



# Meeting Agenda

## Metropolitan Park District Board

City Hall  
601 4th Avenue E  
Olympia, WA 98501

Information: 360.753.8068

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**Tuesday, November 12, 2019**

**6:15 PM**

**Council Chambers**

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**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. PUBLIC COMMENT**

*(Estimated Time: 0 - 10 minutes). During this portion of the meeting, citizens may address the Board regarding only items related to the Olympia Metropolitan Park District, including items on the Agenda. Individual comment is limited to 3 minutes.*

**4. BOARD BUSINESS**

**4.A**     [19-1044](#)     Approval of November 4, 2019 Metropolitan Park District Board Meeting Minutes

**Attachments:**   [Minutes](#)

**4.B**     [19-1031](#)     Approval of a Resolution Adopting the 2020 Olympia Metropolitan Park District (OMPD) Budget

**Attachments:**   [Resolution](#)  
                          [2020 Budget](#)

**4.C**     [19-1046](#)     Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Ad Valorem Tax

**Attachments:**   [Resolution](#)

**4.D**     [19-1032](#)     Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule

**Attachments:**   [Resolution](#)

**4.E**     [19-1051](#)     Approval of a Resolution Authorizing an Interlocal Agreement Between the Olympia Metropolitan Parks District, the City of Olympia, and the Port of Olympia

**Attachments:**   [Resolution](#)  
                          [Interlocal Agreement](#)

**5. ADJOURNMENT**

*The Olympia Metropolitan Park District (OMPD) is committed to the non-discriminatory treatment of all persons in employment and the delivery of services and resources. If you require accommodation for your attendance at the OMPD Board meeting, call 360.753-8244 at least 48 hours in advance of the meeting. For hearing impaired, please contact us by dialing the Washington State Relay Service at 7-1-1 or 1.800.833.6384.*



City Hall  
601 4th Avenue E.  
Olympia, WA 98501  
360-753-8244

**Metropolitan Park District Board**  
**Approval of November 4, 2019 Metropolitan**  
**Park District Board Meeting Minutes**

**Agenda Date:** 11/12/2019  
**Agenda Item Number:** 4.A  
**File Number:** 19-1044

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**Type:** minutes   **Version:** 1   **Status:** OMPD Agenda Ready

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**Title**

Approval of November 4, 2019 Metropolitan Park District Board Meeting Minutes

# City of Olympia

*City Hall*  
601 4th Avenue E  
Olympia, WA 98501



## Meeting Minutes - Draft

Monday, November 4, 2019

6:15 PM

Council Chambers

**Metropolitan Park District Board**

**1. ROLL CALL**

**Present:** 6 - Vice President Lisa Parshley, Boardmember Jessica Bateman, Boardmember Clark Gilman, Boardmember Nathaniel Jones, Boardmember Renata Rollins, and Boardmember Cheryl Selby

**Excused:** 1 - President Jim Cooper

**2. APPROVAL OF AGENDA**

The agenda was approved.

**3. PUBLIC COMMENT - None****4. BOARD BUSINESS****4.A** Approval of September 10, 2019 Metropolitan Park District Board Meeting Minutes

**Attachments:** [Minutes](#)

The minutes were approved.

**4.B** Report from the Olympia Municipal Park District (OMPD) Advisory Committee on the 2020 Preliminary Budget

**Attachments:** [OMPD Advisory Committee Letter](#)

Park Planning & Maintenance Director Jonathon Turlove reported Metropolitan Park District Advisory Committee Chair Roger Horn was unable to attend the meeting to present the Committee's letter due to travel. Mr. Turlove noted the letter indicated the Committee felt the proposed budget met the requirements of the interlocal agreement.

The report was received.

**4.C** Public Hearing on the 2020 Preliminary Olympia Metropolitan Park District (OMPD) Budget

**Attachments:** [Preliminary 2020 OMPD Budget.pdf](#)

[Preliminary 2020 OMPD Budget Presentation](#)

Mr. Turlove reported since the budget presentation on September 10, assessed values have been updated to include an additional \$116,000, which staff proposes go toward park maintenance. He reviewed the capital budget and noted staff will present the final budget next week.

Vice President Parshley opened the public hearing at 6:23 p.m.. Bob Jacobs spoke.

Vice President Parshley closed the public hearing at 6:24 p.m.

Boardmembers asked clarifying questions.

**The public hearing was held and closed.**

**4.D** Public Hearing on the 2020 Olympia Metropolitan Park District (OMPD)  
Ad Valorem Tax

Vice President Parshley opened the public hearing at 6:27 p.m. Bob Jacobs spoke.  
Vice President Parshley closed the public hearing at 6:28 p.m.

Boardmembers asked clarifying questions.

**The public hearing was held and closed.**

**5. ADJOURNMENT**

The meeting was adjourned at 6:31 p.m.



## Metropolitan Park District Board

### Approval of a Resolution Adopting the 2020 Olympia Metropolitan Park District (OMPD) Budget

**Agenda Date:** 11/12/2019  
**Agenda Item Number:** 4.B  
**File Number:** 19-1031

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**Type:** resolution **Version:** 2 **Status:** OMPD Agenda Ready

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#### **Title**

Approval of a Resolution Adopting the 2020 Olympia Metropolitan Park District (OMPD) Budget

#### **Recommended Action**

##### **Board Treasurer Recommendation:**

Move to approve the 2020 OMPD budget resolution and authorize the Board President to sign the resolution.

#### **Report**

##### **Issue:**

Whether to approve the 2020 OMPD Budget.

#### **Staff Contact:**

Jonathon Turlove, Director of Park Planning and Maintenance, 360.753.8068

#### **Presenter(s):**

Jonathon Turlove, Director of Park Planning and Maintenance, 360.753.8068

#### **Background and Analysis:**

The 2020 Preliminary Olympia Metropolitan Park District (OMPD) Budget was presented to the OMPD Board on September 10, 2019 and to the OMPD Advisory Committee on October 16, 2019. A Public Hearing was held on November 4, 2019.

The OMPD Budget is \$4,188,859. This includes \$2,347,859 for operations, \$1,831,000 for capital projects, and \$10,000 for administrative costs.

#### **Neighborhood/Community Interests (if known):**

The YES Olympia Parks coalition was heavily involved in the formation of the Olympia Metropolitan Park District and some of their members continue to take a strong interest in the activities of the OMPD Advisory Committee and Board.

**Options:**

1. Approve the Budget Resolution as proposed
2. Approve a Budget Resolution with an additional \$74,611 budgeted for Percival Landing maintenance reserve, resulting in a total OMPD Budget of \$4,263,470. This would result in a levy rate of approximately the current rate of \$.549/1,000 AV.
3. Do not approve the Resolution.

**Financial Impact:**

The 2020 OMPD Budget is \$4,188,859.

**Attachments:**

Resolution  
2020 Budget

OMPD RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE OLYMPIA METROPOLITAN PARK DISTRICT BOARD ADOPTING  
THE 2020 CALENDAR YEAR BUDGET**

**WHEREAS**, the preliminary budget of the Olympia Metropolitan Park District (OMPD) was printed for distribution and notice published setting the time and place for hearing on the budget, as required by law; and

**WHEREAS**, the OMPD Board of Directors held a public hearing on the preliminary budget on November 4, 2019, as required by law, and has considered the public testimony presented;

**NOW, THEREFORE, THE BOARD OF THE OLYMPIA METROPOLITAN PARK DISTRICT HEREBY RESOLVES AS FOLLOWS:**

**Section 1. 2020 Budget.** The budget for the calendar year 2020 is hereby adopted in the amounts as shown below and are appropriated as follows:

REVENUE:                   \$4,188,860

APPROPRIATIONS:       \$4,188,860

**Section 2. Effective Date.** This Resolution shall take effect January 1, 2020.

**PASSED BY THE OLYMPIA METROPOLITAN PARK DISTRICT this \_\_\_\_\_ day of November 2019.**

\_\_\_\_\_  
OMPD PRESIDENT

ATTEST:

\_\_\_\_\_  
OMPD VICE PRESIDENT

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BOARD ATTORNEY



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**METROPOLITAN PARK DISTRICT**  
OLYMPIA

## **OMPD 2020 Preliminary Operating Budget**

October 21, 2019

Dear Board Members,

In 2015 the Citizens of Olympia overwhelmingly approved the creation of a metropolitan parks district. The Olympia Metropolitan Park District (OMPD) is a junior taxing district established to provide funding for parks acquisition, maintenance, development, and safety. The district may assess up to 75 cents per thousand dollars of assessed value (AV).

The total budget for the OMPD is \$4,188,859. The expenditures include a \$4,178,859 payment to the City of Olympia and \$10,000 for Board expenses (insurance, audit cost, legal advertising costs etc.) The budget will amount to a levy rate of approximately .54/1000 AV. The rate is approximate until all of the assessed valuation is received from the County. The County Assessor's Office will calculate the actual levy rate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Debbie Sullivan', written in a cursive style.

Debbie Sullivan  
Board Treasurer



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## Olympia Metropolitan Park District (OMPD) 2020 Preliminary Operating Budget

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### Revenues:

Property Taxes	\$4,188,859
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Grants	-
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Interest	-
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<b>Total Revenue</b>	<b>\$4,188,859</b>
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### Expenditures:

Payments to City of Olympia	\$4,178,859
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Administrative Costs (Insurance, Audit, legal advertising, etc.)	10,000
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Fund Balance	-
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<b>Total Expenditures</b>	<b>\$4,188,859</b>
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## Metropolitan Park District Board

### Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Ad Valorem Tax

**Agenda Date:** 11/12/2019  
**Agenda Item Number:** 4.C  
**File Number:** 19-1046

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**Type:** resolution   **Version:** 1   **Status:** OMPD Agenda Ready

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#### **Title**

Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Ad Valorem Tax

#### **Recommended Action**

##### **Board Treasurer Recommendation:**

Move to approve the resolution setting the OMPD Ad Valorem Tax and authorize board members to sign the resolution

#### **Report**

##### **Issue:**

Whether to set the OMPD Ad Valorem Tax in the amount of \$4,188,859.

##### **Staff Contact:**

Debbie Sullivan, OMPD Board Treasurer, 360.753.8499

##### **Presenter(s):**

Debbie Sullivan, OMPD Board Treasurer, 360.753.8499

#### **Background and Analysis:**

The Olympia Metropolitan Park District (OMPD) is required to adopt a property tax levy resolution and file a levy certification with the County by November 27, 2019. If a certification is not filed, the County will assess the 2019 levy amount.

A public hearing on revenue sources, including property tax, was held on November 4, 2019. The proposed OMPD 2020 revenue only includes property tax. Notice of the hearing was published on October 21 and October 28. The levy is based on the budget, which includes amounts to be paid to the City of Olympia and administrative costs.

The proposed levy amount is \$4,188,859. Based on the most current assessed valuation of the

District the projected levy rate per \$1,000 assessed value is \$0.54008. The final levy rate will be set by the Thurston County Assessor.

Once a levy is set there may be adjustments made which lower the amount of taxes to be collected, e.g. lower assessed valuations. The amount not collected due to adjustments can be added to the next year's levy as a refund levy.

**Neighborhood/Community Interests (if known):**

The proposed budget of \$4,188,859 would result in an estimated 2020 levy rate of approximately \$.54008/\$1000 assessed value. That is slightly lower than the levy rate of \$.549 assessed in 2019. The annual cost on a single-family home valued at \$350,000 would be \$189 per year or \$15.75 per month.

**Options:**

1. Approve and sign the Ad Valorem Tax Resolution in the amount of \$4,188,859. The City of Olympia will include this revenue into the 2020 Operating and Capital Budgets.
2. Approve and sign an Ad Valorem Tax Resolution with an additional \$74,611 budgeted for Percival Landing maintenance reserve, resulting in a total of \$4,263,470. This would result in a levy rate of approximately the current rate of \$.549/1,000 AV.
3. Do not approve the Ad Valorem Tax Resolution.

**Financial Impact:**

Provides \$4,188,859 in property tax revenue to the Olympia Metropolitan Park District

**Attachments:**

Resolution

**OMPD RESOLUTION NO. MPD \_\_\_\_\_**

**A RESOLUTION OF THE OLYMPIA METROPOLITAN PARK DISTRICT BOARD  
SETTING THE AD VALOREM TAX AMOUNT FOR THE BUDGET YEAR 2020**

**WHEREAS**, the Olympia Metropolitan Park District is a metropolitan park district authorized under Chapter 35.61 RCW with statutory powers including the power to levy and impose various taxes and fees to generate revenues to acquire, maintain, operate and improve parks, Percival Landing, and other recreation facilities and programs; and

**WHEREAS**, the Olympia Metropolitan Park District Board (the "District Board") held a public hearing on November 4, 2020, to consider the Olympia Metropolitan Park District (the "District") ad valorem tax levy for 2020 collections; and

**WHEREAS**, the District Board, after the hearing and duly considering all relevant evidence presented, has determined that the Olympia Metropolitan Park District requires a property tax in order to discharge the expected expenses and obligations of the District in its best interest; and

**WHEREAS**, although the District wishes to levy taxes for the year in an amount less than the maximum allowed under its legal levy limit, future levy capacity shall be protected as provided for in RCW 84.55.092, calculated in future years as though the maximum lawful levy amount allowed by the levy limit had been levied, as set forth in WAC 458-19-065; and

**WHEREAS**, the District has been advised by the Thurston County Treasurer that the District is eligible for a refund levy of \$16,518.46; and

**WHEREAS**, the District is required to certify the amount to be raised by taxation on assessed valuation with the clerk of the county legislative authority by November 30;

**NOW, THEREFORE, THE OLYMPIA METROPOLITAN PARK DISTRICT BOARD  
RESOLVES:**

**Section 1.** A \$207,200.60 increase in the regular property tax levy is hereby authorized for levy amounts to be collected in 2020, which is an increase of .0528195% from the previous year.

This is exclusive of additional revenue resulting from new construction, improvements to property, any increase in the value of state assessed property, and any annexations that have occurred and refunds made.

**Section 2.** There is hereby fixed, as the amount of property tax collections necessary to raise an amount equal to the estimated expenditures less the total estimated revenue from all sources other than ad valorem taxation, the following sum:

**OLYMPIA METROPOLITAN PARK DISTRICT AMOUNT**

General Levy	\$4,188,859.51
Refund Levy	<u>                  .00</u>
Total	\$4,188,859.51

**Section 3.** On or before the 30th day of November 2020, the OMPD Board Treasurer shall file with the Clerk of the Thurston County Board of Commissioners a certified estimate of the total amount to be raised by the ad valorem tax levied on property within the District.

**PASSED BY THE OYMPIA METROPOLITAN PARK DISTRICT this \_\_\_\_\_ day of November 2019.**

\_\_\_\_\_  
OMPd PRESIDENT OF THE BOARD

\_\_\_\_\_  
OMPd BOARD MEMBER

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
BOARD TREASURER

  
\_\_\_\_\_  
BOARD ATTORNEY

PASSED:

APPROVED:

PUBLISHED:



## Metropolitan Park District Board

### Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule

**Agenda Date:** 11/12/2019  
**Agenda Item Number:** 4.D  
**File Number:** 19-1032

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**Type:** resolution **Version:** 1 **Status:** OMPD Agenda Ready

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#### **Title**

Approval of a Resolution Setting the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule

#### **Recommended Action**

##### **Board Treasurer Recommendation:**

Move to approve the Resolution setting the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule.

#### **Report**

##### **Issue:**

Whether to approve the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule Resolution.

#### **Staff Contact:**

Jonathon Turlove, Director of Park Planning and Maintenance, 360.753.8068

#### **Presenter(s):**

Jonathon Turlove, Director of Park Planning and Maintenance, 360.753.8068

#### **Background and Analysis:**

The OMPD Board by-laws Section 3.1 states that regular board meetings shall be scheduled by the Board through resolution. The attached resolution has the following meetings scheduled:

<u>Date</u>	<u>Time</u>	<u>Location</u>
April 21, 2020	6:15 p.m.	Olympia City Council Chambers
September 9, 2020	6:15 p.m.	Olympia City Council Chambers
November 2, 2020	6:15 p.m.	Olympia City Council Chambers
November 10, 2020	6:15 p.m.	Olympia City Council Chambers

#### **Neighborhood/Community Interests (if known):**

The YES Olympia Parks coalition was heavily involved in the formation of the Olympia Metropolitan

Park District and some of their members continue to take a strong interest in the activities of the OMPD Advisory Committee and Board.

**Options:**

1. Move to approve the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule Resolution as proposed
2. Amend the 2020 Olympia Metropolitan Park District (OMPD) Board Meeting Schedule Resolution

**Financial Impact:**

N/A

**Attachments:**

2020 Olympia Metropolitan Park District (OMPD) Meeting Schedule Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE OLYMPIA METROPOLITAN PARK DISTRICT ADOPTING ITS 2020 MEETING SCHEDULE**

**WHEREAS**, on November 24, 2015, the Thurston County Auditor's office certified voter approval of the Olympia Metropolitan Park District (the "OMPD"), a district with the same boundaries as the City of Olympia, with Olympia City Councilmembers serving as the Board of the District (the "OMPD Board"); and

**WHEREAS**, the OMPD Charter and Bylaws provide that the annual OMPD meeting schedule be adopted by resolution;

**NOW, THEREFORE, THE OLYMPIA METROPOLITAN PARK DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

1. The following meeting schedule for the calendar year 2020 is hereby adopted:

<u>Date</u>	<u>Time</u>	<u>Location</u>
April 21, 2020	6:15 p.m.	Olympia City Council Chambers
September 9, 2020	6:15 p.m.	Olympia City Council Chambers
November 2, 2020	6:15 p.m.	Olympia City Council Chambers
November 10, 2020	6:15 p.m.	Olympia City Council Chambers

2. This schedule may be amended as provided by the OMPD Charter and Bylaws, and in accordance with applicable law.

**PASSED BY THE OLYMPIA METROPOLITAN PARK DISTRICT** this \_\_\_\_\_ day of November 2019.

\_\_\_\_\_  
OMPD PRESIDENT

ATTEST:

\_\_\_\_\_  
OMPD VICE PRESIDENT

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BOARD ATTORNEY



## Metropolitan Park District Board

### Approval of a Resolution Authorizing an Interlocal Agreement Between the Olympia Metropolitan Parks District, the City of Olympia, and the Port of Olympia

**Agenda Date:** 11/12/2019  
**Agenda Item Number:** 4.E  
**File Number:** 19-1051

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**Type:** resolution   **Version:** 1   **Status:** OMPD Agenda Ready

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#### **Title**

Approval of a Resolution Authorizing an Interlocal Agreement Between the Olympia Metropolitan Parks District, the City of Olympia, and the Port of Olympia

#### **Recommended Action**

##### **Board Treasurer Recommendation:**

Move to approve the resolution authorizing an Interlocal Agreement between the Olympia Metropolitan Parks District, the City of Olympia, and the Port of Olympia.

#### **Report**

##### **Issue:**

Whether to approve a resolution authorizing an Interlocal Agreement (ILA) between the Olympia Metropolitan Parks District, the City of Olympia, and the Port of Olympia for the purposes of applying for and receiving EPA grant dollars for Brownfields Assessment.

#### **Staff Contact:**

Mike Reid, Economic Development Director, CP&D, 360.753.8591

#### **Presenter(s):**

None

#### **Background and Analysis:**

The United States Environmental Protection Agency ("EPA") makes grants available to entities "to inventory, characterize, assess, conduct a range of planning activities, develop site-specific cleanup plans, and conduct community involvement related to brownfield sites." These assessment grants may be awarded to a coalition of three or more entities acting together under a cooperative agreement, known as an "Assessment Coalition." "Assessment Coalitions are designed for one 'lead' eligible entity to partner with two or more eligible entities that have limited capacity to manage their own EPA cooperative agreement."

#### **Neighborhood/Community Interests (if known):**

Brownfields assessments have the potential to “unlock” sites that may be historically economically and environmentally challenged for development purposes.

**Options:**

1. Approve a resolution authorizing the proposed Interlocal Agreement
2. Approve the resolution authorizing the proposed Interlocal Agreement with changes
3. Do not approve a resolution authorizing the proposed Interlocal Agreement

**Financial Impact:**

Up to \$600,000 of grant dollars have been made available to coalition partners for the purposes of Brownfield Assessments

**Attachments:**

Resolution

Interlocal Agreement

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE OLYMPIA METROPOLITAN PARK DISTRICT APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF OLYMPIA, THE PORT OF OLYMPIA, AND THE OLYMPIA METROPLITAN PARKS DISTRICT FOR ENVIRONMENTAL EVALUATION AND GRANT MANAGEMENT SERVICES**

**WHEREAS**, RCW 39.34.010 permits public agencies, including units of local government, “to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities;” and

**WHEREAS**, pursuant to RCW 39.34.080, a public agency is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform: provided, that such contract must be authorized by the governing body of each party to the contract and must set forth its purposes, powers, rights, objectives, and responsibilities of the contracting parties; and

**WHEREAS**, the United States Environmental Protection Agency (“EPA”) makes grants available to entities “to inventory, characterize, assess, conduct a range of planning activities, develop site-specific cleanup plans, and conduct community involvement related to brownfield sites.” These assessment grants may be awarded to a coalition of three or more entities acting together under a cooperative agreement, known as an “Assessment Coalition.” Assessment Coalitions are designed for one ‘lead’ eligible entity to partner with two or more eligible entities that have limited capacity to manage their own EPA cooperative agreement; and

**WHEREAS**, the City of Olympia (“City”), the Olympia Metropolitan Park District (“MPD”), and the Port of Olympia (“Port”), collectively the “Coalition Partners,” each wishes to cooperate with the other Coalition Partners in applying for and receiving funding from EPA for Brownfield Assessment activities as an Assessment Coalition; and

**WHEREAS**, the City has the capacity and expertise to serve as Lead Coalition Partner and the other Coalition Partners desire the City to fulfill this role; and

**WHEREAS**, the Coalition Partners have negotiated an Interlocal Agreement governing their activities as an Assessment Coalition for the purpose of applying for and receiving funding from EPA for Brownfield Assessment activities;

**NOW, THEREFORE, THE BOARD OF THE OLYMPIA METROPOLITAN PARK DISTRICT HEREBY RESOLVES AS FOLLOWS:**

1. The Olympia Metropolitan Park District hereby approves the City's entry into an Assessment Coalition with the MPD and the Port in order to apply for and receive funding from the EPA for Brownfield Assessment activities and approves the City serving in the role of Lead Coalition Partner.
2. The Olympia Metropolitan Park District hereby approves the form of the Interlocal Agreement between the City, the MPD, and the Port governing the Coalition Partners' activities as an Assessment Coalition, and the terms and conditions contained in that Interlocal Agreement.
3. The Olympia Metropolitan Park District President is directed and authorized to execute the Interlocal Agreement on behalf of the MPD, and to make any minor modifications as may be required and are consistent with the intent of the Interlocal Agreement, or to correct any clerical or scrivener's errors.

**PASSED BY THE OLYMPIA METROPOLITAN PARK DISTRICT** this \_\_\_\_\_ day of November 2019.

\_\_\_\_\_  
OMPD PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BOARD ATTORNEY

**INTERLOCAL AGREEMENT  
BETWEEN  
THE CITY OF OLYMPIA, THE OLYMPIA METROPLITAN PARK DISTRICT, and  
THE PORT OF OLYMPIA FOR ENVIRONMENTAL EVALUATION AND GRANT  
MANAGEMENT SERVICES**

**THIS INTERLOCAL AGREEMENT** ("Agreement") is made by and among the CITY OF OLYMPIA, WASHINGTON ("OLYMPIA"); the OLYMPIA METROPOLITAN PARK DISTRICT ("MPD"); and the PORT OF OLYMPIA ("PORT"). In this Agreement, the parties together will be referred to as the "Coalition Partners." This Agreement is effective on the effective date, as defined below; and

**WHEREAS**, RCW 39.34.010 permits public agencies, including units of local government, "to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities;" and

**WHEREAS**, pursuant to RCW 39.34.080, a public agency is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform: provided, that such contract must be authorized by the governing body of each party to the contract and must set forth its purposes, powers, rights, objectives, and responsibilities of the contracting parties; and

**WHEREAS**, the United States Environmental Protection Agency ("EPA") makes grants available to entities "to inventory, characterize, assess, conduct a range of planning activities, develop site-specific cleanup plans, and conduct community involvement related to brownfield sites." <https://www.epa.gov/brownfields/types-brownfields-grant-funding>. These assessment grants may be awarded to a coalition of three or more entities acting together under a cooperative agreement, known as an "Assessment Coalition." Assessment Coalitions are designed for one 'lead' eligible entity to partner with two or more eligible entities that have limited capacity to manage their own EPA cooperative agreement;" and

**WHEREAS**, each of the Coalition Partners wishes to cooperate with the other Coalition Partners in applying for and receiving funding from EPA for Brownfield Assessment activities as an Assessment Coalition; and

**WHEREAS**, OLYMPIA has the capacity and expertise to serve as Lead Coalition Partner and the Coalition Partners desire OLYMPIA to fulfill this role;

**NOW, THEREFORE, in consideration of the mutual promises contained in this Agreement, OLYMPIA, the PORT, and the MPD agree as follows:**

## **I. Purpose/Objective**

The Coalition Partners wish to apply for and receive funding from the EPA for Brownfield Assessment activities. The purpose of this Agreement is to create an Assessment Coalition and define the roles and responsibilities of the Coalition Partners acting as a Brownfields Assessment Coalition in order to carry out the activities outlined in the EPA application for the funding of Brownfield Assessment activities and subsequent grant agreement documentation.

## **II. Scope of Agreement/Work**

A. The Coalition Partners hereby form an Assessment Coalition for the purpose of applying for, receiving, and administering one or more EPA Brownfields Assessment Grants.

B. Activities undertaken under this Agreement may include inventory preparation, site selection criteria development, assessments, planning (including cleanup planning) relating to brownfield sites, and outreach materials and implementation, and other eligible activities. OLYMPIA, acting as Lead Coalition Partner, may retain a consultant(s) and contractor(s) to undertake various activities under this Agreement.

C. Obligations of OLYMPIA:

OLYMPIA shall serve as the Lead Coalition Partner. In that capacity, OLYMPIA shall:

1. Manage and administer this Agreement;
2. Prepare grant applications to EPA and other such agencies on behalf of the Coalition Partners;
3. Be responsible to EPA for management of this Agreement and compliance with the statutes, regulations, and terms and conditions of any grant awarded to the Coalition Partners by EPA;
4. Procure the consultant(s) in compliance with all Washington State statutes and the requirements of 2 CFR 200.317-326, if applicable; issue Requests for Proposals or Requests for Qualification; oversee receipt of the submitted proposals and selection and award of contracts; and negotiate the terms of agreements in consultation with the MPD and the PORT;
5. In consultation with MPD and the PORT, develop a site selection process based on agreed upon factors that ensure that minimum of 15 sites are assessed over the life of this Agreement;
6. For site plans for which EPA funding is sought, submit identified sites to the EPA for prior approval to ensure eligibility;

7. Upon designation of the specific sites, work with MPD and the PORT if the site is located outside the Olympia city limits, to finalize the scope of work for the consultant or contractor;
8. Insure that other activities as negotiated in the work plan, such as community outreach and involvement, are implemented in accordance with a schedule agreed upon by OLYMPIA, and if outside Olympia City Limits, MPD and the PORT;
9. Comply with the statutes, regulations, and terms and conditions of any grants received by the Coalition;
10. Administer grants received by the Coalition;
11. Insure MPD and the PORT comply with the terms and conditions of this Agreement; and
12. Provide timely information to MPD and the PORT regarding the management of this Agreement and any changes that may be made to this Agreement over the period of performance.

D. Obligations of MPD and the PORT:

The MPD and the Port each shall:

1. Appoint one (1) individual to be the point of contact for purposes of consulting with the other Coalition Partners in administering this Agreement;
2. Provide timely information to OLYMPIA as may be requested by OLYMPIA in performing OLYMPIA's duties under this Agreement;
3. Participate fully in the brownfields assessment process;
4. For sites located outside the Olympia City Limits but within the jurisdiction of the MPD or the PORT, obtain all required permits, easements, or access agreements as may be necessary to undertake assessments at the selected sites; provided however, if MPD or the PORT lack the capacity to perform these activities, OLYMPIA may assist in securing necessary site access agreements and permits;
5. Comply with all requirements in any grant agreements that may be entered into by the Coalition Partners, including an accounting of expenditures of grant funds made by MPD and the PORT; and

6. Comply with any other requests that may be made by OLYMPIA from time to time in performing its duties under this Agreement.

### **III. Financing and Budgeting**

The activities conducted under this Agreement are to be funded by grants received by the Coalition Partners. OLYMPIA, as Lead Coalition Partner, shall establish and maintain the budget for activities undertaken under this Agreement.

### **IV. Administration**

- A. As provided in Section II C, above, OLYMPIA shall administer this Agreement in consultation with the MPD and the PORT.
- B. This Agreement creates no Joint Board and no separate legal entity.

### **V. Duration of Agreement**

This Agreement is effective until September 6, 2022, unless terminated in the manner described under the termination section of this Agreement.

### **VI. No Joint Acquisition of Holding of Property**

The Coalition Partners will not jointly acquire or hold any real or personal property under this Agreement.

### **VII. Termination of Agreement**

- A. This Agreement may be terminated upon sixty (60) days' notice to the other Coalition Partners using the method of notice provided for in this Agreement.
- B. Upon termination of this Agreement, any property owned by one Coalition Partner that is in the possession of another Coalition Partner for purposes of this carrying out this Agreement must be returned to the owner.

### **VIII. Entire Agreement**

This Agreement contains all terms and conditions agreed upon by the Coalition Partners and supersedes any and all prior agreements oral or otherwise with respect to the subject matter addressed in this Agreement.

### **IX. Posting or Recording**

Prior to its entry into force, OLYMPIA shall post this Agreement on its website or OLYMPIA shall file this Agreement with the Thurston County Auditor's Office.

**X. Employment Relationship**

Employees of each of the Coalition Partners are at all times under the direction and control of their employing agency and the performance of work for any other Coalition Partner pursuant to this Agreement does not change that relationship for any purpose. None of the Coalition Partners is obligated to pay any other Coalition Partner's employees any wages or benefits afforded to its own employees. Further, each Coalition Partner's responsibilities to its own employees for work place injuries remains unchanged by this Agreement.

**XI. Notice**

Any notice required under this Agreement must be given to the Coalition Partners as follows and is effective three days following the date of deposit in the United States Postal Service:

For City of Olympia:  
Mike Reid, Director of Economic Development  
6014<sup>th</sup> Ave SE  
Olympia, WA 98501  
360-753-8591  
[mreid@ci.olympia.wa.us](mailto:mreid@ci.olympia.wa.us)

For Port of Olympia:  
Rachael Jamison  
Planning, Public Works & Environmental Director  
360-528-8020  
[rachaelj@portolympia.com](mailto:rachaelj@portolympia.com)

For Olympia Metropolitan Park District:  
Jonathon Turlove, Director of Parks Planning and Maintenance  
6014<sup>th</sup> Ave SE  
Olympia, WA 98501  
360-753-8068  
[jturlove@ci.olympia.wa.us](mailto:jturlove@ci.olympia.wa.us)

**XII. Records**

Each Coalition Partner shall maintain its own public records and is solely responsible for responding to records requests received about the subject matter of this Agreement. The Coalition Partners shall handle any public records request addressed to the group as a request received by each Coalition Partner individually. Each Coalition Partner shall respond separately, unless agreed to otherwise in writing and properly documented.

**XIII. Interpretation and Venue**

This Agreement is governed by the laws of the State of Washington as to interpretation and performance. Venue for enforcement of this agreement is the Thurston County Superior Court.

**XIV. Effective Date**

This Agreement takes effect as of the date of filing or posting as required by RCW 39.34.040 ("effective date").

**CITY OF OLYMPIA**

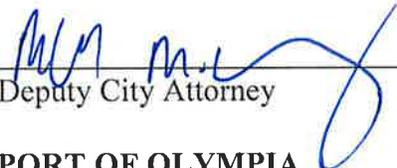
**OLYMPIA METROPOLITAN PARK DISTRICT**

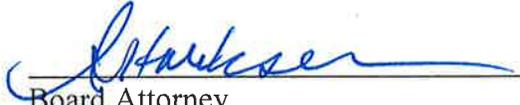
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Print Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date: \_\_\_\_\_

Approved as to form:

Approved as to form:

  
\_\_\_\_\_  
Deputy City Attorney

  
\_\_\_\_\_  
Board Attorney

**PORT OF OLYMPIA**

\_\_\_\_\_  
Signature  
Print Name \_\_\_\_\_  
Title \_\_\_\_\_  
Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Attorney