

**CHARTER**

**of the**

**OLYMPIA METROPOLITAN PARK DISTRICT**

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## **ARTICLE I**

### **NAME**

**Section 1.1 Name.** The name of the district shall be the "Olympia Metropolitan Park District" (the "OMPD").

## **ARTICLE II**

### **NATURE & PURPOSE**

#### **Section 2.1 Nature of the District.**

Voters approved formation of the Olympia Metropolitan Park District with boundaries coterminous with the City of Olympia. The OMPD is a municipal corporation organized under Chapter 35.61 RCW. Pursuant to RCW 35.61.040, its creation is effective immediately upon certification of the election results, which occurred on November 24, 2015.

#### **Section 2.2 Purpose.**

The OMPD is authorized to exercise all powers granted under state and local law, through the OMPD Board, including the power to levy and impose various taxes and fees. The OMPD's purpose is to acquire, construct, maintain, operate, and improve parks and recreation facilities and to supplement, not replace, existing City of Olympia parks and recreation funding.

## **ARTICLE III**

### **OMPD DISTRICT BOARD**

**Section 3.1 Board Powers.** All powers of the OMPD shall be exercised by or at the direction of the OMPD Board. The powers of the Board shall include any powers authorized by law, including but not limited to, the following:

- (a) To establish and implement the policies and programs of the OMPD, and the procedures for the management and administration of the OMPD's affairs by the OMPD Board or through contract, as provided by law;
- (b) To borrow money and incur indebtedness in accordance with law.

**Section 3.2 Board Members.** The Board shall be composed of the seven (7) members of the Olympia City Council, who shall serve in an ex-officio and independent capacity. A Board member may be removed from service on the Board only when removed from his or her office as a Council Member. Any vacancy shall be filled automatically by the appointment or election of a new City Council Member.

**Section 3.3 Board Officers.** The Board shall have three officers: the President, the Vice President (also the Clerk) and the Treasurer. The President and Vice President shall be elected annually from amongst the Board members. Upon approval of the Thurston County Treasurer, as

required by RCW 35.61.180, the Board may designate a person of the Board's choice to act as District Treasurer. The Treasurer is required by statute to have experience in financial or fiscal affairs. The office of Treasurer may be held by someone other than an OMPD Board member, at the discretion of the OMPD Board, upon approval of the Thurston County Treasurer.

**Section 3.4 Conflict of Interest.** OMPD Board members shall comply in all respects with the conflict of interest guidelines and prohibitions of Chapter 42.23 RCW.

#### **ARTICLE IV**

#### **OMPD BOARD MEETINGS**

**Section 4.1 Board Meetings.** Board meetings shall be conducted according to the Bylaws and shall be consistent with the Open Public Meetings Act, Chapter 42.30 RCW.

#### **ARTICLE V**

#### **BYLAWS**

**Section 5.1 Bylaws.** The Board shall adopt Bylaws to provide additional guidance governing the OMPD and its activities.

#### **ARTICLE VI**

#### **AMENDMENT TO CHARTER**

**Section 6.1 Proposals to Amend Charter.** Any Board member may introduce a proposal to amend the Charter at any regular meeting or special meeting of the Board, provided, however, that all amendments shall comply with the minimum notice requirements.

**Section 6.2 Board Consideration of Proposed Amendments.** The Board may vote on the proposal at the same meeting at which the proposal is introduced if notice of a proposal to amend the Charter and information, including the text of the proposed amendment and a statement of its purpose and effect, is provided to members of the Board fifteen (15) days prior to any regular or special Board meeting. If such notice and information is not so provided, the Board may not vote on the proposal until the next regular or special meeting if such notice and information is provided pursuant to the timeline set forth above. Amendments to the proposal within the scope of the original proposal will be permitted at the meeting at which the vote is taken.

**Section 6.3 Votes Required to Amend Charter.** Resolutions of the Board approving proposals to amend the Charter shall require an affirmative vote of a majority of OMPD Board membership.

## **ARTICLE VII**

### **LIMITATIONS ON LIABILITY**

**Section 7.1 Mandatory Disclaimers.** A disclaimer in substantially the following form shall be printed or stamped on all contracts, bonds and other documents that evidence or create any obligation which, by its terms, is not payable from a special or limited source of funds.

The Olympia Metropolitan Park District is a Metropolitan Park District established pursuant to Chapter 35.61 of the Revised Code of Washington. All debts, liabilities and other obligations incurred by the District shall be satisfied exclusively from the revenues, assets and properties of the District. No creditor, claimant or other person shall have any right of action against or recourse to the City of Olympia, the State of Washington, or any other political subdivision of the State of Washington on account of or with respect to any debts, liabilities or other obligations of the District, or otherwise on account of or with respect to any acts or omissions of the District or its officers, employees or agents.

## **ARTICLE VIII**

### **INDEMNIFICATION**

**Section 8.1 Indemnification.** To the extent permitted by law, the OMPD shall protect, defend, hold harmless and indemnify any director, officer, employee or agent of the OMPD who is a party or threatened to be made a party to a proceeding by reason related to that person's conduct as a director, officer, employee or agent of the OMPD, against judgments, fines, penalties, settlements and reasonable expenses (including reasonable attorneys' fees) incurred by him or her in connection with such proceeding, if such person acting in good faith reasonably believed his or her conduct to be in the OMPD's best interests and if, in the case of any criminal proceedings, he or she had no reasonable cause to believe that his or her conduct was unlawful. The indemnification and protection provided herein shall not be deemed exclusive of any other rights to which a person may be entitled as a matter of law, by City ordinance, or by contract or by vote of the OMPD Board. The OMPD Board shall purchase and maintain appropriate insurance to cover such risk of liability.

## **ARTICLE IX**

### **DISSOLUTION**


**Section 9.1 Dissolution.** The District shall exist until dissolved in accordance with the requirements of RCW 35.61.310 or other applicable law.

**ARTICLE X**  
**MISCELLANEOUS**

**Section 10.1 Liberal Construction and Severability.** This Charter shall be liberally construed to effect its purpose. If any section or part of this Charter is ultimately ruled invalid or illegal by a court of competent jurisdiction, such invalidity or illegality shall not affect the remaining sections or parts of this Charter.

THIS CHARTER WAS APPROVED BY RESOLUTION 1 ON MARCH 1, 2016.

OLYMPIA METROPOLITAN PARK DISTRICT

  
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OMPD PRESIDENT