



## RESOLUTION NO. 41298

1 A RESOLUTION relating to planning and development; authorizing an execution of  
2 an amendment to the Interlocal Agreement with the Port of Tacoma,  
3 regarding shoreline public access under the Shoreline Master Program, until  
4 such time as the Tideflats Subarea Plan is complete.

5 WHEREAS under the City's Shoreline Master Program, the Port of Tacoma  
6 ("Port") is required to provide public access as mitigation for developing shoreline  
7 areas in a manner that preempts public use, and

8 WHEREAS given the limited opportunities to provide high quality public  
9 access on Port property, the City's Shoreline Master Program authorizes the City  
10 to enter into agreements with the Port and other public agencies for public access  
11 provision geographically separate from the new development site, including the  
12 use of a public access fund and an in-lieu fee, and

13 WHEREAS upon finalization of the Shoreline Master Program, the City  
14 adopted Resolution No. 38706 authorizing the City Manager to execute an  
15 Interlocal Agreement ("Agreement") between the City and Port that: (1) provided a  
16 mechanism to better ensure that public access mitigation helps to create an  
17 integrated and connected public access system, (2) identifies shared priority public  
18 access projects, (3) streamlines permitting for both the Port and private applicants,  
19 (4) provides certainty to the City, Port, and private sector applicants for the  
20 duration of the agreement, and (5) provides a methodology for the use of a public  
21 access fee-in-lieu that can be utilized by the Port and private parties, and

22 WHEREAS the parties executed the Agreement on December 13, 2013,  
23 which provided a flexible approach to shoreline public access for the Port and its  
24 tenants to use in fulfilling the public access permit requirements of the City's  
25 Shoreline Master Program, and  
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WHEREAS paragraph 13 of the Agreement – Duration of Agreement and Termination – states that the Agreement “shall continue for a term of 10 years from the execution date of this agreement, and may be extended by mutual agreement of the parties and upon approval of each parties’ respective legislative body”, and

WHEREAS the Agreement is set to expire on December 13, 2023, and

WHEREAS on February 10, 2019, the City, Port, Puyallup Tribe of Indians, City of Fife and Pierce County finalized a Work Plan to jointly develop the Tideflats Subarea Plan, which includes consideration of Shoreline Management Act planning requirements, including public access and recreation provisions, and

WHEREAS the Tideflats Subarea Plan is expected to be completed within the next two years and will include recommendations on the provision of public access in the Tideflats area; Now, Therefore



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

That the City Manager, or designee, is hereby authorized to enter into an extension of an Interlocal Agreement with the Port of Tacoma, regarding shoreline public access under the Shoreline Master Program for an additional term of two years, and providing for further automatic extensions in one (1) year increments, if necessary, until such time as the pending Tideflats Subarea Plan is both adopted and final.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney