

# Minutes

July 13, 2011

Orcas Island Park and Recreation District Commission

Special Public Meeting, Wednesday, July 13, 2011

Orcas Public School Library Eastsound

5:30 pm-7:30 pm

## **CALL TO ORDER**

Roll call:

Seat 1: Vicki Vandermay – present

Seat 2: Bob Eagan – present

Seat 3: Martha Farish – present

Seat 4: Jim Bredouw – present

Seat 5: Ian Lister – present

## **NEW BUSINESS**

- Discussion held with OISD Board of Directors regarding issues relating to the acquisition and Transfer of Buck Park to OIPRD.

## **ADJOURNMENT** (7:30)

## **ADDENDA**

Buck Park Memorandum, dated July 12, 2011  
2 pages

Special Public Meeting minutes for July 13, 2011

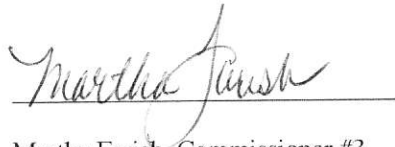
Approved by motion on this 18<sup>th</sup> day of October, 2012

Signed and attested this 18<sup>th</sup> day of October, 2012



Ian Lister, Commissioner #5,

Secretary



Martha Farish, Commissioner #3,

Chair

## Memorandum

**Date:** July 12, 2011

**From:** Orcas Island Park and Recreation District (OIPRD)

**To:** Orcas Island School District (OISD)

### **Re: Buck Park and preparations for the July 28 Workshop**

To advance discussions on the potential transfer of Buck Park from OISD to OIPRD, the OIPRD commissioners met to identify a few issues of particular importance both Boards may wish to address early on in our process.

1. **Renegotiation of the existing water use agreement between OISD and Eastsound Water Users Association (EWUA).** *The current agreement is due to expire in Spring 2012 and renegotiations are required beginning in January 2012. It may most efficient for everyone to renegotiate/amend the existing agreement now, and renew for several more years, in lieu of waiting until January 2012. Bob Eagan would participate in these renegotiations on behalf of OIPRD. Paul Kamin has received direction from his board to proceed with this joint renegotiation idea.*
2. **Adoption of a water use agreement between OISD and OIPRD for shared water use once the EWUA contract is in place.**
3. **Resolution of legal clearances.** *OISD may need legal clearance from the Washington State Interagency Committee for Outdoor Recreation (IAC), now known as the Recreation and Conservation Office, in order to transfer rights and responsibilities for Buck Park according to the terms and conditions of the Project 92-123A/D, the document governing the state funds used to create Buck Park. Transfer of the Skateboard Park may, or may not, require additional clearances.*
4. **Both parties will need to come to agreement as to dissolution and/or termination provisions, as well as arbitration, should any disputes arise.**
5. **Though not really discussed in any detail to date, it may be in the best interests of OISD and OIPRD to create a Joint Facilities Use Agreement at the same time, and consistent with, our joint use agreement of Buck Park. As a suggestion only:** *San Juan Island's Island Rec Program and their school district have a history of working together and in drafting agreements that work well. OIPRD has reviewed the documents Island Rec has supplied (attached) and finds the issues addressed and the solutions proposed to be very similar to those OIPRD and OISD are likely to face going forward. Since we are likely to be drafting legal documents pertinent to joint use of Buck Park it may be efficient, and assure consistency, if we also create a Joint Facilities Use Agreement at this time.*
6. **Each organization is responsible for their own legal expenses.** *OIPRD has an independent municipal attorney and are advised that Perkins Coie of Seattle*

*will represent OISD. We propose that OISD and OIPRD each be responsible for their own legal fees and expenses separately. It is our understanding that the first drafts will originate from Perkins Coie.*