

KEY PENINSULA METROPOLITAN PARK DISTRICT D.b.a. KEY PEN PARKS

Board Meeting

(Meetings may be videotaped or recorded)

AGENDA October 12, 2020 7:30 PM – Regular Meeting

Public Notice: Pursuant to Governor Inslee's' Stay Home, Stay Healthy Proclamation 20-25 and the extension of Proclamation 20-28 regarding Open Public Meetings, this Board of Commissioners meeting will be conducted remotely. We encourage the public to participate in the meeting via the Zoom platform:

https://zoom.us/j/99496060014?pwd=NkZGd0N4UTAxYm1kZnFLQVhwSlc3dz09

Meeting ID: 994 9606 0014 Passcode: 789290

Dial in: 253-215-8782 or 346-248-7799

Members of the Board of Commissioners

Ed Robison. President

Shawn Jensen, Vice President Kip Clinton, Clerk

Mark Michel, Member-at-Large Linda Parry, Member-at-Large

Regular Meeting - 7:30 PM

1) Call to Order

2) Roll Call

Present Excused Comment

Ed Robison Shawn Jensen Mark Michel Kip Clinton Linda Parry

- 3) Pledge of Allegiance
- 4) Approval of Agenda
- 5) Special Presentations (none)
- 6) Public Comments: Limited to 3 minutes per issue per person. Speaker will state name and their address. If providing handouts, need to provide 10 copies for Commissioners and Staff.

PUBLIC PARTICIPATION IN BOARD MEETINGS – Anyone may address any resolution for final consideration the agenda. Public comment on any other items on the agenda shall be at the discretion of the President. To ensure equal opportunity for the public to comment, the President may impose a time limit on each speaker. Questions must be directed to the President.

Under no circumstance shall any person be allowed to address the board on matters in which the District or a District official is a litigant. Speakers are requested to address the board with decorum.

- 7) Approval of the Minutes
 - a) September 14, 2020 Regular Meeting
- 8) Financial Report September 2020 Financial Report
- 9) Executive Director's Report
- 10) Board Committee and Advisory Council Reports
 - a) Land and Improvements Committee
 - b) Key Peninsula Park and Recreation Foundation Report
 - c) Trail Update
 - d) Recreation Committee
- 11)Board President's Report
- 12) Unfinished Business

a. Wright Bliss Road Property Acquisition

13) New Business

- a) WA State Recreation and Conservation Office Authorized Signature Resolution Update
- b) Receive and file Deed of Right for Wang property acquisition for Taylor Bay Phase II
- c) Draft Budget proposal for 2021
- 14)Other minor matters
- 15) Good of Order/Comments by Board Members
- 16) Next Regular Meeting November 9, 2020
- 17) Adjournment



Meeting: October 12, 2020

Item #7

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Date: October 12, 2020

Subject: Approval of Minutes

Background

This is a routine item and includes the meeting minutes from Regular Meeting on Monday, September 14, 2020.

Attachment 1: Will be posted in amended agenda

Recommended Action: Approve meeting minutes.



Meeting: October 12, 2020

Item #8

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Via: Laura Armstrong, Office Manager/Bookkeeper

Date: October 12, 2020

Subject: Approval of Finances

Background

This report includes a summary of the financial information from September 2020 for Board approval.

September 2020 Financial Report

Total expenditures \$62,556.14

• <u>BIAS</u> (Accounts Payable) \$18,032.77 Check #1581 – 1591

Check # 1592 to 1596 void due to printing error. Voided checks in records

Check # 1597 - 1601

•	BIAS Payroll/Benefits	\$44,448.37	EFT's
	Pierce County Claim	\$0	EFT's
•	Petty Cash	\$0	Cash
•	Bank service fees	\$75.00	EFT's

Total Revenue \$44,629.34

•	BIAS (Other Revenues)	\$2,276.79
•	Zoo Trek	\$17,147.95
•	Property Tax	\$24,881.70
•	Investment	\$322.90
•	Leasehold Excise	\$0
•	Timber Excise Tax	\$0

TREASURERS REPORT

Fund Totals

Key Peninsula Metro Parks District

MCAG #: 1690 09/01/2020 To: 09/30/2020

Time: 08:06:22 Date: 10/05/2020

Page:

Fund	Previous Balance	Revenue	Expenditures	Ending Balance	Claims Clearing	Payroll Clearing	Outstanding Deposits	Adjusted Ending Balance
001 General Fund	2,846,419.45	44,629.34	62,556.14	2,828,492.65	654.03	0.00	0.00	2,829,146.68
	2.846.419.45	44.629.34	62,556,14	2,828,492,65	654.03	0.00	0.00	2.829.146.68

TREASURERS REPORT

Account Totals

Key Peninsula Metro Parks District

MCAG #: 1690 09/01/2020 To: 09/30/2020

Time: 08:06:22 Date: 10/05/2020

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Cash A	ccounts	Beg Balance	Deposits	Withdrawals	Ending Outs	Adj Balance		
1 2 3 4 5	First Citizens Checking First Citizens Payroll Pierce County Petty Cash First Citizens AP	3,127.29 28,868.88 2,770,656.43 173.08 43,593.77	2,276.79 43,695.10 42,352.55 0.00 17,728.98	75.00 44,448.37 61,424.08 0.00 18,032.77	5,329.08 28,115.61 2,751,584.90 173.08 43,289.98	0.00 0.00 0.00 0.00 0.00	0.00 0.00 0.00 0.00 0.00 654.03	5,329.08 28,115.61 2,751,584.90 173.08 43,944.01
	Total Cash:	2,846,419.45	106,053.42	123,980.22	2,828,492.65	0.00	654.03	2,829,146.68
		2,846,419.45	106,053.42	123,980.22	2,828,492.65	0.00	654.03	2,829,146.68

TREASURERS REPORT

Outstanding Vouchers

Key Peninsula Metro Parks District

MCAG #: 1690

As Of:	09/30/2020	Date:	10/05/2020
Time:	08:06:22	Page:	3

Year	Trans#	Date	Type	Acct#	War#	Vendor			Amount	Memo
2020	642	08/27/2020	Claims	5	1575	Veronica L Grandt			292.10	Mileage for April 2020 to July 2020
2020	692	09/17/2020	Claims	5	1598	Veronica L Grandt			56.93	Mileage for August 2020
2020	693	09/17/2020	Claims	5	1599	Hemley's Handy Kans			155.00	Rental of Portable toilets for Key Central Forest and Gateway/360
2020	694	09/17/2020	Claims	5	1600	Erica Ward			150.00	Refund for Gateway Park pavilion rental scheduled 8-22-2020 canceled due to Covid.
									654.03	
Fund							Claims	Payroll	To	otal
001 C	General F	Fund					654.03	0.00	654	.03
							654.03	0.00	654	.03

September 2020 AP Expenditures

Time:

Key Peninsula Metro Parks District MCAG #: 1690

09/01/2020 To: 09/30/2020

08:14:07 Date: 10/05/2020

Page: 1

Voucher Claimant	Trans	Date	Type	Acct #	Amount	Memo
200902001 AABERG'S Tool and Equipment Rental	678	09/11/2020	Claims	5	330.60	Rental of Stump Grinder.
200902002 Axia Tree Service, LLC	679	09/11/2020	Claims	5	1,942.20	Removel of larg dead fir tree at Gateway Park.
200902003 H.D. Fowler	680	09/11/2020	Claims	5	40.34	3" Van Stone Fange and full face red rubber gasket.
200902004 Key Peninsula Historical Society	681	09/11/2020	Claims	5	1,250.00	
200902005 Madrona Law Group PLLC	682	09/11/2020	Claims	5	1,564.00	Professional service regarding easment issues.
200902006 Murreys Disposal Company	683	09/11/2020	Claims	5	374.14	Trash pickup service at Gateway Park and Volunteer Park.
200902007 Peninsula Light Company	684	09/11/2020	Claims	5	1,025.15	Electric service fees for Volunteer Park, Home Park, and Taylor Bay.
200902008 Purdy Topsoil and Gravel LLC	685	09/11/2020	Claims	5	244.13	3 tons of Landscape rock for Gateway/360 Park.
200902009 US Bank	686	09/11/2020	Claims	5	3,010.67	Desk chair, external cd player, Osha required posters, bookcase, locks, fuel, Face masks, cleaning supplies,saw blades, paint and primer, Repair of hedge trimmer attachment, email hosting, zoom, water
200902010 Verizon Wireless	687	09/11/2020	Claims	5	272.08	Cell phone service
200903001 PEBB Health Insurance	688	09/11/2020	Payroll	5	6,367.97	PEBB Health Insurance for September and added 1 employee for August and September
200906001 Angle Guild Thrift Shop	691	09/17/2020	Claims	5	1,000.00	Refund from grant sponsorship received for 4Th of July event that was canceled due to corvid.
200906002 Grandt Veronica L	692	09/17/2020	Claims	5	56.93	Mileage for August 2020
200906003 Hemley's Handy Kans	693	09/17/2020	Claims	5	155.00	Rental of Portable toilets for Key Central Forest and Gateway/360
200906004 Ward Erica	694	09/17/2020	Claims	5	150.00	Refund for Gateway Park pavilion rental scheduled 8-22-2020 canceled due to Covid.
200906005 Wave Broadband	695	09/17/2020	Claims	5	249.56	Phone and internet service
	Т	otal Checks:			18,032.77	

September 2020 Payroll Expenditures

Key Peninsula Metro Parks District Time: 15:19:21 Date: 10/05/2020

1.10110 10,0	0,7	01/2020 10	• 07/20/=			1
Voucher Claimant	Trans	Date	Type	Acct #	Amount	Memo
EFT Employee Paycheck	659	09/10/2020	Payroll	2	491.09	_
EFT Employee Paycheck	660	09/10/2020	Payroll	2	1,707.02	
EFT Employee Paycheck	661	09/10/2020	Payroll	2	317.82	
EFT Employee Paycheck	662	09/10/2020	Payroll	2	413.72	
EFT Employee Paycheck	663	09/10/2020	Payroll	2	1,379.13	
EFT Employee Paycheck	664	09/10/2020	Payroll	2	1,286.24	
EFT Employee Paycheck	665	09/10/2020	Payroll	2	789.53	
EFT Employee Paycheck	666	09/10/2020	Payroll	2	2,508.70	
EFT Employee Paycheck	667	09/10/2020	Payroll	2	889.72	
EFT Employee Paycheck	668	09/10/2020	Payroll	2	1,038.18	
EFT Employee Paycheck	669	09/10/2020	Payroll	2	1,429.05	
EFT Employee Paycheck	670	09/10/2020	Payroll	2	2,097.78	
EFT WA State Department of Retiremen	689	09/16/2020	Payroll	2	6,998.35	
EFT EFTPS	690	09/16/2020	Payroll	2	4,425.04	
EFT EFTPS	709	09/24/2020	Payroll	2	4,143.24	
EFT Employee Paycheck	696	09/25/2020	Payroll	2	436.94	
EFT Employee Paycheck	697	09/25/2020	Payroll	2	1,707.01	
EFT Employee Paycheck	698	09/25/2020	Payroll	2	156.83	
EFT Employee Paycheck	699	09/25/2020	Payroll	2	118.21	
EFT Employee Paycheck	700	09/25/2020	Payroll	2	400.80	
EFT Employee Paycheck	701	09/25/2020	Payroll	2	1,379.13	
EFT Employee Paycheck	702	09/25/2020	Payroll	2	1,286.25	
EFT Employee Paycheck	703	09/25/2020	Payroll	2	118.21	
EFT Employee Paycheck	704	09/25/2020	Payroll	2	2,508.70	
EFT Employee Paycheck	705	09/25/2020	Payroll	2	387.20	
EFT Employee Paycheck	706	09/25/2020	Payroll	2	1,082.96	
EFT Employee Paycheck	707	09/25/2020	Payroll	2	1,603.24	
EFT Employee Paycheck	708	09/25/2020	Payroll	2	2,097.78	
EFT United Concordia	733	09/30/2020	Payroll	2	1,250.50	
	Т	otal Checks:			44,448.37	

TRANSACTION JOURNAL

Key Peninsula Metro Parks District

MCAG #: 1690 09/01/2020 To: 09/30/2020

0.00

75.00

0.00

0.00

0.00

0.00

Time: 11:03:30 Date: 10/05/2020

Page:

						Receipt #						C	
Trans	Date	Redeemed	Acct #	Chk#	Type	InterFund #	Vendor			Amount	Memo		
731	09/30/2020	09/30/2020	1		Ser Chge			tizens		70.00	Bank servic	e fees	
	576 80 49 (003 Banking Fee	es	001 Gen	eral Fu	nd				70.00	Bank service	fees	
732	09/30/2020	09/30/2020	1		Ser C	Chge	Merch l	Bankcard service		5.00	Credit card	processing fee	s
	576 80 49 (003 Banking Fee	es	001 Gen	eral Fu	nd				5.00	Credit card p	rocessing fees	
	Rec	ords Printed:	2					Ralance: xpenditures: ant Expenditures: Transfers: ons: als:		0.00 0.00 0.00 75.00 0.00 0.00 0.00 0.00			
Fund				A	Adjustm	ents B	Beg Bal	Revenues	War Exp	N War Exp	IT In	IT Out	Stop Pmts
001 Ge	eneral Fund				(0.00	0.00	0.00	0.00	75.00	0.00	0.00	0.00

0.00

0.00

RECEIPT REGISTER

Time: 08:08:14

2,276.79

Date:

10/05/2020

Key Peninsula Metro Parks District

Trans	Date	Type	Rec#	CR#	Acct#	Claimant	Amount	Memo
710	09/18/2020	Tr Rec	1251	1008	1	Christina M Hallock	25.00	1
711	09/18/2020	Tr Rec	1252	1009	1	The Snack Shack	340.00	Phone. Rent \$200.00 And Utilities Of 140.00 For September 2020 Concession Building.
712	09/18/2020	Tr Rec	1253	1010	1	US Bank	119.87	Corp Card NASPO Contract Payment For 2nd Quarter.
713	09/25/2020	Tr Rec	1254	1011	1	Swank Motion Pictures	177.06	Refund Of Taxes From Movies Rented For CUTS Cancled Event Due To Covid
714	09/25/2020	Tr Rec	1255	1012	1	Kyle Armstrong	312.86	Talyor Bay Caretaker Rent Of \$100.00, Utilities Of \$200.00 And Lease Hold Tax O 12.86
730	09/29/2020	Tr Rec	1256	1013	1	Bryan Hacker	1,302.00	
		3	360 Long	Terms			2,276.79	
		001 Ge	eneral Fu	nd			2,276.79	

RECEIPT REGISTER

Key Peninsula Metro Parks District

Time: 08:08:51 Date: 10/05/2020 MCAG #: 1690 09/01/2020 To: 09/30/2020 Page:

1

Trans	Date	Type	Rec#	CR#	Acct#	Claimant	Amount	Memo
734	09/30/2020	Tr Rec	1257		3	Pierce County Budget and Fina	24,881.70	\$23,920.45 property tax and \$961.25 delinquent tax.
735	09/30/2020	Tr Rec	1258		3	Pierce County Budget and Fina	17,147.95	Zoo Trek
736	09/30/2020	Tr Rec	1259		3	Pierce County Budget and Fina	322.90	Investment interest
			310 Taxes 360 Long			_	42,029.65 322.90	
		001 Ge	neral Fu	nd			42,352.55	
						-	42,352.55	



Meeting: October 12, 2020

Item # 12a

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Date: September 29, 2020

Subject: Update and Direction on 10615 Wright Bliss Road NW

Background

During the August 10, 2020 Regular Board Meeting staff sought direction from the Board on the property located at 10615 Wright Bliss Road NW, previously known as the "Lavender Farm" which had been recently put up for sale for \$675,000. It is comprised of two parcels and features 3 dwellings plus 17 acres of land, including 7 acres of timber/brush. The Board directed the Executive Director to express interest in the property and monitor the progress. Late on September 15, 2020, staff was informed by the seller's agent that the property sale faced difficulties and the property was likely to fall out of contract just days before the planned closing. After extensive negotiations, a verbal agreement was reached on the property acquisition, and a Purchase and Sale Agreement was approved by the Board of Commissioners during the Special Board Meeting on September 29, 2020. Unfortunately on September 30, 2020, the seller declined to execute the documents and was no longer a willing seller.

The seller, through his real estate agent, offered to pay the District's costs for the negotiation, Special Meeting and preparation of the Purchase and Sale Agreement. After a review of costs, the property owner has agreed to reimburse Key Pen Parks \$2500.

Recommended Action: Provide direction to Executive Director on this potential property acquisition.



Regular Meeting: October 12, 2020

Item # 13a

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Date: October 12, 2020

Subject: Approval of Resolution Authorizing Executive Director as the Signatory for the WA State

Recreation and Conservation Office for Various Grants

Background

Prior to the submittal of grant applications, the Washington State Recreation and Conservation Office (RCO) requires a resolution listing the authorized signatory and contacts for any potential grant award. An agency can designate a position, such as the Executive Director or a specific person by name. Previous resolutions listed the previous Executive Director Scott Gallacher and Board President Ed Robison as signers for various grants. This resolution acts as a "clean-up" resolution listing the Executive Director position as the authorized signatory. This is for current awards for Taylor Bay Phase II Acquisition, Gateway Park Phase 3 Improvements, Cramer McCracken Acquisition, and the application in progress Gateway Park Phase 4 Improvements.

All agencies are required to use the approved template language with no deviations, unless a special condition has been granted. Key Pen Parks has not been granted a special condition for the listed grant awards or applications.

Recommended Action: Approve the Resolution listing the Executive Director as the Authorized Signatory for current RCO grant awards and the pending application for Gateway Park Improvements, Phase 4.

Attachment: Resolution

Key Peninsula Metropolitan Park District Dba Key Pen Parks



Resolution No R 2020-07

AUTHORIZING RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE KEY PENINSULA METROPOLITAN PARK DISTRICT FOR RECREATION AND CONSERVATION APPLICATION RESOLUTION/AUTHORIZATION

Project Names	20-1009	Cramer McCracken Acquisition (Minter Creek)
•	18-1283	Taylor Bay Acquisition Phase II (Wang)
	20-1649	Gateway Park Phase 4 Synthetic Turf Field
	18-1284	Gateway Park Phase 3 Splash Pad

This resolution/authorization authorizes the person(s) identified below (in Section 2) to act as the authorized representative/agent on behalf of our organization and to legally bind our organization with respect to the above Project(s) for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

WHEREAS, grant assistance is requested by our organization to aid in financing the cost of the Project(s) referenced above;

NOW, THEREFORE, BE IT RESOLVED that:

- 1. Our organization has applied for or intends to apply for funding assistance managed by the Office for the above "Project(s)."
- 2. Our organization authorizes the following persons or persons holding specified titles/positions (and subsequent holders of those titles/positions) to execute the following documents binding our organization on the above projects:

Grant Document	Name of Signatory or Title of Person					
	Authorized to Sign					
Grant application (submission thereof)	Executive Director					
Project contact (day-to-day administering of	Executive Director					
the grant and communicating with the RCO)						
RCO Grant Agreement (Agreement)	Executive Director					
Agreement amendments	Executive Director					
Authorizing property and real estate	Executive Director					
documents (Notice of Grant, Deed of Right or						
Assignment of Rights if applicable). These are						
items that are typical recorded on the property						
with the county.						

The above persons are considered an "authorized representative(s)/agent(s)" for purposes of the documents indicated. Our organization shall comply with a request from the RCO to provide documentation of persons who may be authorized to execute documents related to the grant.

- 3. Our organization has reviewed the sample RCO Grant Agreement on the Recreation and Conservation Office's WEB SITE at: https://rco.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf. We understand and acknowledge that if offered an agreement to sign in the future, it will contain an indemnification and legal venue stipulation and other terms and conditions substantially in the form contained in the sample Agreement and that such terms and conditions of any signed Agreement shall be legally binding on the sponsor if our representative/agent enters into an Agreement on our behalf. The Office reserves the right to revise the Agreement prior to execution.
- 4. Our organization acknowledges and warrants, after conferring with its legal counsel, that its authorized representative(s) /agent(s) have full legal authority to act and sign on behalf of the organization for their assigned role/document.
- 5. Grant assistance is contingent on a signed Agreement. Entering into any Agreement with the Office is purely voluntary on our part.
- 6. Our organization understands that grant policies and requirements vary depending on the grant program applied to, the grant program and source of funding in the Agreement, the characteristics of the project, and the characteristics of our organization.
- 7. Our organization further understands that prior to our authorized representative(s)/agent(s) executing any of the documents listed above, the RCO may make revisions to its sample Agreement and that such revisions could include the indemnification and the legal venue stipulation. Our organization accepts the legal obligation that we shall, prior to execution of the Agreement(s), confer with our authorized representative(s) /agent(s) as to any revisions to the project Agreement from that of the sample Agreement. We also acknowledge and accept that if our authorized representative(s) /agent(s) executes the Agreement(s) with any such revisions, all terms and conditions of the executed Agreement shall be conclusively deemed to be executed with our authorization.
- 8. Any grant assistance received will be used for only direct eligible and allowable costs that are reasonable and necessary to implement the project(s) referenced above.
- 9. [for Recreation and Conservation Funding Board Grant Programs Only] If match is required for the grant, we understand our organization must certify the availability of match at least one month before funding approval. In addition, our organization understands it is responsible for supporting all non-cash matching share commitments to this project should they not materialize.
- 10. Our organization acknowledges that if it receives grant funds managed by the Office, the Office will pay us on only a reimbursement basis. We understand reimbursement basis means that we will only request payment from the Office after we incur grant eligible and allowable costs and pay them. The Office may also determine an amount of retainage and hold that amount until all project deliverables, grant reports, or other responsibilities are complete.

Key Peninsula Metropolitan Park District Dba Key Pen Parks



- 11. [for Acquisition Projects Only] Our organization acknowledges that any property acquired with grant assistance must be dedicated for the purposes of the grant in perpetuity unless otherwise agreed to inwriting by our organization and the Office. We agree to dedicate the property in a signed "Deed of Right" for fee acquisitions, or an "Assignment of Rights" for other than fee acquisitions (which documents will be based upon the Office's standard versions of those documents), to be recorded on the title of the property with the county auditor. Our organization acknowledges that any property acquired in fee title must be immediately made available to the public unless otherwise provided for in policy, the Agreement, or authorized in writing by the Office Director.
- 12. [for Development, Renovation, Enhancement, and Restoration Projects Only–If our organization owns the project property] Our organization acknowledges that any property owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant in perpetuity unless otherwise allowed by grant program policy, or Office inwriting and per the Agreement or an amendment thereto.
- 13. [for Development, Renovation, Enhancement, and Restoration Projects Only–If your organization DOES NOT own the property] Our organization acknowledges that any property not owned by our organization that is developed, renovated, enhanced, or restored with grant assistance must be dedicated for the purpose of the grant as required by grant program policies unless otherwise provided for per the Agreement or an amendment thereto.
- 14. [Only for Projects located in Water Resources Inventory Areas 1-19 that are applying for funds from the Critical Habitat, Natural Areas, State Lands Restoration and Enhancement, Riparian Protection, or Urban Wildlife Habitat grant categories; Aquatic Lands Enhancement Account; or the Puget Sound Acquisition and Restoration program, or a Salmon Recovery Funding Board approved grant] Our organization certifies the following: the Project does not conflict with the Puget Sound Action Agenda developed by the Puget Sound Partners hip under RCW 90.71.310.
- 15. This resolution/authorization is deemed to be part of the formal grant application to the Office.
- 16. Our organization warrants and certifies that this resolution/authorization was properly and lawfully adopted following the requirements of our organization and applicable laws and policies and that our organization has full legal authority to commit our organization to the warranties, certifications, promises and obligations set forth herein. This resolution/authorization is signed and approved on behalf of the resolving body of our organization by the following authorized member(s).

PASSED AND ADOPTED by the Board of Park Commissioners for Key Pen Parks at a regular meeting held virtually via Zoom this 12th day of October 2020.

Attest:	Key Pen Parks Board of Commissioners Pierce County, Washington
Edward Robison, President	Shawn Jensen, Vice President
Kip Clinton, Clerk	Mark Michel, Member-at-Large
Linda Parry, Member-at-Large	_
Washington State Attorney General	's Office
Approved as to form	- Laller
Assistant Atto	orney General Date



Regular Meeting: October 12, 2020

Item # 13b

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Date: October 12, 2020

Subject: Receive and file proposed Deed of Right for Washington Recreation and Conservation Office

Taylor Bay Acquisition Phase II – Wang Property

Background

As part of the grant application process through the Washington Recreation and Conservation Office (RCO), certain terms and conditions are put forth which impact grant funded projects. These are colloquially referred to the "strings attached to grant funds". Frequently, these documents are legally attached to the property through the County Recorder's Office.

For full transparency and to assist with future records searches, the proposed Deed of Right (DOR) which Key Pen Parks agreed to by accepting the grant agreement and funds is attached to this report. Once recorded, it will also be on file with Pierce County. The DOR provides for public access to the site and assurance that the final project will match the description of the project.

DESCRIPTION OF PROJECT

Key Pen Parks will use this grant to acquire a 1.17 acre waterfront parcel on Taylor Bay that abuts Taylor Bay Park. This acquisition will expand the park to a total of 40.2 contiguous acres and 1,383 feet of natural saltwater shoreline access to the public. Access will be provided via an existing set of stairs that access the low bank waterfront. An existing driveway access from 76th St. SW will be redesigned to allow for public parking, and an existing house will be retained for use as a caretaker residence. The primary recreational opportunity of this project is passive use and water access.

In addition, the DOR secures that the acquired land will be used for outdoor recreation in perpetuity.

Recommended Action: Receive and file this report.

Attachment: Draft Deed of Right and Project Agreement

Upon Recording, Please Return To: Washington State Recreation and Conservation Office PO Box 40917 Olympia, WA 98504-0917

Attn: Beth Auerbach

DEED OF RIGHT TO USE LAND FOR PUBLIC OUTDOOR RECREATION PURPOSES

Taylor Bay Acquisition Phase II - Wang Property

Grantor: Key Peninsula Metropolitan Parks District

Grantee: STATE OF WASHINGTON, acting by and through the WASHINGTON

STATE RECREATION AND CONSERVATION FUNDING BOARD and the WASHINGTON STATE RECREATION AND CONSERVATION OFFICE,

including any successor agencies

Abbreviated

Legal

Description: PTN SW ¼ SEC 26-20-1W, W.M., PIERCE COUNTY, WA More particularly

described in Exhibit "A" (Legal Description) and as depicted in Exhibit "B"

(Property Map)),

Assessor's Property Tax Parcel Number(s): 002026-3042

Reference Numbers of Documents Assigned or Released:

The Grantor enters this Deed for and in consideration of monies coming in whole or in part from



the Washington Wildlife and Recreation Program – Water Access Account. Such grant is made pursuant to the Project Agreement entered into between the Grantor and the Grantee entitled Taylor Bay Acquisition Phase II, Project Number 18-1283 signed by the Grantor on the 7th day of October, 2019 and the Grantee the 26th day of September, 2019 and supporting materials which are on file with the Grantor and the Grantee in connection with the Project Agreement.

The Grantor hereby conveys and grants to the Grantee as the representative of the people of the State, the right to enforce the following duties:

- 1. The Grantor shall take such reasonable and feasible measures as are necessary to protect the Real Property as described in Exhibit A: Legal Description for park purposes, consistent with the Project Agreement, so as to provide public access to outdoor recreation opportunities in perpetuity and protect public outdoor recreation and park resources.
- 2. The Grantor shall allow public access to the Property as provided in the Project Agreement. Such access shall be subject to the restrictions allowed under the Project Agreement, by written agreement with the Grantee, or under state law. This provision is not intended to prevent reasonable access or use restrictions that are necessary for safe and effective management of the property consistent with outdoor recreation purposes and the Project Agreement.
- 3. The Grantor shall provide access to the Grantee to inspect the Real Property for compliance with the terms of this Deed and the applicable Project Agreement to which the Grantor is a signatory. Such access shall be subject to the restrictions, if any, allowed under the Project Agreement, by written agreement with the Grantee, or under state law. The Grantor warrants it has and shall maintain the legal right and means to reach the property.
- 4. Without the prior written consent of the Grantee or its successors, through an amendment to the Project Agreement or the process set forth below, the Grantor shall not use or allow any use of the Real Property (including any part of it) that is inconsistent with the recreation purposes herein granted and as stated in the Project Agreement. The Grantor shall also not grant or suffer the creation of any property interest that is inconsistent with the recreation purposes herein granted and as stated in the Project Agreement.

Grantee's consent to an inconsistent use or property interest under this Deed shall be granted only to the extent permitted by law and upon the following three conditions, which ensure the substitution of other eligible land. The conditions are: (1) the substitute recreation land must be of reasonably equivalent usefulness and location for the public outdoor recreation purposes as the Real Property prior to any inconsistent use; (2) the substitute recreation land must be of at least equal fair market value to the



Real Property at the time of Grantee's consent to the inconsistent use; and (3) the fair market value of the Real Property at the time of the Grantee's consent to the inconsistent use shall not take into consideration any encumbrances imposed on or alterations made to that land as a result of the original state grant and other grants if such encumbrances or alterations reduce the value of the Real Property from what it would be without them.

For purposes of this Deed the Project Agreement includes any amendments thereto that occur prior or subsequent to the execution of this Deed.

This Deed contains covenants running with the land and shall be binding upon the Grantor, its successors and assigns, and upon any person acquiring the Property, or any portion thereof, or any interest therein, including a leasehold interest, whether by operation of law or otherwise. If the Grantor sells all or any portion of its interest, the new owner of the Property or any portion thereof (including, without limitation, any owner who acquires its interest by foreclosure, trustee's sale or otherwise) shall be subject to applicable covenants and requirements under the Deed.

This Deed may not be removed or altered from the Real Property unless specific approval has been granted by the Washington State Recreation and Conservation Office and/or the Washington State Recreation and Conservation Funding Board or its successors.

The Washington State Recreation and Conservation Office and the Washington State Recreation and Conservation Funding Board and/or its successors shall each have a separate and independent right to enforce the terms of this deed.

REMAINDER OF PAGE IS INTENTIONALLY BLANK; SIGNATURE PAGES FOLLOW



GRANTOR: Key Peninsula Metropolitan Parks District By: Dated this day of , 20_____ STATE OF WASHINGTON) ss COUNTY OF I certify that I know or have satisfactory evidence that is the person who appeared before me, and said person acknowledged that they signed this instrument, on oath stated that they were authorized to execute the instrument and acknowledge for the Grantor, and to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument. Notary Public in and for the State of Washington, residing in ______.

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My commission expires .



GRANTEE:

STATE OF WASHINGTON, acting by and through THE WASHINGTON STATE RECREATION AND CONSERVATION FUNDING BOARD, administered by the WASHINGTON STATE RECREATION AND CONSERVATION OFFICE

By:				
Name:				
Title:				
Dated this	day of	, 20_		
STATE OF WAS	SHINGTON)			
COUNTY OF _) ss)			
is the person who instrument, on oa it as the	ath stated that they we	ry evidence that, and said person ackrere authorized to exec for the Recreations for the uses and pure	cute the instrument on and Conservation	t and acknowledge on Office and to be
Dated:			_	
Signed:			_	
Notary Public in	and for the State of V	Washington,		
residing in				
My commission	expires			



EXHIBIT A Legal Description

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 1 WEST OF THE W.M. IN PIERCE COUNTY, WASHINGTON;

THENCE EAST 330 FEET;

THENCE SOUTH 1584 FEET;

THENCE SOUTHWESTERLY TO A POINT 312 FEET SOUTH OF THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE NORTH TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION THEREOF LYING NORTH OF THE SOUTH LINE OF WHITEMAN COUNTY ROAD;

ALSO, EXCEPT THE EAST 150 FEET THEREOF;

ALSO, EXCEPT THAT PORTION THEREOF LYING SOUTH OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 1 WEST, RUNNING THENCE SOUTH 312 FEET, THENCE IN A NORTHEASTERLY LINE TO A POINT 660 FEET EAST AND 216 FEET SOUTH OF THE SAID NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND THE TERMINUS OF SAID LINE.

SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON.



EXHIBIT B Property Map¹

¹ Map must include: (1) RCO project number(s) and name(s); (2) project sponsor name; (3) date of map preparation; (4) adjoining streets and roads where applicable; (5) boundary line of land acquired; and, (6) North arrow and scale. A professional legal survey may substitute for the preceding map elements.



Meeting: October 12, 2020

Item # 13c

To: Board of Commissioners

From: Tracey Perkosky, Executive Director

Date: October 12, 2020

Subject: Presentation and Direction on the Proposed 2021 Budget

Background

Annually each autumn, Key Pen Parks drafts a budget for the following calendar year (January to December). The process for the 2021 Budget is compressed due to the timing of the new Executive Director's hiring. During the September 14, 2020 meeting the Executive Director requested Board goals to aid in the preparation of the budget. It was clear by the number of specific capital projects suggested that continued growth of amenities and land mass are desired by the Board of Commissioners.

The September meeting also had a short discussion during Study Session on long range financial forecasts and growth of expenditures above annual revenues. The proposed budget has minimal capital expenditures proposed beyond rollover and/or reallocation of existing funds and a master plan project for Taylor Bay.

The Proposed 2021 Budget includes \$1.65 M in revenues, \$1.16 M in operating expenses, \$56,525 in Bond payments, and \$501,718 for capital projects. Due to capital projects, as the operating expenses increased by 2% the budget will use approximately \$60,000 of fund balance.

Some key highlights include:

- Master Plan for Taylor Bay properties
- Parks Maintenance Staff increased by 1 FTE (permanent) and reduced by .5 FTE (temporary)
- \$11,500 for utilities for the Splash Pad
- Increased professional development to maintain current safety and professional standards
- Re-organization of Office Manager/Bookkeeper to Fiscal Specialist
- Reduction in anticipated program/rental revenue due to COVID (Expenses kept at status quo in case restrictions are eased)
- Shade structure for Volunteer Park playground for safety purposes
- New telephone system for Administrative Office (current system failing)
- Increased focus on technology and security

Budget items to be considered in the 2022 Budget and future financial forecasts include the creation of an Asset Replacement Fund.

Recommended Action: Provide direction on the Proposed 2021 Budget

Attachment: Proposed 2021 Budget (list attached, narrative forthcoming)

Page:

Key Peninsula Metro Parks District

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001 General Fund					
Revenues	Original	Proposed	Difference		Remarks
310 Taxes					
311 10 00 000 Taxes, Real & Personal Property	1,293,950.00	1,430,562.91			Per Pierce County
313 17 00 000 Taxes, Zoo Trek Excise Tax	150,000.00	150,000.00		100.0%	
317 20 00 000 Taxes, Leasehold Excise Tax	0.00	4,000.00	4,000.00		Previously included REET Funds which are capital
317 40 00 000 Taxes, Forest Excise Tax	500.00	500.00	0.00	100.0%	
310 Taxes	1,444,450.00	1,585,062.91	140,612.91	109.7%	
330 Intergovernmental Revenues					
334 02 70 000 Recreation Conservation Office (217,900.00	0.00	(217,900.00)	0.0%	No grant awards pending
334 02 70 001 Pierce County Parks Conservation	225,000.00	0.00	(225,000.00)		No grant award pending
330 Intergovernmental Revenues	442,900.00	0.00	(442,900.00)	0.0%	
340 Park Fees					
	4 000 00	2 000 00	(2.000.00)	50.00 /	D 1 1500/ 11
347 60 00 003 Program Fees, Programs	4,000.00	2,000.00	(2,000.00)	50.0%	Reduced 50% covid
340 Park Fees	4,000.00	2,000.00	(2,000.00)	50.0%	
360 Long Terms					
361 11 00 000 Investment Interest	15,000.00	12,000.00	(3,000.00)		Reduced anticipated returns
362 40 00 003 S&F Rentals, Camping Fees	1,500.00	750.00	(750.00)		Reduced 50% Covid Impacts
362 40 00 004 S&F Rentals, 360 Field / Gatewa	7,000.00	3,500.00			Reduced 50% Covid Impacts
362 40 00 005 S&F Rentals, Home Park Picnic!	400.00	200.00			Reduced 50% Covid Impacts
362 40 00 006 S&F Rentals, Volunteer Park Pic	150.00	75.00	(75.00)		Reduced 50% Covid Impacts
362 40 00 008 S&F Rentals, Field Rentals	0.00	0.00	0.00		
362 50 00 001 S&F Rentals, Concessions Buildi	4,800.00	10,800.00			Per lease terms
362 50 00 002 S&F Rentals, Gateway Caretaker	12,000.00	15,600.00			Assumes same lease terms
362 50 00 003 S&F Rentals, Storage Space	50.00 6,000.00	75.00 2,000.00			Storage for Historical Society & Farm Tour \$4000 is based on actuals, Reduced 50% Covid Impacts
362 50 00 004 S&F Rentals, Little League 362 50 00 005 S&F Rental, Taylor Bay Caretake	5,000.00	5,800.00			Assumes same lease terms
367 00 00 000 S&F Rental, Taylor Bay Caretakt	10,000.00	10,000.00		100.0%	Assumes same lease terms
369 91 00 000 Other Revenue	2,000.00	2,000.00		100.0%	
369 91 01 000 Usage Of Fund Balance	0.00	0.00	0.00		
360 Long Terms	63,900.00	62,800.00	(1,100.00)		
Fund Revenues:	1,955,250.00	1,649,862.91	(305,387.09)	84.4%	
I wild Ite (Cilue).	1,700,20000	1,077,002.71	(202,201.07)	U 7.7 /0	

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Key Peninsula Metro Parks District

001 General Fund

MCAG #: 1690

Expenditures Original **Proposed** Difference Remarks 576 Parks 576 80 10 001 Commissioner Wages 7,500.00 7,500.00 0.00 100.0% 576 80 10 002 Administrative Wages 260,000.00 263,000.00 3,000.00 101.2% COLA est (3%), Bookeeper promotion 576 80 10 003 Park Operations Wages 270,000.00 304,000.00 34.000.00 112.6% COLA, -.5 FTE seasonal, +1FTE Main Asst 576 80 20 001 Commissioner Personnel Benefits 600.00 600.00 0.00 100.0% 576 80 20 002 Administrative Benefits 90,000.00 94,000.00 4.000.00 104.4% 576 80 20 003 Park Operations Benefits 125,000.00 161,000.00 36,000.00 128.8% Est Unemp increase. Budget for highest benefits for new FTE Main Assist and all staff. 576 80 20 005 Volunteers L&I Benefits 500.00 0.00 100.0% 500.00 576 80 20 006 Uniforms/safety Gear - Personnel 3,500.00 3,000.00 500.00 116.7% 3,000.00 576 80 31 001 Office Supplies 3,000.00 0.00 100.0% 576 80 31 002 Maintenance Supplies 15,000.00 39,000.00 24.000.00 260.0% Combine maintenance into one line item (see notes) 576 80 31 003 Equipment Maintenance Supplies 5,000.00 7,500.00 2,500.00 150.0% Older equip = increased maintenance 576 80 31 004 Vehicle Maintenance Supplies 4,000.00 5,000.00 1,000.00 125.0% 576 80 31 010 Supplies Key Forest/West Access 10,000.00 (10,000.00)0.0% Remove category 0.00576 80 31 011 Supplies, Civic Center 1,000.00 0.00 (1,000.00)0.0% Remove Category 576 80 31 020 Supplies, Gateway/360 16,000.00 0.00 (16,000.00)0.0% Remove Category 576 80 31 040 Supplies, Home Park 0.00 (1,000.00)0.0% Remove Category 1,000.00 576 80 31 050 Supplies, Maple Hollow 0.0% Remove Category 500.00 0.00 (500.00)576 80 31 070 Supplies, Rocky Creek 500.00 0.00 (500.00)0.0% Remove Category 576 80 31 080 Supplies Taylor Bay 0.00 0.00 0.00 0.0% Remove Category 576 80 31 090 Supplies, Volunteer Park 0.0% Remove Category 10,000.00 0.00 (10,000.00)576 80 31 100 Supplies, Youth Programs 0.00 (500.00)0.0% No Youth Programs 500.00 0.00 0.0% 576 80 31 110 Supplies, Adult Programs 0.00 0.00 576 80 31 130 Supplies, Special Event Pograms (1,000.00) 75.0% 4,000.00 3,000.00 576 80 31 140 Supplies, Speial Events Non-Rev 8,000.00 9,000.00 1.000.00 112.5% 576 80 32 000 Park Operations Fuel 9,000.00 10,500.00 1,500.00 116.7% Increase in fuel, historical purchases 576 80 35 000 Small Tools & Equipment 4,500.00 4,500.00 0.00 100.0% 576 80 41 000 Professional Services, Marketing 0.00 100.0% Adds funds for legal ads 9,000.00 9,000.00 576 80 41 001 Professional Services, Consulant 0.00 100.0% Grant services & website redo 20,000.00 20,000.00 576 80 41 002 Professional Services, Financial (20,000.00 0.00 100.0% \$7100 BIAS/asset connect. \$12.900 audit 20,000.00 576 80 41 004 Professional Services, Legal 4,500.00 1,500.00 133.3% New ED may require additional support 6,000.00 576 80 41 005 Professional Services, Contracted 7,500.00 7,500.00 0.00 100.0% Hist Soc, Red Barn, Water testing, fire protection inspec. 576 80 41 007 Professional Services, Web/IT Su 1,500.00 5,000.00 3,500.00 333.3% Cybersecurity & licensing requirements 576 80 41 008 Professional Services, Arborist 3,000.00 1,500.00 (1,500.00) 50.0% 0.00 100.0% 576 80 41 009 Election Costs 12,000.00 12,000.00 576 80 41 020 Professional Services, Key Pen G 27,500.00 7,500.00 (20,000,00) 27.3% Mapping & Mtn Bike Profess. Svcs. Most expenses were capital 576 80 41 040 Professional Services, Home Park 500.00 0.00 (500.00)0.0% Now under general maintenance 0.0% Now under general maintenance 576 80 41 050 Professional Services, Maple Hol 500.00 0.00 (500.00)0.0% Now under Contracted Services (Red Barn) 576 80 41 100 Professional Services Youth Prog 10,000.00 0.00 (10.000.00)576 80 41 110 Professional Services Adult Prog 500.00 0.00 (500.00)0.0% No adult programs

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Key Peninsula Metro Parks District

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576 80 47 020 Utility Services, Key Pen Gatewa 20,000.00 21,500.00 1,500.00 107.5% Includes \$11,500 in Splash Pad water costs 576 80 47 040 Utility Services, Home Park 600.00 600.00 0.00 100.0% 576 80 47 080 Utility Services, Taylor Bay 2,500.00 3,500.00 1,000.00 140.0% Caretaker electric (2500) & propane (1000) 576 80 47 090 Utility Services, Volunteer Park 17,000.00 17,000.00 0.00 100.0% Park + concession utilities, assumes events	
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576 80 47 080 Utility Services, Taylor Bay 2,500.00 3,500.00 1,000.00 140.0% Caretaker electric (2500) & propane (1000) 576 80 47 090 Utility Services, Volunteer Park 17,000.00 17,000.00 0.00 100.0% Park + concession utilities, assumes events	
576 80 47 090 Utility Services, Volunteer Park 17,000.00 17,000.00 0.00 100.0% Park + concession utilities, assumes events	
576 80 48 000 Repairs & Maintenance, General 4,500.00 20,500.00 16,000.00 455.6% Combine contracted general repairs & maintenance	
576 80 48 010 Repairs & Maintenance, Key Cer 10,000.00 0.00 (10,000.00) 0.0% Remove category	
576 80 48 020 Repairs & Maintenance, Key Pen 5,000.00 0.00 (5,000.00) 0.0% Remove category	
576 80 48 090 Repairs & Maintenance, Volunted 6,000.00 0.00 (6,000.00) 0.0% Remove category	
576 80 49 001 Licenses & Permits 9,000.00 4,500.00 (4,500.00) 50.0% Movie permits, water permits, operating permits	
576 80 49 002 Dues & Subscriptions 4,000.00 4,700.00 700.00 117.5% Zoom, Office, KPBA, GFOA, WRPA, NRPA, WAR	L, Costco
576 80 49 003 Banking Fees 1,250.00 1,250.00 0.00 100.0%	
576 80 49 004 Other Expenses 4,000.00 4,000.00 0.00 100.0% Refunds	
576 80 49 006 Training, Staff 2,500.00 3,500.00 1,000.00 140.0%	
576 80 49 010 Miscellaneous Key Central Fores 1,000.00 1,000.00 0.00 100.0%	
576 80 49 020 Miscellaneous Gateway Park/360 1,000.00 1,000.00 0.00 100.0%	
576 80 49 090 Miscellaneous Volunteer Park 2,000.00 1,000.00 (1,000.00) 50.0%	
576 80 49 120 Miscellaneous For Community E 2,500.00 2,500.00 0.00 100.0%	
576 80 52 000 Intergovernmental Taxes (Please 500.00 500.00 0.00 100.0%	
576 Parks 1,122,750.00 1,157,100.00 34,350.00 103.1%	
580 Non-Expenditures	
589 00 00 999 Payroll Liability Account 0.00 0.00 0.00 0.0%	
589 30 00 000 Other Non-Expenditures - Other (2,500.00 2,500.00 0.00 100.0%	
580 Non-Expenditures 2,500.00 2,500.00 0.00 100.0%	

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001 General Fund					
Expenditures	Original	Proposed	Difference		Remarks
591					
591 76 70 000 G.O. Bond Principal 592 76 83 000 G.O. Bond Interest	32,000.00 28,000.00	35,000.00 21,525.00	3,000.00 (6,475.00)		
591	60,000.00	56,525.00	(3,475.00)	94.2%	
594 Capital Expenditures					
594 76 61 000 Capital Expenditures/Expenses L	0.00	0.00	0.00	0.0%	
594 76 62 001 Capital Improvements Master Pla	45,000.00	100,000.00			Taylor Bay
594 76 62 020 Capital Improvements Gateway F	650,000.00	344,718.00	(305,282.00)		Rollover
594 76 62 090 Capital Expenditures/Expenses -\	30,000.00	20,000.00	(10,000.00)	66.7%	Rollover from 2020; Shade structure
594 76 63 001 Capital Expenditures/Expenses -	10,000.00	10,000.00	0.00	100.0%	
594 76 64 001 Capital Equipment	35,000.00	27,000.00	(8,000.00)	77.1%	New telephone system in Volunteer Park. 2 replacement laptops
594 Capital Expenditures	770,000.00	501,718.00	(268,282.00)	65.2%	
Fund Expenditures:	1,955,250.00	1,717,843.00	(237,407.00)	87.9%	
Fund Excess/(Deficit):	0.00	(67,980.09)			

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Fund Totals

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		Revenues				Expenditures		
Fund	Original	Proposed	Difference		Original	Proposed	Difference	
001 General Fund	1,955,250.00	1,649,862.91	(305,387.09)	84.4%	1,955,250.00	1,717,843.00	(237,407.00)	87.9%
Excess/(Deficit)	1 955 250 00	1 649 862 91	(305 387 09)	84 4%	1 955 250 00	1 717 843 00	(237 407 00)	87 9%