

**RESOLUTION NO. 1178**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AUTHORIZING THE SUBMITTAL OF APPLICATION FOR GRANT FUNDING ASSISTANCE FOR A LAND AND WATER CONSERVATION FUND (LWCF) GRANT TO THE RECREATION AND CONSERVATION OFFICE FOR THE GIG HARBOR SPORTS COMPLEX PROJECT, PHASE 1B**

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WHEREAS, the City of Gig Harbor wishes to develop property identified as the Gig Harbor Sports Complex (the Project); and

WHEREAS, our organization has approved a comprehensive parks and recreation plan that includes this type of park; and

WHEREAS, the City of Gig Harbor wishes to seek grant funding for the following:

Gig Harbor Sports Complex Phase 1B LWCF

WHEREAS, this resolution/authorization authorizes the person 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 for which we seek grant funding assistance managed through the Recreation and Conservation Office (Office).

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

NOW, THEREFORE, BE IT RESOLVED that:

Section 1:

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

Grant Document	Name of Signatory or Title of Person Authorized to Sign
Grant application (submission thereof)	Mayor Kit Kuhn
Project contact (day-to-day administering of the grant and communicating with the RCO)	Nicole Jones-Vogel, Parks Manager

RCO Grant Agreement (Agreement)	Mayor Kit Kuhn
Agreement amendments	Mayor Kit Kuhn
Authorizing property and real estate 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.	Mayor Kit Kuhn

The above persons are considered an “authorized representative(s)/agents(s)” for the 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 WEBSITE at:  
<https://rco.wa.gov/wp-content/uploads/2019/06/SampleProjAgreement.pdf>. We understand and acknowledge that if offered a project 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 referenced above.

9. 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.
11. 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 in writing and per the Agreement or an amendment thereto.
12. Our organization certifies the following: the Project does not conflict with the Puget Sound Action Agenda developed by the Puget Sound Partnership under RCW 90.71.310.
13. This resolution/authorization is deemed to be part of the formal grant application to the Office.
14. 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):

Signed: Kit Lahn

Title: Mayor Date: 5-12-20

On File at: \_\_\_\_\_

Washington State Attorney General's Office

Approved as to form Brian Toller  
2/13/2020

Assistant Attorney General Date

ATTEST/AUTHENTICATED:

Molly M. Towslee

Molly M. Towslee, City Clerk

APPROVED AS TO FORM:

Daniel Kenny

Daniel Kenny, City Attorney

Filed with the City Clerk: 05/01/20  
Passed by the City Council: 05/11/20  
Resolution No. 1178