

Craig McLaughlin

March 1, 2022

Amanda Babich, President
Steve Nixon, Commissioner
Maryellen Hill, Commissioner
Kurt Grimmer, Commissioner
Laurel Kingsbury, Commissioner
Ally Bujacich, Executive Director
Peninsula Metropolitan Park District
5717 Wollochet Drive NW #3
Gig Harbor, WA 98335

Dear Sir or Madam:

Many Fox Island residents are aware of the potentially catastrophic impact that any repair or replacement done by Pierce County on the Fox Island Bridge will have on us. We have been told by Pierce County representatives that what we will be asked to pay with respect to the Bridge will “hurt.”

In addition, many of us have recently become aware of the vast amount of money we are paying to Peninsula Metropolitan Park District (“PenMet”) through our property tax levies on our homes. The Pierce County Assessor’s Office has informed us that for 2021 and 2022 the total levies assessed on our homes by PenMet were:

| Year | Total Levies Assessed |
|------|-----------------------|
| 2021 | \$1,010,514 |
| 2022 | \$926,638 |

Although we have paid vast sums to PenMet, we have seen little to no investment in any of the three PenMet properties located on Fox Island. The current condition of the Fishing Pier and the DeMolay Sandspit show far more neglect than attention despite the millions being paid by us over the years. In addition, in PenMet’s 2022 Capital Budget under the heading Six-Year CIP Project Detail, there are listed five items, Priorities #5, #18, #19, #46, and #47.

| Priority # | Description | Criteria | Dollar Amount | Year Assigned |
|------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------|---------------|
| 5 | DeMolay Sandspit: Demolish 2 structures and <u>possibly</u> build a picnic shelter & a storage building | 1. Life Safety 2. Deferred Maintenance | \$245,000 | 2022 |
| 18 | DeMolay Sandspit: Bunkhouse renovation | 1. Deferred Maintenance | \$1,096,000 | 2023 |
| 19 | Fishing Pier: Handrails, surfacing, & minor improvements | 1. Deferred Maintenance | \$13,000 | 2023 |
| 46 | DeMolay Sandspit: Identify priorities | 1. Strategic Priority | \$81,000 | Future? |
| 47 | DeMolay Sandspit: Feasibility study, site improvements, accessibility, & parking | 1. Strategic Priority | \$1,096,000 | Future? |

PenMet is admitting there is existing deferred maintenance on their Fox Island properties the cost of which is a pittance compared to the funds we’ve already paid. PenMet is also admitting they are placing no real emphasis on Items #46 & #47 by failing to assign those two items to a year in which they will be done. PenMet has owned the

Fishing Pier and the DeMolay Sandspit for years and has done nothing to date on either property despite the fact that Fox Island Residents have already paid levies that are multiple times higher than the budgeted amounts. We have already paid more than enough to accomplish everything in your 2022 Budget.

Some Fox Island residents have attempted to obtain public records from PenMet as allowed by law. Unfortunately, the vast majority of those requests have gone unanswered. This lack of communication and disclosure is of great concern to us.

Finally, there are very few residents on Fox Island who were even aware of the huge 2021 bond issue done by PenMet with very little public comment. While the dollar amount of the bond issues was under the maximum allowed without voter approval, it would have been simple for PenMet to make a courtesy announcement to the residents within the Park District whose homes were being put up as collateral to secure those bonds. Was it even a prudent thing for the Board to do given how inflation, economic disruptions, potential federal income tax increases, etc. are impacting all of the residents of PenMet's Park District? As you know, under RCW 35.61.365(5) (quoted below), our homes remain liable for our share of those bonds—all without our knowledge or consent.

Before we go any further, we'd like to quote RCW 35.61.365 (bold emphasis added):

RCW 35.61.365

Withdrawal or reannexation by a city, town, or county—Authority—Procedure.

(1) As provided in this section, a city, town, or county may withdraw that portion of the city, town, or county from a metropolitan park district that was formed under this chapter when:

(a) The governing body of a district, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district; and the governing body of a city, town, or county, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or

(b) Ten percent of the voters of such city or county who voted at the last general election petition the governing officials for such a vote; or

(c) A district located in a county with a population of two hundred ten thousand or more has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period.

(2)(a) After adoption of the resolution approving the deannexation, receipt of a valid petition signed by the requisite number of registered voters, or determination that the district has been inactive, the governing body of the city, town, or county, which is part of the district, must draft a ballot title, give notice as required by law for ballot measures, and perform other duties as required to put the measure approving or not approving the deannexation before the voters of the city, town, or county, which is part of the district.

(b) The ballot proposition authorizing the deannexation from a proposed metropolitan park district must be submitted to the voters of the district for their approval or rejection at the next general election. The ballot measure is approved if greater than fifty percent of the total persons voting on the ballot measure vote to approve the deannexation.

(3) The resolution under subsection (1) of this section and the ballot under subsection (2) of this section must set forth the specific land boundaries being deannexed from the district.

(4) A deannexation under this section is effective at the end of the day on the thirty-first day of December in the year in which the ballot measure under subsection (2) of this section is approved.

(5) The withdrawal of an area from the boundaries of a metropolitan park district does not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the metropolitan park district existing at the time of the withdrawal.

(6)(a) An area that has been withdrawn from the boundaries of a metropolitan park district under this section may be reannexed into the metropolitan park district upon:

(i) Adoption of a resolution by the governing body proposing the reannexation; and

(ii) Adoption of a resolution by the metropolitan park district approving the reannexation.

(b) The reannexation is effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries are established immediately upon the adoption of the second resolution.

(c) Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the metropolitan park district, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

(d) If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions must be held in abeyance and a ballot proposition to authorize the reannexation must be submitted to the voters of the area at the next special election date according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote authorizes the reannexation.

(7) For purposes of this section, "deannex" means to withdraw a specified portion of land from a metropolitan park district formed under this chapter.

Given all of the foregoing we are hereby respectfully requesting that the PenMet Board consider the following proposal:

1. The PenMet Board adopts a resolution under RCW 35.61.365(1)(a) to remove Fox Island from PenMet's Park District.
2. The PenMet Board then sends that resolution to the Pierce County Council with the Board's request that it adopt the resolution described in RCW 35.61.365(1)(a) so the matter must be put on the ballot.
3. PenMet will then publicly support the passage of that resolution.
4. PenMet will visit its Fox Island properties with us to determine what costs may be associated to address the existing deferred maintenance and provide us with the funds necessary to fully address those deferred maintenance items. In this regard, PenMet's 2022 Budget may be of use as PenMet admitted there is deferred maintenance which that budget addressed and has put, at least, preliminary numbers for the costs.
5. If the ballot measure is successful to remove Fox Island from PenMet's Park District, PenMet will donate to an entity of our choice those properties that were originally donated to PenMet and will sell to an entity of our choice those properties PenMet purchased with the sales price to be determined by a mutually agreeable MAI appraiser. The entity that would be taking title will be determined at a future date.
6. PenMet will consider the amount of the existing levies being assessed on our homes to be payment for the purchase price of any property sold to us until such time as the purchase price is fully paid.
7. If legally possible, PenMet will, upon full payment of the purchase price as described in #6, above, either cease the levies on our homes or, if not possible, will agree to refund those levies to us. We understand our homes, no matter how we proceed, will remain as security for the existing outstanding debt. We are not asking for a release from those liens.

We are facing a significant financial challenge relating to the Bridge. We are also facing significant financial challenges as residents living within the PenMet Park District. We are attempting, by this request, to regain some small amount of control over our financial futures that we are sorely lacking with the status quo. We have no option to remain as Pierce County residents, but the above-quoted statute does give us one avenue to regain some control over what we pay to live on Fox Island and what our payments are used for.

There are a few groups on Fox Island getting the Fox Island residents up to speed on the issues related to the Bridge. There is now another group, which includes us and several others, dedicated to getting Fox Island residents up to speed on our relationship with PenMet as well. That process has already started and will be fully implemented in the near future.

We look forward to receiving your response. As we have further steps already in place to seek alternative relief if necessary, we would appreciate at least an initial response within ten days.

Thanks for your time.

Concerned PenMet Park District Residents (signatures applied electronically with consent)



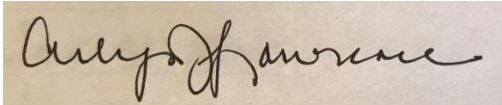
Craig McLaughlin



Allen Paul Templett



James Braden



Arlyn J. Lawrence



Peggy Power



Glenn Hansen



Miguel Martinez



Hal Goodell



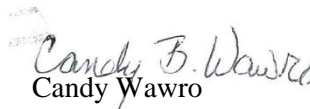
Lisa Stapleton



Howard Stapleton



Rob Moore



Candy Wawro



Weston King

Gina Olson (consent by email to include her name)