

BY-LAWS of the
ANDERSON ISLAND PARK AND RECREATION DISTRICT

As Revised January 19, 2011

By Resolution of the Board of Commissioners No. 2011-1)

ARTICLE I

PURPOSE and GOAL

The Anderson Island Park and Recreation District, to also be known as the Anderson Island Park & Recreation District, and hereinafter referred to as the District, was created by Pierce County Resolution No. 12746 effective May 13, 1968 following an affirmative vote of the registered voters of Anderson Island, Pierce County on May 7, 1968 to form said District. The District is given authority in accordance with the Revised Code of Washington (RCW) Chapter 36.69 as a Municipal Corporation whose purpose is to provide "leisure time activities and facilities and recreational facilities, of a nonprofit nature as a public service to the residents" of Anderson Island, Pierce County. In accordance with RCW Chapter 36.69, the District will provide "recreational facilities" which include, but are not limited to parks, playgrounds, bathing beaches, hiking and bicycling paths, sports venues, public campgrounds, designated open space and community centers on Anderson Island in cooperation with other government entities, and community members and groups. The goal of the District shall be to faithfully establish, develop and maintain public recreational space and facilities appropriate to, adequate for, and accessible by all members of the Anderson Island community.

ARTICLE II

AUTHORITY and POWERS

Pursuant to RCW 36.69.130, the Anderson Island Park and Recreation District is granted the powers necessary to carry out the purpose for which it was created, including, but not limited to:

1. Acquire and hold real and personal property.
2. Dispose of real and personal property only by unanimous vote of the district commissioners.
3. Make contracts.
4. Sue and be sued.
5. Borrow money to the extent and in the manner authorized by RCW Chapter 36.69.
6. Grant concessions.
7. Make or establish charges, fees, rates, rentals and the like for the use of facilities or for participation.
8. Make and enforce rules and regulations governing the use of property, facilities, or equipment and the conduct of persons thereon.

9. Contract with any municipal corporation, government or private agencies for the conduct of park and recreation programs.
10. Operate jointly with other governmental units and facilities including participation in the acquisition of property.
11. Hold in trust or manage public property useful to the accomplishment of the District's goals.
12. Establish cumulative reserve funds in the manner and for the purposes prescribed by law.
13. Acquire, construct, reconstruct, maintain, repair, add to, and operate recreational facilities.
14. Make improvements or to acquire property by the local improvement method in a manner prescribed by RCW Chapter 36.69.

ARTICLE III

BOARD of COMMISSIONERS

1. Board Composition: In accordance with RCW Chapter 36.69, the District shall be governed by a board of five (5) locally elected commissioners.
2. Election: Elections for commissioners shall be held biennially in conjunction with the general election in each odd-numbered year. Candidates shall run for specific commissioner positions. Elections are to be held in accordance with the provisions of Title 29 RCW, except that there shall be no primary to nominate candidates. All persons filing and qualifying shall appear on the general ballot and the person receiving the largest number of votes for each position shall be elected.
3. Term of Office: Except for the initial commissioners, all commissioners shall be elected to staggered four-year terms of office and shall serve until their successors are elected, qualified, and assume office.
4. Vacancies: Vacancies on the Board may result from death, resignation, felony conviction, conviction for failure to keep the oath or bond of office, including failure to remain a legally registered voter in the district, or other judicial action removing the commissioner from office. Vacancies will be filled in accordance with RCW 42.12.070, normally by a majority vote of the remaining commissioners, of an individual legally qualified to fill the position. Such appointment will be to complete the unexpired term of the departed commissioner, except that position must stand for public election at the next regularly scheduled general election cycle for the District.
5. Compensation: Commissioners shall receive no compensation for their services, but may receive reimbursement for necessary expenses while attending to business which has been authorized by the Board of Commissioners.
6. General Duties of the Board of Commissioners:

Elect officers including a chair, vice chair, secretary, chief financial officer, contracts officer, and such other officers as it may determine it requires. By statute, the Pierce County Treasurer is the treasurer of the District. The term of office for all officers shall be one year. The election of officers shall occur annually at the regular December meeting of the Board, with newly elected officers taking office at the following regularly scheduled January meeting.

Hold regular monthly meetings open to the public.

Adopt policies governing the transaction of board business, keeping of records, resolutions, transactions, findings and determinations which shall be of public record.

Initiate, direct and administer district park and recreation activities and select and employ such properly qualified employees or contractors as may be necessary.

Faithfully attend and fully participate in scheduled commission meetings and activities.

ARTICLE IV

DUTIES and RESPONSIBILITIES of OFFICERS

Chair:

Set agenda, convene and preside over all meetings of the Board.

Ascertain that sufficient notice of all public meetings has been provided to the public.

Determine that a quorum exists at meetings, and note any unexcused absences.

If so desired, appoint an acting chair to preside over a Board meeting.

Sign all instruments executed by the Board of Commissioners.

Designate committees and appoint committee chairpersons and members.

Vice Chair:

In absence of the Chair or in event of inability or refusal to act, the Vice Chair shall perform the duties of the Chair, and when so acting shall have all the powers of, and be the subject of all the restrictions upon the Chair.

Serve as Parliamentarian.

Secretary:

Keep the minutes of the meetings of the Board of Commissioners in books provided for that purpose.

Ensure all notices are duly given in accordance with these by-laws or as required by law.

Keep the corporate books and records and the seal of the corporation.

Keep on file at all times a complete copy of the articles of incorporation and by-laws of the municipal corporation.

Act as the District's Clerk in transactions with Pierce County.

Chief Financial Officer:

Submit Board-approved expenditures of the District to the County Auditor for payment.

Keep accurate records of District funds, expenditures and liabilities.

Ensure that surplus funds are invested in a manner prescribed by law.

Ensure that expenditures do not exceed revenue accrual in accordance with RCW 36.69.170.

Prepare an annual, calendar year budget in a form prescribed by RCW 36.69.160 and the State Auditor for approval of the Board of Commissioners.

File annual reports with the State Auditor as required by law.

Contracts Officer:

Prepare registries of qualified contractors, requests for proposal, and contract instruments to support lawful and effective contracting for services and materials.

Monitor contractor status and performance against contract requirements and conditions; take or recommend corrective action as necessary.

Removal of Officers: Any officer elected by the Board may be removed from that position by a majority vote of the entire Board for failure to faithfully perform the duties of the position, to include the general duty to attend and fully participate in scheduled commission meetings and activities.

ARTICLE V

MEETINGS

Regular meetings: As set forth in RCW Chapter 36.69, the Anderson Island Park and Recreation District Board of Commissioners will hold at least one regular public meeting each month. The usual schedule and venue for regular monthly meetings shall be the 3rd Wednesday of each month beginning at 7 p.m. at the Anderson Island Community Clubhouse located at 11319 Yoman Road, Anderson Island, Pierce County. When the regular meeting date falls on a recognized holiday, the meeting shall be held on the next business day.

Special Meetings: A "special meeting" is any meeting that is not held on a fixed or recurring schedule. Special meetings of the Board of Commissioners may be called by the Chair, at the request of three or more Board members upon identification of a specific issue warranting attention prior to the next regularly scheduled meeting. Except in cases of response to an emergency, notice of a special meeting shall consist of written notification via mail, e-mail or fax to all Board members, stating the purpose, time and place of the meeting, and to be received no less than 24 hours prior to the start of that special meeting.

Open Public Meetings Act Applicability: Regular and special meetings of the Anderson Island Park and Recreation District Board of Commissioners are subject to the provisions of the Washington Open Public Meetings Act (RCW Chapter 42.30). The Act requires that all meetings of governing bodies of public agencies, including special districts, be open and accessible to the public. A meeting generally includes any situation in which a majority of the District's Commissioners, or other governing body (including certain kinds of committees) meets and discusses the business of the District. In order to be valid, District resolutions, rules, orders, directives and contracts must be adopted at public meetings.

Meeting Notification: Public notification of the District's Board of Commissioners regular public meeting schedule will be published in the Island Sounder and posted on the District's website. Public notification of special public meetings will be posted on the District's web site at least 24 hours in advance of the

scheduled start of the meeting, and written notice will be provided to each local newspaper of general circulation, and each local radio or television station, that has on file with the Board of Commissioners a written request to be notified of those special meetings. The date and time of regular and special public meetings will be posted on the Anderson Island Community Clubhouse reader board at least 24 hours prior to the meeting.

Executive Session: Under limited circumstances, the Board may meet in "executive session" during a regular or special meeting. An executive session will be closed to the public and may be called by the presiding officer by announcing the purpose of the session and the time such session will end. The legitimate purposes for executive session are defined by statute and case law, and its use shall be restricted to certain limited real estate procurement, contracting, hiring, appointment, and complaint reviews, as well as certain discussions with legal counsel as specified by law. No final actions are to be taken by the Board in executive session.

Robert's Rules of Order Applicability: All meetings of the Anderson Island Park and Recreation District Board of Commissioners shall be conducted in accordance with Robert's Rules of Order, current edition.

ARTICLE VI

VOTING and QUORUM

Distribution of Votes: Each member of the Board of Commissioners shall be entitled to one vote on any matter duly before the Board. Votes are accorded solely to the Commissioners and may not be delegated or assigned. The action taken by a majority (more than 50%) of the members at any given meeting shall constitute formal Board action, provided a quorum is present.

Quorum: A majority of all duly-elected, or properly appointed and certified commissioners constitutes a quorum for purposes of conducting District business, provided that if less than such majority of the board is present at said meeting, a majority of those present may adjourn the meeting; and provided further that the Secretary shall notify any absent board members of the time and place of the next meeting. The acts of a majority of the board members present at a meeting at which a quorum is present shall be the acts of the board except as otherwise provided in these by-laws.

ARTICLE VII

BUDGET and EXPENDITURES

Budget: The Board of Commissioners of the Anderson Island Park and Recreation District shall annually compile a budget in the form prescribed by the state auditor for the ensuing calendar year, and which shall, to the extent that anticipated income is actually realized, constitute the appropriations for the district. The budget may include an amount to accumulate a reserve for a stated capital purpose. In compiling the budget, all available funds and anticipated income shall be taken into consideration, including contributions or contractual payments from school districts, cities or towns, county, or any other governmental unit; gifts and donations; special tax levies; assessments; fees and charges; proceeds of bond issues; and cumulative reserve funds.

Expenditures: Expenditures shall be made solely in accordance with the budget, and should revenues accrue at a rate below the anticipated amounts, the Board of Commissioners shall reduce expenditures accordingly: provided, that the Board may, by unanimous vote, authorize such expenditures, or authorize expenditures in excess of those budgeted, if sufficient revenue to pay such expenditures is

derived by the levy of the District or if provided by other governmental agencies specifically for such purposes.

Payment: In accordance with RCW Chapter 36.69, the Pierce County Treasurer is the treasurer of the District, and expenditures of the District shall be made upon warrants drawn by the Pierce County Auditor pursuant to vouchers approved and submitted by the Anderson Island Park and Recreation District Board of Commissioners.

ARTICLE VIII

SPECIAL LEVIES and BONDS

Levies: The Anderson Island Park and Recreation District may impose regular property tax levies in an amount equal to sixty cents or less per thousand dollars of assessed value of property in the District in each year for six consecutive years when specifically authorized to do so by voters in the District as specified in RCW Chapter 36.69. A proposition authorizing the tax levies may not be submitted by the District more than twice in any twelve-month period. The District may levy excess levies upon the property included within the District in a manner prescribed by Article VII, section 2 of the State Constitution and by RCW 84.52.052 for operating funds, capital outlay funds, and a cumulative reserve fund.

Bonds: The District may issue general obligation bonds for capital purposes only, as specified in RCW 36.69.140.

ARTICLE IX

AMENDMENTS to the BY-LAWS

These by-laws may be altered, amended or repealed by a majority vote of all members at any regular or special meeting provided the notice of such meeting shall have contained a copy of the proposed alteration, amendment or repeal.