

CHARTER

OF THE

SEATTLE PARK DISTRICT

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CHARTER
OF THE
SEATTLE PARKS DISTRICT

WHEREAS, on August 19, 2014, King County certified voter approval of the Seattle Park District, a district with the same boundaries as the City of Seattle and the Seattle City Councilmembers serving as the Board of Seattle Park District Commissioners (the “District Board”); and

WHEREAS, the Seattle Park District (the “District”) is a metropolitan park district authorized under Chapter 35.61 RCW (the “Statute”) with statutory powers including the power to levy and impose various taxes and fees to generate revenues to maintain, operate and improve parks, community centers, pools, and other recreation facilities and programs; and

WHEREAS, the Statute grants the District Board the authority to adopt a charter, bylaws, and legislation enabling the District to exercise its statutory powers; and

NOW, THEREFORE, this Charter is hereby adopted by the District.

ARTICLE I
PURPOSE

Section 1.1 Purpose. The District is empowered to exercise all powers allowed under state law including the power to levy and impose various taxes and fees to generate revenues to maintain, operate and improve parks, community centers, pools, and other recreation facilities and programs.

ARTICLE II
NAME

Section 2.1 Name. The name of the metropolitan park district shall be the “Seattle Park District.”

ARTICLE III
LIMITATIONS ON LIABILITY

Section 3.1 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 Seattle 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 of the District. No creditor, claimant or other person shall have any right of action against or recourse to the City of Seattle, 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 or agents.

ARTICLE IV **DISSOLUTION**

Section 4.1 Dissolution. The District shall exist until dissolved in accordance with the requirements of RCW 35.61.310. The retirement of debt, notice of dissolution and payment of creditors shall all comply with the provisions of the Statute and other applicable state law.

ARTICLE V **POWERS; INDEMNIFICATION**

Section 5.1 Powers. Except as otherwise provided herein, the District shall have and may exercise all lawful powers conferred upon a metropolitan park district by the laws of the State of Washington.

Section 5.2 Indemnification. To the extent permitted by law, the District shall protect, defend, hold harmless and indemnify any director, officer or agent of the District 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, or agent of the District, 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 acted in good faith reasonably believed his or her conduct to be in the District'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 District Board. However, if a District Board member, by virtue of their status as a Seattle City Councilmember, is found to have violated the Seattle Ethics code with respect to a matter concerning the District, the District shall not pay any monetary penalty on a charge brought by the Executive Director of the Seattle Ethics and Elections Commission.

ARTICLE VI **DISTRICT BOARD**

Section 6.1 District Board Powers. All powers of the District shall be exercised by or in the name of the District Board. The powers of the District Board shall include, but are not limited to, the following:

(a) To establish and implement the policies and programs of the District, and the procedures for the management and administration of the District's affairs;

(b) To appoint and remove from his/her position on the District Board, at the pleasure of a majority vote of the District Board, the District's officers and agents, (except as expressly provided herein) and to prescribe their respective powers and duties consistent with the provisions hereof;

(c) To borrow money and incur indebtedness in accordance with the Statute and other applicable state law; and

(d) To provide for the investment of the District's funds.

Section 6.2 District Board Composition. The District Board shall be composed of the nine members of the Seattle City Council, who shall serve in an ex-officio and independent capacity. A District Board member may be removed from service on the District Board only when they resign or are otherwise removed from his or her office as a Councilmember. Any vacancy shall be filled only by the appointment or election of a new City Councilmember.

Section 6.3 Conflict of Interest. District Board members shall comply in all respects with the conflict of interest guidelines and prohibitions of Chapter 42.23 RCW as the same exists or is hereafter amended.

ARTICLE VII BYLAWS

Section 7.1 Bylaws. The District Board shall adopt Bylaws to provide additional rules, which are not inconsistent with this Charter, governing the District and its activities.

ARTICLE VIII MEETINGS

Section 8.1 District Board Meetings. District Board meetings shall be conducted according to Bylaws adopted under Article VII, and consistent with the Open Public Meetings Act, codified as Chapter 42.30 of the Revised Code of Washington, as supplemented and amended.

ARTICLE IX AMENDMENT TO CHARTER

Section 9.1 Proposals to Amend Charter. Any District Board member may introduce a proposal to amend the Charter at any regular meeting or special meeting of the District Board, provided, however, that all amendments shall comply with the minimum requirements and provisions of the Statute.

Section 9.2 District Board Consideration of Proposed Amendments. The District 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 District Board fifteen (15) days prior to any regular District Board meeting. In the case of a special meeting, 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, must be provided to members of the District Board thirty (30) days prior to the special meeting. If such notice and information is not so provided, the District Board may not vote on the proposal until the next regular or special meeting if such notice and information is provided pursuant to the timelines 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 9.3 Vote Required for Proposals to Amend the Charter. Resolutions of the District Board approving proposals to amend the Charter shall require an affirmative vote of a majority of the District Board members voting on the issue; provided, that the total number of District Board members voting on any such proposal shall equal at least five.

ARTICLE X COMMENCEMENT

Section 10.1 Commencement. The District has commenced its existence effective upon the August 19, 2014 certification by King County of the results of the August 5, 2014 general election. This Charter shall become effective upon its approval by the District Board.

ARTICLE XI MISCELLANEOUS

Section 11.1 Liberal Construction and Severability. This Charter shall be liberally construed to effect the purposes set out in the Statute and other applicable state law. 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 IS EXECUTED AS OF THIS ____ DAY OF _____, 2014.

SEATTLE PARK DISTRICT

By: _____
President