

Key Peninsula Metropolitan Park District  
Db a Key Pen Parks



**Resolution No R2021-05**

**A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE KEY PENINSULA METROPOLITAN PARK DISTRICT REGARDING APPOINTMENT OF AGENT TO RECEIVE CLAIMS FOR DAMAGES AS PER RCW 4.96 AND REPEALING RESOLUTION R2015-14**

**WHEREAS** pursuant to the provisions of RCW 4.96.020 the governing body of each local government entity shall appoint an agent to receive any claim for damages made under local Chapter 4.96 RCW; and

**WHEREAS** the identity of the agent and the address where he or she may be reached during the normal business hours of the local governmental entity are public records and shall be recorded with the auditor of the county in which the entity is located; and

**WHEREAS** all claims for damages against a local government entity, or against any local governmental entity's officers, employees, or volunteers, acting in such capacity, shall be presented to the agent within the applicable period of limitations within which an action must be commenced; and

**WHEREAS** the failure of a local governmental entity to comply with the requirements of this section precludes that local government entity from raising a defense under Chapter 4.96 RCW.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Park Commissioners of Key Pen Parks that:

1. Resolution Number R2015-14 is hereby repealed.
2. The Board of Park Commissioners appoints the below listed agent to receive any claims for damages made under Chapter 4.96 RCW:

The Executive Director, and in the absence of the Executive Director, the Fiscal Specialist, is hereby appointed to the agent responsible for receiving claims for damages made under Chapter 4.96 RCW. The Executive Director or Fiscal Specialist shall be available to receive claims during normal business hours (generally Monday to Friday, 9:00 AM to 4:00 PM) at 5514 Key Peninsula Highway N, Lakebay, WA 98349, except during extenuating circumstances. The mailing address is PO Box 70, Lakebay, WA 98349.

3. The Clerk of the Board, or designated agent, shall record this document with the Pierce County Auditor.

**PASSED AND ADOPTED** by Board of Park Commissioners of Key Pen Parks at a Regular Meeting held via Zoom due to the Covid-19 public health restrictions held this 14<sup>th</sup> day of June 2021.

Attest:

Key Pen Parks  
Board of Park Commissioners  
Pierce County, Washington

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Edward Robison, President

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Shawn Jensen, Vice-President

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Kip Clinton, Clerk

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Mark Michel, Member-at-Large

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Linda Parry, Member-at-Large



Meeting: June 14, 2021

Item # 13a

To: Board of Park Commissioners

From: Tracey Perkosky, Executive Director

Date: June 14, 2021

Subject: Approve Resolution Regarding Appointment of Agent to Receive Claims for Damages as Per RCW 4.96 and Repeal Resolution R2015-14.

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### **Background**

The Revised Code of Washington (RCW) Chapter 4.96 outlines the requirements of local government entities regarding tort claims. The local governing body must designate the agent approved to receive such claims. Resolution R2021-05 simply updates the secondary agent title from Office Manager/ Book Keeper to Fiscal Specialist, and repeals Resolution R2015-14 (Attachment 2). In short, this is cleanup item from the promotion of the Office Manager/ Book Keeper to her current Fiscal Specialist position.

**Recommended Action:** Repeal Resolution R2015-14 and Adopt Resolution R2021-05 regarding the appointment of agent to receive claims for damages as per RCW 4.96.

Attachment 1: Resolution R2021-05 Regarding Appointment of Agent to Receive Claims for Damages as per RCW 4.96 and Repealing Resolution R2015-14

Attachment 2: Resolution R2015-14