Section 2. The proposition to be submitted to the qualified electors of the District for their ratification or rejection, at the November 7, 2023 general election, shall read substantially as follows:

**PENINSULA METROPOLITAN PARK DISTRICT
PIERCE COUNTY, WASHINGTON
PROPOSITION NO. 1**

RENEWING THE PARKS AND RECREATION PROPERTY TAX LEVY RATE FOR A SIX-YEAR PERIOD

The Board of Park Commissioners of the Peninsula Metropolitan Park District adopted Resolution No. RR2023-009 concerning an increase in the District’s regular property tax levy to acquire, provide, improve and maintain parks, park facilities and recreation programs and services. If approved, Proposition No. 1 will restore the District’s regular property tax levy rate to the previous voter-approved rate of \$0.75 per \$1,000 of assessed value for collection in 2024; allow annual

increases of up to 6% for the five succeeding years and use the 2029 levy amount to calculate subsequent levy limits.

Should this proposition be:

APPROVED?

REJECTED?

Section 3. Local Voters' Pamphlet Authorized. The preparation and distribution of a local voters' pamphlet providing information on the foregoing ballot measure is hereby authorized. The pamphlet shall include an explanatory statement and arguments advocating approval and disapproval of the ballot measure, if any, in accordance with RCW 29A.32.280. The explanatory statement shall read substantially as follows:

Explanatory Statement

Since voters approved the formation of the Peninsula Metropolitan Park District (PenMet Parks) in 2004, PenMet Parks has developed a comprehensive park and recreation system to meet its residents' needs and to keep pace with the significant population growth over the last two decades. Today PenMet Parks serves more residents than ever before, yet the property tax levy rate was reduced from the \$.75 levy rate voters approved in 2017 to \$.58 because of annual limits. If the levy is restored to the rate previously approved by voters, PenMet Parks can sustain and enhance its current levels of service.

Renewing the levy lid lift would allow PenMet Parks to restore the \$.75 levy rate approved by voters and provide an annual limit of up to 6% for the next six years (but never to exceed \$.75 per \$1,000 of assessed property value). Funds would be used to acquire, provide, improve and maintain parks, facilities, and services consistent with priorities identified by PenMet Parks' residents, including expanded access to trails and open spaces, water-based recreation, parkland amenities that support diverse recreation opportunities, and exceptional programming and services for our seniors, adults, youth, and vulnerable populations.

Section 4. Minor Adjustments. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the Board hereby designates (a) the Executive Director and (b) Legal Counsel to the District as the designated representatives of the District to whom such notice should be provided. The District's Executive Director and Legal Counsel are authorized to make such minor adjustments to the wording of the proposition and explanatory statement as deemed appropriate or as may be recommended by the Pierce County Prosecuting Attorney's Office or the Pierce County Auditor and its Supervisor of Elections, as long as the intent of the proposition and explanatory statement remains clear and consistent with the intent of this Resolution as approved by the Board.

The Board Secretary is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's or clerical errors, references, numbering, section/subsection numbers, and any reference thereto.

The proper District officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the regular property tax shall be increased, as provided in this resolution, to the electors at the November 7, 2023 election.

Section 5. In the event the proposition specified in Section 2 above is approved, the District shall levy and there shall be collected a regular tax on real property in the District at the rate of \$0.75 per \$1,000 assessed valuation for collection in 2024.

Section 6. The Secretary of the Board is hereby directed to deliver a certified copy of this Resolution to the Pierce County Auditor, as ex-officio Supervisor of Elections, on or before August 1, 2023, for inclusion of the proposition and explanatory statement in the November 7, 2023 general election.

Section 7. Severability. The recitals stated above (i.e., the "Whereas" clauses) constitute specific findings by the Board in support of the passage of this resolution. If any

provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution or of any other resolution, or of the levy or collection of the taxes authorized herein.

Section 8. This resolution shall be in full force and effective from and after its adoption and approval.

ADOPTED by the Board of Park Commissioners of the Peninsula Metropolitan Park District, at a regular meeting thereof held this 18th day of July, 2023.

PENINSULA METROPOLITAN PARK DISTRICT

President, Board of Park Commissioners

Clerk, Board of Park Commissioners

ATTEST:

Secretary, Board of Park Commissioners

CERTIFICATE

I, the undersigned, Secretary of the Board of Park Commissioners of the Peninsula Metropolitan Park District (the “District”) and keeper of the records of the Board of Park Commissioners (herein called the “Board”), DO HEREBY CERTIFY:

1. That the attached resolution is a true and correct copy of Resolution No. R2023-009 of the Board (herein called the “Resolution”), duly adopted at a regular meeting thereof held on July 18, 2023.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have set my hand this 18th day of July, 2023.

Secretary, Board of Park Commissioners