



RESOLUTION NO. 40703

1 A RESOLUTION relating to the Foss Waterway Development Authority;
2 authorizing the execution of a Transfer Agreement for the Foss Waterway
3 Parks, from the Foss Waterway Development Authority to the Metropolitan
4 Park District of Tacoma.

5 WHEREAS the Foss Waterway Development Authority ("FWDA") will sunset
6 on December 31, 2020, and it is necessary to transfer real estate designated as
7 existing or future parks, including the shore lands, from the FWDA to the
8 Metropolitan Park District of Tacoma ("Metro Parks") prior to that time, and

9 WHEREAS the City is a party to the Agreement because of environmental
10 indemnity included as a provision of the Agreement, and

11 WHEREAS the three properties identified for transfer to Metro Parks are
12 designated as parks in the adopted Foss Waterway Redevelopment Plan, and have
13 long been planned for such transfer, and

14 WHEREAS one of the parks subject to transfer has already been
15 developed; a second park is fully funded and construction will start in 2021; and the
16 third park, proposed as a non-motorized boating facility, will be the subject of
17 additional outreach, as well as design, during an anticipated upcoming five-year
18 period of fundraising by Metro Parks, and

19 WHEREAS the transfer of properties is intended to be a permanent action;
20 however, the City will remain engaged in park planning and development as it takes
21 place, and

22 WHEREAS future maintenance costs for the parks are to be negotiated as
part of the 2016 Interlocal Agreement Relating to Parks and Facility Operations and



Maintenance, or remain in established existing leases being transferred from the
1 FWDA to the City, and

2 WHEREAS staff is recommending execution of the Transfer Agreement of
3 the Foss Waterway Parks, from the Foss Waterway Development Authority to
4 Metro Parks, for the above-stated purposes; Now, Therefore,

5 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

6 Section 1. That the proper officers of the City are hereby authorized to
7 execute a Transfer Agreement for the Foss Waterway Parks, from the Foss
8 Waterway Development Authority to the Metropolitan Park District of Tacoma, all as
9 more specifically set forth in the proposed agreement on file in the office of the City
10 Clerk.

11 Section 2. That the City Manager, or designee, is hereby authorized to take
12 and execute any additional measures or documents that may be necessary to
13 complete this transaction which are consistent with the approved form of
14 documents referenced by this Resolution, and the intent of this Resolution.

15 Adopted _____
16

17 _____
Mayor

18 Attest:
19 _____
20 City Clerk

21 Approved as to form:
22 _____
Deputy City Attorney