

**METROPOLITAN PARK DISTRICT  
OF TACOMA**



**AGENDA**

**APRIL 23, 2018  
6:00 P.M. MPT HEADQUARTERS  
4702 S. 19<sup>TH</sup> STREET  
TACOMA, WA 98405**

**MEETINGS ARE RECORDED AND MAY BE HEARD AT THE  
PARK DISTRICT OFFICES UPON REQUEST**

**COMMISSIONERS**

**ANDREA SMITH, PRESIDENT  
AARON POINTER, CLERK  
ERIK HANBERG  
TIM REID  
JESSIE BAINES, JR.**

- 5:00 P.M. **PUBLIC OPEN HOUSE** WW SEYMOUR CONSERVATORY DESIGN
- 5:30 P.M. **STUDY SESSION** 2017 YEAR-END REPORT BUDGET/FINANCIAL UPDATE
- 6:00 P.M. **CALL TO ORDER**

**ROLL CALL**

**FLAG SALUTE**

**SPECIAL PRESENTATIONS**

**PRESIDENT'S REPORT**

**STANDING COMMITTEE & COMMISSION REPORTS**

**EXECUTIVE DIRECTOR'S REPORT**

**REGULAR MEETING**

**CITIZEN COMMENTS**

**MINUTES**

(5-10) MINUTES OF THE APRIL 9, 2018 REGULAR BOARD MEETING

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"Park District meeting sites are accessible to people who require special accommodations, please contact 305-1091 48 hours prior to the meeting time."



CONSENT AGENDA

REGULAR AGENDA

PURCHASING RESOLUTIONS

*(Requiring one reading for adoption)*

PUBLIC WORKS PURCHASING RESOLUTIONS

*(Requiring one reading for adoption)*

- (11-14)      **RESOLUTION NO. PW36-18:** BILLY RAY MEMORIAL PROJECT ART SERVICES CONTRACT AWARD TO JASMINE BROWN  
(Contact: Debbie Terwilleger, Director of Planning & Development)
  
- (15-18)      **RESOLUTION NO. PW37-18:** BROWNS POINT LIGHTHOUSE PARK CONTRACT AWARD PUGET PAVING AND CONSTRUCTION, INC. BID NO. J2018-05  
(Contact: Debbie Terwilleger, Director of Planning & Development)
  
- (19-22)      **RESOLUTION NO. PW38-18:** POINT DEFIANCE ZOO & AQUARIUM ROCKY SHORES ELEVATOR IMPROVEMENTS CONTRACT AWARD R.C. ZEIGLER, INC. BID NO. J2018-04  
(Contact: Debbie Terwilleger, Director of Planning & Development)

SINGLE READING RESOLUTIONS

*(Requiring one reading for adoption)*

- (23-26)      **RESOLUTION NO. R39-18:** POINT DEFIANCE ZOO & AQUARIUM ASIAN FOREST SANCTUARY SOLAR PROJECT ACCEPTING AND APPROPRIATING \$50,000 FROM TACOMA PUBLIC UTILITIES EVERGREEN OPTIONS GRANT  
(Contact: Debbie Terwilleger, Director of Planning & Development)
  
- (27-30)      **RESOLUTION NO. R40-18:** EASTSIDE COMMUNITY CENTER ACCEPTING AND APPROPRIATING \$30,000 FROM THE GREATER METRO PARKS FOUNDATION FOR THE BILLY RAY MEMORIAL  
(Contact: Debbie Terwilleger, Director of Planning & Development)
  
- (31-32)      **RESOLUTION NO. R41-18:** ACCEPTING AND APPROPRIATING \$749,000 FROM THE MARGARET A. CARGILL FOUNDATION FOR THE WILDLIFE CHAMPIONS COMMUNITY ENGAGEMENT PROGRAM AT POINT DEFIANCE ZOO & AQUARIUM  
(Alan Varsik, Director of Zoological & Environmental Education)

**SECOND READING RESOLUTIONS**

*(Requiring two readings for adoption)*

- (33-55)      **RESOLUTION NO. RR35-18:** RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT OF TACOMA, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF UNLIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000 TO CONSTRUCT, EQUIP, RENOVATE, ACQUIRE, AND MAKE CERTAIN CAPITAL IMPROVEMENTS TO THE FACILITIES OF THE DISTRICT AND TO PAY CERTAIN COSTS OF ISSUANCE OF THE BONDS; PROVIDING FOR THE ANNUAL LEVY OF TAXES TO PAY THE BONDS; AND DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT THE AUTHORITY TO DETERMINE THE FINAL TERMS OF THE BONDS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.  
(Contact: Erwin Vidallon, Chief Financial Officer)

**FIRST READINGS:**

*(Requiring two readings for adoption)*

**UNFINISHED BUSINESS**

LINK LIGHT RAIL IMPACT TO WRIGHT PARK- DEBBIE TERWILLEGER

**NEW BUSINESS**

DISTRICT WEBSITE – HUNTER GEORGE

**BOARD COMMENTS**

**EXECUTIVE SESSION**

**ADJOURNMENT**

**UPCOMING BOARD MEETINGS**

April 25, 2018	Capital Improvement Committee	5:00 PM	Park Headquarters
April 30, 2018	Committee of the Whole	5:30 PM	Park Headquarters
May 14, 2018	Regular Board Meeting	6:00 PM	Park Headquarters
May 16, 2018	Capital Improvement Committee	5:00 PM	Park Headquarters
May 21, 2018	Committee of the Whole	5:30 PM	Park Headquarters

\* Committee Meetings are subject to change - please check the Metro Parks Website, [www.metroparkstacoma.org](http://www.metroparkstacoma.org) for the most up to date meeting schedules.





**MINUTES OF REGULAR MEETING  
BOARD OF PARK COMMISSIONERS  
April 9, 2018**

**PRESENT:** Andrea Smith, President  
Aaron Pointer, Clerk  
Tim Reid  
Erik Hanberg  
Jessie Baines

**IN THE CHAIR:** Andrea Smith

**PLACE:** 4702 South 19<sup>th</sup> Street

**FLAG SALUTE:** Commissioner Baines

**STUDY SESSION POINT DEFIANCE VISITOR SERVICES**

Phedra Redifer was introduced to brief the Board on the visitor services program at Point Defiance Park. Ms. Redifer opened the discussion by highlighting the objectives of the program as being to inform visitors to explore the many features of the park, increase visitorship as well as repeat visitorship by providing high-quality educational and interpretive programming, help visitors navigate the park during construction, and support positive parks use. Ms. Redifer reviewed the Center's usage noting the overall increase since it was opened in 2012.

The Point Defiance Downtown to Defiance Trolley pilot program was then discussed. Ms. Redifer commented that the plan is to run the trolley again on Fridays and Saturdays Jun 1-Sept. of this summer. She noted that the affordable trolley is pet friendly and ADA accessible. Another successful program that piloted last summer was the Junior Ranger Program. The program resulted in 60 new junior rangers being sworn in. The program will continue this coming summer. The Center and other attractions in the park are also going to continue to offer Point Defiance branded apparel and merchandise.

Ms. Redifer also commented on the surveys conducted by the Park's volunteer ambassadors. Results of the surveys demonstrated that about 79% are repeat visitors with the top preferred offerings being hiking or fitness, shoreline, sea life or fishing, and music and cultural offerings. 77% of those surveyed indicated they would support some level of fee-based programming if it is well balanced with other free program offerings. Programmed attendance has increased from 285 participants in 2016 to 834 participants in 2017. Such programming includes park history walks, birding of seniors, Park Rx Family Health Day, bio-blitz and several others.

Volunteer management of the Park includes Friends of Point Defiance and the Park Watch Program. In 2017 2,485 Park Watch hours were reported and 394 Park Watch online reports submitted.

Ms. Redifer pointed out that animal management in the park continues to be a focus including wildlife, dogs on leash, and marine mammals. The campaign has been refreshed and more community outreach has occurred.

Within the area of visitor management, a robust communication plan is in place to keep the community informed about what is happening about construction and traffic challenges at the park. Ms. Redifer commented that plans for dealing with the crowds in busy summer months continue to evolve including traffic flaggers, improved signage and promotion of trail usage. Enhanced police patrols are also being lined up for the summer to help with vehicle speeding and other violations that occur.

The 2018 Visitor Plan includes the following:

- Hire a 2nd full-time Park Ranger.
- Further develop Ranger program and Ranger Roundtable impact.
- Expand Park Ranger service area from Dune Peninsula to Chinese Reconciliation Park.
- Continue year-round park patrols and interpretive programming.
- Continue collaborating with Tacoma Police and Ruston Police Departments.
- Expand Park Watch Program to WaterWalk and Ruston Way waterfront parks.
- Promote “encouraged park behaviors” campaign based on seasonal use.
- Celebrate PDVC’s National Register of Historic Places Designation.

Commissioner Pointer commented that the City’s recent survey ranks Parks very high in services provided to the community due in part to the great work at Point Defiance Park.

### **REGULAR MEETING**

The regular meeting of the Metropolitan Park District Board of Park Commissioners was called to order by Commissioner Smith at 6:00p.m.

### **SPECIAL PRESENTATIONS**

#### **2018 LEGISLATIVE SESSION REVIEW**

District lobbyist TK Bentler was present to provide a session review. He reported that most of the session was centered on McCleary funding. Tacoma was able to get additional \$12M for Tacoma schools.

Andrew Austin commented that the Capital Budget was successful with funding for the Eastside Community Center totaling \$3.7M for the project. Mr. Bentler commented that local grass roots support helped influence the successful outcome of capital funding. He also commented on the great work of Senator Conway and Representative Fye.

The Board per diem issue did well in Senate but the House Local government committee was a bit more challenging. There were so many competing bills that it was not able to pass.

Commissioner Pointer inquired about future revenues due to current market conditions. Mr. Bentler noted that the local economy continues to be strong within the areas of business and real estate.

Board members thanked Mr. Bentler for his work.

### **POINT DEFIANCE ZOO SOCIETY**

Alan Varsik commented on the great work of the Zoo Society. Alan Varsik introduced Larry Norvell, Executive Director of the Point Defiance Zoo Society. He commented on the major accomplishments including:

- Significant Increase in Vision Keeper Giving
- Explored “Special Event” Funding – with a higher return on investment
- First Brew Night as the society has moved away from the Zoobilee event to reach out to younger attendees. There will be four events for 2018 to reach out to different audiences
- Completed Fundraising For Beautiful E.T<sup>6</sup> Statue.
- Developed New Strategic Plan 2018-2021.

- ROI and Key Performance Indicators for All Major Activities.
- Recruitment of 6 New Board Members.
- Board Meetings with Strategic Focus.

Mr. Norvell commented that the capital campaign effort for the aquarium is currently at 60%, he noted the major gifts that have come in from the Milgard Foundation, Murdock Foundation, Mercer Family Foundation and De Falco Family.

Funding being considered for acceptance tonight totals \$1.7M for multiple programs and projects at the Zoo. New Board Members were then highlighted by Mr. Norvell.

Commissioners thanked the Society for their work.

### **RESIDENTS REPORT**

President Smith commented that the Commissioners had a great retreat on March 30<sup>th</sup>. She commented positively on the Downtown on the Go walk recently held at Wright Park.

### **STANDING COMMITTEE AND COUNCIL REPORTS** None

### **EXECUTIVE DIRECTOR'S REPORT**

Executive Director, Shon Sylvia commented on the following:

- Norpoint Spring fling hosted 300 attendees.
- Aquatics internship program with TSD is going well. The high school interns are job shadowing at MPT pools and are becoming certified for lessons and lifeguarding with the intent for future employment at the District's pools.
- Three proposals have been received for the Portland Avenue Lease: Korean Women's Association, Making Difference Foundation & Soar Academy. The six member steering committee will be reviewing those proposals this week. He noted that there appear to be conversations occurring in the community indicating a recommendation has been made on the proposals, which is not the case. A future status report will be made to the Board later in the month.
- Staff will be updating the Board in the near future regarding parking at Point Defiance Park.

### **CITIZEN COMMENTS**

Ryan McHugh commented that he represents the Tacoma Rugby Club. He spoke of his concerns related to the future of the Portland Avenue Community Center and the amenities in the Park. He noted his club is growing with youth programs. He noted the club looks forward to working with Metro Parks Tacoma.

Ernest Oldfield commented on his concerns related to the current services provided at Portland Avenue Community Center. He commented that the kids that use the services may have transportation barriers to get to the new community center. Mr. Oldfield further commented that he does not want to see Portland Ave. Center lose its current services.

Stephanie Smith handed out a proposal put together by the First Creek Neighborhood related to what the group would like Commissioners to consider as the Portland Avenue Community Center formal submitted proposals are reviewed. She noted that a quarter of the residents are Hispanic, so several non-profits should be considered to run the center for better collaboration. She noted that a majority of the residents in that neighborhood are females ages 5-34, so services offered should be geared to that population. Ms. Smith also commented that that the neighborhood has a large percentage of unoccupied homes so no additional housing in that area is needed. She commented that possible housing built on the site will not work. She

also requested the Board dedicate a staff member solely to manage this process related to Portland Avenue Center that is not involved with any other District projects as that could distract them.

Heather Bennett commented that she has lived in the Portland Avenue Park Area for three years with her two young children. She noted that park is a convenient walk for her family since she does not have a car at this time to drive to another location.

Paula VanPul stated that from a health perspective the neighborhood is struggling. She stated that mental health issues in the neighborhood are also prevalent due to overcrowding and related stress. She stated open space are important to the development of healthy individuals. Ms. VanPul commented there is no investment on the Eastside of Tacoma and there are transportation barriers.

Linda Sliva commented on her concern on an easement behind her home near Stewart Heights Park. She requested additional information from staff.

Suzanne Marten, chair of Centro Latino commented that her agency hopes that there will be continued programming for young children and adults at Portland Ave. She supports the efforts to improve health to individuals residing on the eastside of Tacoma. She commented that park agencies must build and sustain park support for culturally diverse residents. She suggested an equity based approach to future park planning.

Cynthia Feleppa commented in support of the Tacoma Waldorf School partnering with Metro Parks on using the Portland Ave Center for future use.

Jack Russum commented he has lived at E. 34<sup>th</sup> St. for 35 years. He commented on the changes he has witnessed over the years at Portland Avenue Park and Community Center. He urged the Board to leave the park as is and to find a suitable partner to take over the center that does not include housing.

Commissioner Reid thanked the citizens for commenting.

#### **MINUTES OF THE MARCH 26, 2018 REGULAR BOARD MEETING**

Commissioner Hanberg moved to adopt the minutes as presented; seconded by Commissioner Pointer and passed on a vote of 5-0.

#### **CONSENT AGENDA**

**RESOLUTION NO C. 32-18:** APPROVAL OF WARRANTS CLAIM FUND FOR MARCH 2018

**RESOLUTION NO C33-18:** ACCEPTING AND APPROPRIATING DONATIONS FROM THE ZOO SOCIETY

Commissioner Hanberg moved to adopt the consent agenda as presented; seconded by Commissioner Pointer and passed on a vote of 5-0.



**PURCHASING RESOLUTIONS****RESOLUTION NO. P34-18: AUTHORIZING PURCHASE OF GOODS AND SERVICES FOR METRO PARKS TACOMA**

1. PIERCE COUNTY SECURITY FOR SECURITY SERVICES IN AN AMOUNT NOT TO EXCEED \$85,000.

Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Pointer.

Marina Becker commented that this is for the contract with Pierce County Security. Ms. Becker noted and RFP was conducted in fall of 2015. Pierce County Security provides for a number of security needs for the District including the locking of gates and buildings, checking parks and restrooms, responding to alarm calls.

Commissioner Hanberg asked about the scope of services provided. Ms. Becker commented that the District has a window of time for parks to be opened /closed and monitored and having this service is the most efficient way to handle those needs. Commissioner Hanberg also asked about wage requirements for the services, Ms. Becker commented that PCSS is responsible in their contract to pay prevailing wages.

Ms. Becker indicated that the contract does cover the whole year and the PCSS is staff appropriately by the contractor depending on the needs outlined by MPT. They also coordinate with Tacoma and Ruston PD but are not armed and have limited authority.

Commissioner Baines asked about night patrols. Ms. Becker commented those patrols are based on current need identified by MPT. Commissioner Baines commented about future use of Park Rangers for this type of service as well

Being no additional comments the question was called and the resolution passed on a vote of 5-0.

**PUBLIC WORKS PURCHASING RESOLUTIONS** None**SINGLE READING RESOLUTIONS** None**SECOND READINGS RESOLUTIONS** None**FIRST READING RESOLUTIONS**

A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT OF TACOMA, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF UNLIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000 TO CONSTRUCT, EQUIP, RENOVATE, ACQUIRE, AND MAKE CERTAIN CAPITAL IMPROVEMENTS TO THE FACILITIES OF THE DISTRICT AND TO PAY CERTAIN COSTS OF ISSUANCE OF THE BONDS; PROVIDING FOR THE ANNUAL LEVY OF TAXES TO PAY THE BONDS; AND DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT THE AUTHORITY TO DETERMINE THE FINAL TERMS OF THE BONDS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.

Commissioner Hanberg moved to adopt the resolution; seconded by Commissioner Pointer.

Erwin Vidallon, Chief Financial Officer commented this is the third sale of bonds associated with the 2014 bond issue. A brief video giving an overview of municipal bond sales was

shown. This resolution has gone to the CIC for consideration. Staffers Don Higgins and Marci Kriebel were recognized for the prep. work on this issue. Bond council / advisors and underwriting team were introduced. Geoff Urbina of KeyBanc walked commissioners through the model of bond issuance to stay in line with the commitment made to taxpayers by building out assumptions.

Commissioner Hanberg asked what will allow the tax rate to stay the same from 2018-2026, Mr. Urbina indicated that amortizing and assessed value growth assumptions are used. Mr. Urbina stated that the bonds are on a fixed rate basis. Current market conditions were briefly reviewed with the Board. He noted the interest rate for non-taxable bonds is still healthy.

Shon Sylvia commented that staff will update the Board with the 6 year CIP.

Commissioner Reid asked if there will be any changes in the next two weeks that would affect anything associated with the sale. Erwin Vidallon commented that the market volatility is not expected to change anything prior to second reading.

Being no additional comments, the resolution moves to second reading on April 23, 2018.

**UNFINISHED BUSINESS** None

**NEW BUSINESS** None

**BOARD COMMENTS:**

Commissioner Hanberg commented positively on the Agents of Discovery app at Snake Lake.

President Smith commented that there will be a Committee of the Whole Meeting on April 16th.

**ADJOURN:**

Being no further business, the meeting was adjourned at 7:25.m.

**APPROVED:**

\_\_\_\_\_  
President

\_\_\_\_\_  
Clerk

Submitted by: Jennifer Bowman, Board Secretary



**MEMORANDUM**

TO: Board of Park Commissioners  
THROUGH: Shon Sylvia, Executive Director *Sylvia*  
FROM: Debbie Terwilleger  
SUBJECT: **Contract Award to Jasmine Brown for Art Services for the Billy Ray Memorial project at Eastside Community Center**  
DATE: April 14, 2018

**EXECUTIVE SUMMARY:** This resolution authorizes the contract award to Jasmine Brown for commissioning of artwork for the Billy Ray Memorial at the Eastside Community Center for an amount not to exceed \$70,000.00.

**CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION:** The Capital Improvement Committee reviewed this resolution at their meeting on April 11, 2018 and recommended forwarding this item on to the full Board for approval.

**BACKGROUND:** Metro Parks has contracted with the City of Tacoma for the Art administration services for the artwork desired for the Eastside Community Center. These services include the artist selection process, review process, coordination of fabrication and installation, and project close-out.

On January 10, 2018, a Call to Artists (Bid J2018-03) was publicly advertised on the City of Tacoma website, Metro Park's website, and approximately five public art related listserv and opportunity networks.

Thirteen artists submitted complete applications, and four finalists were invited to interview. The submissions were reviewed by an Artist Selection and review Panel of five community members and staff representatives: Molica Chau (MPT Arts and Heritage Advisory Committee), Shalisa Hayes (Billy Ray Foundation & Billy Ray's mother), Bryan Flint (GMPF Executive Director), Ed Kroupa (Artist and Two Ravens Foundry owner), Asia Tail (Artist). The following is an outline of the process followed:

- March 9, 2018-The panel met to review work samples and select finalists.
- March 16, 2018 -Interviewed finalists: the four finalists interviewed were: Bell, Stoll & Jordan, Jasmine Brown, Stan Shaw and Rotator, Thomas Warren
- The panel selected Jasmine Brown for the project. All artist have been notified of the selection.

On March 16, 2018, the Art Selection & Review Committee selected Jasmine Brown for the project and recommended the contract award for Art Services for the Billy Ray Memorial at Eastside Community Center.

**FISCAL IMPACT:** The amount of project funds that have been allocated to the Billy Ray Memorial Project from multiple funding sources including the Metro Parks Tacoma 2014 UTGO Bond in the amount of \$52,000.00, and The Greater Metro Parks Foundation in the amount of \$30,000.00 for a total funding of \$ 82,000.00

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwillegger, Director of Planning Design & Development at 253.305.1086.

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. PW36-18**

**BILLY RAY MEMORIAL PROJECT  
ART SERVICES CONTRACT AWARD TO JASMINE BROWN**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to move forward with the art design for the Billy Ray Memorial at the Eastside Community Center; and

WHEREAS, an art selection panel comprised of community members and artists interviewed four potential artists: Bell, Stoll & Jordan, Jasmine Brown, Stan Shaw & Rotator, Thomas Warren; and

WHEREAS, the review process for Call to Artists has been completed and it is the recommendation of the selection team that the contract for Billy Ray Memorial for Eastside Community Center be awarded to Jasmine Brown; now, therefore, be

RESOLVED, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to award a contract for the Billy Ray Memorial for the Eastside Community Center to be awarded to Jasmine Brown in an amount not to exceed \$70,000.00.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk





**MEMORANDUM**

TO: Board of Park Commissioners  
THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*  
FROM: Debbie Terwilleger, Director of Planning & Development  
SUBJECT: **Browns Point Lighthouse Park – Construction Contract Award to Puget Paving and Construction, Inc.**  
DATE: April 18, 2018

**EXECUTIVE SUMMARY:** This resolution authorizes contract award for the Browns Point Lighthouse Park Project to Puget Paving and Construction, Inc. in the amount of \$406,654.35 (includes Washington State Sales Tax).

**CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION:** The Capital Improvement Committee reviewed this resolution at their meeting on April 11, 2018 and recommended forwarding this item on to the full Board for approval.

**BACKGROUND:** A Scope Definition for the Browns Point Lighthouse Park project was approved by the Capital Projects Group on 3/7/2014, and amendments on 6/5/15 and 4/13/18, with a total project budget of \$616,450.20.

This project involves site work and improvements to provide a paved parking lot and ADA-accessible sidewalks down to the north beach area. Project specifics include:

- New asphalt parking lot with ADA-accessible stalls
- New concrete ADA-accessible sidewalks from parking down to the north shoreline
- Site furnishings – picnic tables, benches, trash receptacles
- Stormwater treatment system – bio-retention
- New lighthouse security/ornamental fencing

A competitive bid announcement was run in March 2018. We received five (5) bids, five (5) were considered responsive, and the lowest responsive bidder was Puget Paving and Construction, Inc. Staff is recommending award of the contract to Puget Paving and Construction, Inc.

**FISCAL IMPACT:** The funds for this project are from the 2005 UTGO Bond Funds; Browns Point Lighthouse Park and 2014 UTGO Bond Funds, Neighborhood Parks and Recreation Misc. Small Capital Improvements.

**Browns Point Light House Park:**

2005 UTGO Bond, Browns Point Lighthouse Park	\$401,450.20
2014 UTGO Bond, Neighborhood Parks & Recreation, Small Capital Improvements	\$215,000.00
<b>Total</b>	<b>\$616,450.20</b>

**Project Budget:**

Planning & Design	\$171,556.51
Building Construction (includes tax)	\$406,654.35
Other Cost	\$565.40
Contingency	\$37,673.94
<b>Total</b>	<b>\$ 616,450.20</b>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwilleger, Director of Planning and Development at 253-305-1086.





4702 South 19th Street  
 Tacoma, WA 98405-1175  
 T: (253) 305-1026  
 F: (253) 305-1098  
 Email: tammyrn@tacomaparks.com

Bid J2018-05 Browns Point Lighthouse Park  
 Advertised in TDI and DJC 3/1/18 BID DUE 3:00 PM March 19, 2018 BID OPENING: 3:00 pm

BIDDER NAME	D&D Construction, Inc.	Green Tech Excavation, Inc.	Ohno Construction Company	Puget Paving & Construction, Inc.	W.S. Contractors, LLC.
Address	PO Box 1133	9812 Coral Dr. SW	9416 Martin Luther King J. Way S.	10910 26th Ave S	PO Box 2300
City, State Zip	Orting, WA 98360	Lynwood, WA 98498	Seattle, WA 98118	Lakewood, WA 98499	Buckley, WA 98321
Contact	Cidy Schrader		Michio Ohno	Stefan Gehring	Heather Wilson
Telephone	253-538-9331	253-223-1120	206-325-1529	253-474-5616	206-374-2934
Fax					
Email	info@dndconstructioninc.com	greentechexcavation@gmail.com	esim@ohnoconstruction.com	stefan@pugetpavingna.com	rob@wscontract.com
<b>BIDDING DOCUMENTATION</b>					
Bid Proposal Signed	X	X	X	X	X
Addendum (1)	X	X	X	X	X
Mandatory Responsibility Bidder Certificate if Compliance with Wage Payment Statutes	X	X	X	X	X
Subcontractor Listing Form	NA	NA	NA	NA	NA
Non-Collusion Affidavit	X	X	X	X	X
Bid Bond (signed/notarized)	X	X	X	X	X
MWBE Utilization Form	X	X	X	X	X
<b>BASE BID</b>					
Base Bid	\$499,638.00	\$427,200.00	\$485,000.00	\$369,350.00	\$419,350.00
Base	\$499,638.00	\$427,200.00	\$485,000.00	\$369,350.00	\$419,350.00
Tax 10.1%	\$50,463.44	\$43,147.20	\$48,985.00	\$37,304.35	\$42,354.35
Grand Total:	\$550,101.44	\$470,347.20	\$533,985.00	\$406,654.35	\$461,704.35

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. PW37-18  
BROWNS POINT LIGHTHOUSE PARK CONTRACT AWARD  
PUGET PAVING AND CONSTRUCTION, INC.  
BID NO. J2018-05**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to make improvements to the Browns Point Lighthouse Park; and

WHEREAS, funds for the project consist of Metro Parks Tacoma 2005 Bond; Browns Point Lighthouse and 2014 Bond, Neighborhood Parks & Recreation Misc. Small Capital Improvements; and

WHEREAS, the advertisement for formal bids was used to solicit the bids required and five (5) bids were received with five (5) being considered responsive; and

WHEREAS, the low bid was submitted by Puget Paving & Construction, Inc. in the amount of \$406,654.35 (includes Washington State Sales Tax), has been reviewed by contract compliance, and is considered a responsive bid; and

WHEREAS, the staff has checked the references of Puget Paving & Construction, Inc. and find them to be responsible; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to award the contract Base Bid to Puget Paving & Construction, Inc., in the amount of \$406,654.35 (includes Washington State Sales Tax).

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk



**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *S. Sylvia*

FROM: Debbie Terwilleger, Director of Planning & Development

SUBJECT: **PDZA RS Elevator Improvements – Construction Contract Award to R.C. Zeigler, Inc.**

DATE: April 18, 2018

**EXECUTIVE SUMMARY:** This resolution authorizes contract award for the PDZA Rocky Shores (RS) Elevator Improvements Project to R.C. Zeigler, Inc. in the amount of \$382,865.04 (includes Washington State Sales Tax).

**CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION:** The Capital Improvement Committee reviewed this resolution at their meeting on April 11, 2018 and recommended forwarding this item on to the full Board for approval.

**BACKGROUND:** A Scope Definition for PDZA RS Elevator Improvements was approved by the Capital Projects Group on 7/08/2016 and amendments on 4/14/17, 8/25/2017, and 4/6/2018 with a total project budget of \$530,000.00 earmarked for the PDZA RS Elevator Improvements Project. This project involves the installation of a new elevator and all components of that required to bring the elevator system and associated infrastructure up to code.

- New fully operational and code compliant elevator system.
- Roof mounting heat pump for machine room climate control.
- New roof on existing underwater viewing structure.
- Code required upgrades to elevator machine room, shaft, and landing areas.

A competitive bid announcement was run on February 14, 2018. Two (2) bids were received, two (2) were considered responsive and the lowest responsive bidder was R.C. Zeigler, Inc. Staff is recommending award of the contract to R.C. Zeigler, Inc.

**FISCAL IMPACT:** The funds for this project are from the 2014 UTGO Bond Funds, PDZA North Pacific Aquarium & Exhibits - Rocky Shores Exhibit.

**Point Defiance Zoo & Aquarium Rocky Shores Elevator Improvements:**

2014 UTGO Bond, PDZA; North Pacific Aquarium & Exhibits - Rocky Shores Exhibit	\$530,000.00
1% for Art	-\$3,591.00
<b>Total</b>	<b>\$ 526,409.00</b>

**Project Budget:**

Planning & Design	\$18,955.00
Building Construction (includes tax)	\$382,856.04
Owner Cost	\$ 5,180.53
Contingency	\$119,417.43
<b>Total</b>	<b>\$ 526,409.00</b>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwilleger, Director of Planning and Development at 253-305-1086.



4702 South 19th Street  
 Tacoma, WA 98405-1175  
 T: (253) 305-1026  
 F: (253) 305-1098  
 Email: tammyrn@tacomaparks.com

Bid J2018-04 RS Elevator Improvements  
 Advertised in TDI and DJC 2/14/18 BID DUE 2:00 PM March 15, 2018 BID OPENING: 2:00 pm

<b>BIDDER NAME</b>	Beisley Inc	R. C. Zeigler Company, Inc.	
Address	PO Box 656	PO Box 995	
City, State Zip	Gig Harbor, WA 98335	Carnation, WA 98014	
Contact	William Beisley	Jesse Zeigler	
Telephone	253-514-6057	425-333-4797	
Fax			
Email	bbeisley@beisleyinc.com	jzeigler@rczeigler.com	
<b>BIDDING DOCUMENTATION</b>			
Bid Proposal Signed	X	X	
Addendum (1)	X	X	
Mandatory Responsibility Bidder	X	X	
Certificate of Compliance with Wage Payment Statutes	X	X	
Subcontractor Listing Form	n/a	n/a	
Non-Collusion Affidavit	X	X	
Bid Bond (signed/notarized)	X	X	
MWBE Utilization Form	X	X	
<b>BASE BID</b>			
Base Bid	\$415,000.00	\$347,743.00	

Base \$415,000.00  
 Tax 10.1% \$41,915.00  
 Grand Total: \$456,915.00

\$347,743.00  
 \$35,122.04  
 \$382,865.04

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. PW38-18  
PDZA ROCKY SHORES ELEVATOR IMPROVEMENTS  
CONTRACT AWARD  
R.C. ZEIGLER, INC.  
BID NO. J2018-04**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to make improvements to the Point Defiance Zoo and Aquarium Rocky Shores Elevator; and

WHEREAS, funds for the project consist of Metro Parks Tacoma 2014 Bond; Point Defiance Zoo and Aquarium North Pacific Aquarium & Exhibits, Rocky Shores Exhibit; and

WHEREAS, the advertisement for formal bids was used to solicit the bids required and two (2) bids were received with two (2) being considered responsive; and

WHEREAS, the low bid submitted by R.C. Zeigler, Inc. in the amount of \$382,865.04 (includes Washington State Sales Tax) has been reviewed by contract compliance, and is considered a responsive bid; and

WHEREAS, the staff has checked the references of R.C. Zeigler, Inc. and find them to be responsible; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to award the contract Base Bid to R.C. Zeigler, Inc. in the amount of \$382,865.04 (includes Washington State Sales Tax).

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2018.

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk



**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Debbie Terwilleger, Director of Planning & Development

SUBJECT: **Point Defiance Zoo & Aquarium Asian Forest Sanctuary Solar Project, Accepting and Appropriating \$50,000 from the Tacoma Public Utilities Evergreen Options Grant.**

DATE: April 18, 2018

**EXECUTIVE SUMMARY:** This resolution accepts and appropriates \$50,000.00 from the Tacoma Public Utilities Evergreen Options Grant for Point Defiance Zoo & Aquarium Asian Forest Sanctuary Solar Project and authorizes the Executive Director to enter into an agreement with the Tacoma Public Utilities.

**CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION:** The Capital Improvement Committee reviewed this resolution at their meeting on April 11, 2018 and recommended forwarding this item on to the full Board for approval.

**BACKGROUND:** In the fall of 2017 the Point Defiance Zoo & Aquarium submitted a grant proposal for a Solar Project to be placed on top of the Asia Forest Sanctuary to the Evergreen Options Renewable Energy Grant Committee at Tacoma Public Utilities.

This project is estimated to generate 26,424 kWh of photovoltaic electricity per year and will pay off the project total cost in roughly 11 years. PDZA is prepared to offer matching funds up to half the project cost.

Construction of this project is expected to begin in the summer of 2018 and be complete before fall.

Staff is requesting that the Board of Park Commissioners Accept and appropriate the Tacoma Public Utilities Evergreen Options Grant, and authorize the Executive Director to enter into an agreement with the Tacoma Public Utilities for the funding.

**FISCAL IMPACT:** The total cost of Point Defiance Zoo & Aquarium Asian Forest Sanctuary Solar project is estimated at \$95,000.00. Funds will come from PDZA Operating Funds and Tacoma Public Utilities – Evergreen Options Grant Fund. Funding that has been specifically identified to date includes the below:

**Point Defiance Zoo & Aquarium Asian Forest Sanctuary Solar Project:**

PDZA Operating Funds	\$45,000.00
Evergreen Options Grant Funds	\$50,000.00
<b>Total</b>	<b>\$ 95,000.00</b>

**Project Budget:**

Construction (includes tax)	\$90,000.00
Contingency	\$5,000.00
<b>Total</b>	<b>\$ 95,000.00</b>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwillegger, Director of Planning & Development, at 253-305-1086.



**METROPOLITAN PARK DISTRICT OF TACOMA  
RESOLUTION NO. R39-18**

**POINT DEFIANCE ZOO & AQUARIUM  
ASIAN FOREST SANCTUARY SOLAR PROJECT  
ACCEPTING AND APPROPRIATING  
\$50,000 FROM TACOMA PUBLIC UTILITIES – EVERGREEN OPTIONS GRANT**

WHEREAS, the Tacoma Public Utilities established a renewable energy grant program for renewable energy projects installed at non-residential building sites to promote its Evergreen Options program; and

WHEREAS, in March 2018, the Tacoma Public Utilities provided a memo of understanding – Evergreen Options Grant Award for the Point Defiance Zoo & Aquarium Asian Forest Sanctuary Solar Project; now, therefore, be it

RESOLVED, that the Board of Park Commissioners accept and appropriate \$50,000 from Tacoma Public Utilities Evergreen Options Grant for the Point Defiance Zoo & Aquarium- Asian Forest Sanctuary Solar Project; and be it

FURTHER RESOLVED, that the Executive Director is authorized to execute an agreement for the \$50,000 contribution to the Point Defiance Zoo & Aquarium – Asian Forest Sanctuary Solar Project with Tacoma Public Utilities Evergreen Options Grant.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2018.

\_\_\_\_\_  
President

**ATTEST:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk





**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Sylvia*

FROM: Debbie Terwilleger, Director of Planning & Development

SUBJECT: **Eastside Community Center  
Accepting and Appropriating \$30,000.00 from the Greater Metro Parks  
Foundation for Eastside Community Center Billy Ray Memorial**

DATE: April 18, 2018

**EXECUTIVE SUMMARY:** This resolution accepts and appropriates \$30,000.00 from the Greater Metro Parks Foundation (GMPF) for Eastside Community Center art construction and installation.

**CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION:** The Capital Improvement Committee reviewed this resolution at their meeting on April 11, 2018 and recommended forwarding this item on to the full Board for approval.

**BACKGROUND:** A new community center is desired on the Eastside of Tacoma, to provide for athletic facilities, youth oriented facilities and programming, and community meeting areas. Metro Parks Tacoma, the Greater Metro Parks Foundation, City of Tacoma and Tacoma Public Schools are working together to fund the planning, design, and construction of the new community center along with the included art.

The GMPF is a private, nonprofit organization that has been servicing the Tacoma area since 1991. The mission of the GMPF is "Inviting you to build a healthier, more vibrant community by investing in people and parks." The GMPF is comprised of a group of community board volunteers who are all committed to improving parks and recreation in our community.

Metro Parks Tacoma staff members play an active role in raising funds with the Resource Development Office and the GMPF to benefit Metro Parks Tacoma. Support from MPT program and project staff is vital to the success of private philanthropy.

The Greater Metro Parks Foundation distributes funds to Metro Parks Tacoma semiannually for specifically earmarked programs, or earlier if required.

Staff is requesting that the Board of Park Commissioners Accept and appropriate \$30,000.00 from the Greater Metro Parks Foundation, and authorize the Executive Director to accept GMPF letter of intent for the funding.

**FISCAL IMPACT:** The total cost of the Billy Ray Memorial for the Eastside Community Center project is estimated at \$82,000.00. Funds will come from 14TUGO Bond Funds and the Greater Metro Parks Foundation, as noted below:

<b>Funding:</b>							
F340 14TUGO Project#63222							\$52,000.00
Greater Metro Parks Foundation							\$30,000.00
<b>TOTAL:</b>							<b>\$82,000.00</b>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Terwilliger, Director of Planning & Development, at 253-305-1086.

**METROPOLITAN PARK DISTRICT OF TACOMA  
RESOLUTION NO. R40-18**

**EASTSIDE COMMUNITY CENTER  
ACCEPTING AND APPROPRIATING \$30,000 FROM THE  
GREATER METRO PARKS FOUNDATION FOR THE BILLY RAY MEMORIAL**

WHEREAS, the Eastside Community Center will be owned and operated by Metro Parks Tacoma; and

WHEREAS, Greater Metro Parks Foundation (GMPF) was established to promote financial support for Metro Park's programs, services and projects conducted by Metro Parks Tacoma; and

WHEREAS, the GMPF desires to provide Metro Parks Tacoma with a disbursement of \$30,000.00 in the contributed funds for the Billy Ray Memorial project; now, therefore, be it

RESOLVED, that the Board of Park Commissioners accept and appropriate \$30,000.00 from the GMPF for the Eastside Community Center Billy Ray Memorial Project; and be it

FURTHER RESOLVED, the Executive Director is authorized to accept the letter of intent from the GMPF.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2018.

\_\_\_\_\_  
President

**ATTEST:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk





**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Sylvia*

FROM: Alan Varsik, Director of ZEED

SUBJECT: **Accepting and Appropriating Funds from the Margaret A. Cargill Foundation for the Wildlife Champions Community Engagement program at Point Defiance Zoo & Aquarium**

DATE: April 12, 2018

**EXECUTIVE SUMMARY:** Staff is recommending that funding be accepted and appropriated from the Margaret A. Cargill Foundation for the \$749,000.00 at Point Defiance Zoo & Aquarium.

**BACKGROUND:** The purpose of this project is to establish a long-term partnership between Tacoma, Washington elementary schools and the Metropolitan Park District of Tacoma to promote empathy towards animals by connecting students and their families to animals and a natural area in their community through a year-round program.

**FISCAL IMPACT:** The Margaret A. Cargill Foundation approved a grant to Metropolitan Park District of Tacoma in the amount of \$749,000.00 for the Wildlife Champions Community Engagement at Point Defiance Zoo & Aquarium. The funds must be used between May 1, 2018 and September 30, 2021.

**ADDITIONAL INFORMATION:** For additional information, contact Alan Varsik at 253-404-3634.

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. R41-18**

**ACCEPTING AND APPROPRIATING \$749,000 FROM THE  
MARGARET A. CARGILL FOUNDATION FOR THE  
WILDLIFE CHAMPIONS COMMUNITY ENGAGEMENT PROGRAM AT  
POINT DEFIANCE ZOO & AQUARIUM**

WHEREAS, Metro Parks Tacoma wishes to enhance the programming Point Defiance Zoo & Aquarium for the benefit of the residents of Tacoma and Pierce County; and

WHEREAS, the Margaret A. Cargill Foundation's program goals are an emphasis on young children from toddlers through elementary school to foster empathy for animals; and

WHEREAS, the goal is to establish a long-term partnership between Tacoma, Washington elementary schools and the Metropolitan Park District of Tacoma to promote empathy towards animals by connecting students and their families to animals and a natural area in their community through a year-round program; and

WHEREAS, the Margaret A. Cargill Foundation approved a grant to Metropolitan Park District of Tacoma in the amount of \$749,000 for the Wildlife Champions Community Engagement at Point Defiance Zoo & Aquarium; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to accept and appropriate a grant from the Margaret A. Cargill Foundation for the Wildlife Champions Community Engagement at Point Defiance Zoo & Aquarium.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on           , 2018.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk





**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Erwin Vidallon, Chief Financial Officer

SUBJECT: **Authorizing Issuance and Sale of up to \$50,000,000 Principal Amount of Unlimited Tax General Obligation (UTGO) Bonds and Delegate Authority to the Chief Financial Officer**

DATE: April 9, 2018

**EXECUTIVE SUMMARY:** This resolution authorizes the third sale of bonds associated with the successful passage of the \$198 million bond in 2014. This sale will provide funding for the continuing phases of existing projects and begin new projects as identified in the Capital Improvement Program to construct, equip, renovate, acquire, and make certain capital improvements to the facilities of the District and to pay certain costs of issuance of the bonds. The resolution also delegates to the Chief Financial Officer the authority to determine the final terms and conditions most advantageous to the District.

This sale will be a negotiated sale with our underwriter, Key Banc Capital Markets, serving as the Board's lead negotiator (Geoff Urbina, Managing Director will be at the April 9<sup>th</sup> meeting). The Board's financial advisor, NW Municipal Advisors, will also assist Metro Parks in the negotiation to ensure that the District receives the most competitive price for the bonds at the time of closing. The Board's bond counsel, Deanna Gregory from Pacifica Law Group, will also be in attendance to answer any legal questions regarding the bonds.

The schedule for the bond sale is projected to be:

- April 9<sup>th</sup> First Reading
- April 23<sup>rd</sup> 2<sup>nd</sup> & Final Reading to Adopt Bond Resolution
- May 1<sup>st</sup> Bond Pricing and Purchase Agreement
- May 15<sup>th</sup> Bond Closing

**BACKGROUND:** The District issued and sold the first series of authorized bonds dated December 2, 2014, pursuant to Resolution No. RR66-14 in the aggregate principal amount of \$33,400,000; and issued a second series dated December 1, 2016, pursuant to Resolution No. RR98-16 in the aggregate principal amount of \$76,290,000.

In addition to authorizing the new bond issuance, the resolution delegates authority to the Chief Financial Officer to undertake the transactions. Since market conditions for bond interest rates fluctuates and may increase, the most favorable market conditions may occur on a day other than a regularly scheduled Board meeting. Therefore, it is important for the Chief Financial Officer to have the discretion to take advantage of the most favorable market conditions. The delegation authority establishes certain parameters that must be met for the issues, including maximum issue amounts and interest costs. The authority expires after 180 days from the Board's approval.

**FISCAL IMPACT:** The funds from the new bond issuance are required to continue executing and funding the capital projects as approved in the capital improvement program. Based on our conservative assumptions, the average levy rate over the life of the 2018 Bonds is \$0.11/\$1,000. Further, using similar assumptions, we have estimated that the average levy rate for all bond issues in aggregate, including future issuances in 2020 and 2023 is \$0.40/\$1,000 over the life of all bond issues.

Due to the time of year the 2018 Bonds are being issued, the 2018 Tax Year will not be affected. Assuming a conservative increase in Assessed Value for Tax Year 2019, the total excess property tax levies for all outstanding voter-approved bonds are estimated to be \$.82 per \$1,000 of assessed value.

There is no direct fiscal impact to the District for this is a UTGO issuance.

**ADDITIONAL INFORMATION:** For additional information, please contact Erwin Vidallon at 253-305-1081.

METROPOLITAN PARK DISTRICT OF TACOMA  
PIERCE COUNTY, WASHINGTON

UNLIMITED TAX GENERAL OBLIGATION BONDS, 2018

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RESOLUTION NO. RR35-18

A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT OF TACOMA, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF UNLIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000 TO CONSTRUCT, EQUIP, RENOVATE, ACQUIRE, AND MAKE CERTAIN CAPITAL IMPROVEMENTS TO THE FACILITIES OF THE DISTRICT AND TO PAY CERTAIN COSTS OF ISSUANCE OF THE BONDS; PROVIDING FOR THE ANNUAL LEVY OF TAXES TO PAY THE BONDS; AND DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT THE AUTHORITY TO DETERMINE THE FINAL TERMS OF THE BONDS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.

APPROVED ON APRIL 23, 2018

PREPARED BY:

PACIFICA LAW GROUP LLP  
Seattle, Washington

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. RR35-18

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Exhibit A – Bond Form

\* This Table of Contents and the cover page are not a part of the following resolution and are included only for the convenience of the reader.

RESOLUTION NO. RR35-18

A RESOLUTION OF THE BOARD OF PARK COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT OF TACOMA, PIERCE COUNTY, WASHINGTON, AUTHORIZING THE ISSUANCE AND SALE OF UNLIMITED TAX GENERAL OBLIGATION BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$50,000,000 TO CONSTRUCT, EQUIP, RENOVATE, ACQUIRE, AND MAKE CERTAIN CAPITAL IMPROVEMENTS TO THE FACILITIES OF THE DISTRICT AND TO PAY CERTAIN COSTS OF ISSUANCE OF THE BONDS; PROVIDING FOR THE ANNUAL LEVY OF TAXES TO PAY THE BONDS; AND DELEGATING TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT THE AUTHORITY TO DETERMINE THE FINAL TERMS OF THE BONDS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.

WHEREAS, at an election held in the Metropolitan Park District of Tacoma, Pierce County, Washington (the "District") on April 22, 2014, the number and proportion of the qualified electors of the District required by law for the adoption thereof voted in favor of a proposition authorizing the issuance of bonds of the District in the aggregate principal amount of not to exceed \$198,000,000 to provide the funds to construct, equip, renovate, acquire, and make certain capital improvements to the facilities of the District (the "Projects") as authorized by Resolution No. RR15-14, adopted on February 24, 2014 (the "Election Resolution"), by the Board of Park Commissioners of the District (the "Board"); and

WHEREAS, the District issued and sold the first series of such authorized bonds dated December 2, 2014, pursuant to Resolution No. RR66-14 in the aggregate principal amount of \$33,400,000, which resulted in a Capital Improvements Fund deposit of \$35,000,000; and

WHEREAS, the District issued a second series of such authorized bonds dated December 1, 2016, pursuant to Resolution No. RR98-16 in the aggregate principal amount of \$76,290,000, which resulted in a Capital Improvements Fund deposit in the amount of \$78,935,779; and

WHEREAS, it is deemed necessary and advisable that the District now issue and sell an additional series of such authorized bonds to provide additional funds to finance the Projects; and

WHEREAS, the District expects to receive a proposal from KeyBanc Capital Markets Inc. (the "Underwriter") and now desires to issue and sell the bonds to the Underwriter as set forth herein;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PARK COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT OF TACOMA, PIERCE COUNTY, WASHINGTON, as follows:

Section 1. Definitions.

As used in this resolution, the following words shall have the following meanings:

**Beneficial Owner** means the beneficial owner of all or a portion of a Bond while such Bond is in fully immobilized form.

**Board** means the Board of Park Commissioners of the District as the same shall be duly and regularly constituted from time to time.

**Bond Counsel** means Pacifica Law Group LLP or an attorney at law or a firm of attorneys, selected by the District, of nationally recognized standing in matters pertaining to the tax exempt nature of interest on bonds issued by states and their political subdivisions.

**Bond Fund** means the fund or account authorized to be created pursuant to Section 8 of this resolution.

**Bond Register** means the registration records for the Bonds maintained by the Bond Registrar.

**Bond Registrar** means the fiscal agent of the State, whose duties include registering and authenticating the Bonds, maintaining the Bond Register, transferring ownership of the Bonds, and paying the principal of and interest on the Bonds.

**Bonds** mean the District's Unlimited Tax General Obligation Bonds, 2018, or other series designation as approved by the Designated Representative, authorized to be issued pursuant to the terms of this resolution.

**Capital Improvements Fund** means the Metropolitan Park District of Tacoma Capital Improvements Fund previously created in the office of the Treasurer of the District.

**Chief Financial Officer** means the duly appointed and acting Chief Financial Officer of the District or the successor to such office.

**Closing** means the date of delivery of the Bonds to the Underwriter.

**Code** means the Internal Revenue Code of 1986 as in effect on the date of issuance of the Bonds or (except as otherwise referenced herein) as it may be amended to apply to obligations issued on the date of issuance of the Bonds, together with applicable proposed, temporary and final regulations promulgated, and applicable official public guidance published, under the Code.

**Continuing Disclosure Certificate** means the written undertaking for the benefit of the owners and Beneficial Owners of the Bonds as required by Section (b)(5) of the Rule.

**Designated Representative** means the Chief Financial Officer of the District, or his or her designee.

**District** means the Metropolitan Park District of Tacoma, Pierce County, Washington, a municipal corporation duly organized and existing under and by virtue of the laws of the State.

**DTC** means The Depository Trust Company of New York, New York, as depository for the Bonds, or any successor depository for the Bonds.

**Election Resolution** means Resolution No. RR15-14 adopted by the Board on February 24, 2014.

**Fair Market Value** means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction, except for specified investments as described in Treasury Regulation §1.148-5(d)(6), including United States Treasury obligations, certificates of deposit, guaranteed investment contracts, and investments for yield restricted defeasance escrows. Fair Market Value is generally determined on the date on which a contract to purchase or sell an investment becomes binding, and, to the extent required by the applicable regulations under the Code, the term "investment" will include a hedge.

**Federal Tax Certificate** means the certificate executed by the Designated Representative setting forth the requirements of the Code for maintaining the tax exemption of interest on the Bonds, and attachments thereto.

**Government Obligations** means those obligations now or hereafter defined as such in chapter 39.53 RCW constituting direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, as such chapter may be hereafter amended or restated.

**Letter of Representations** means the Blanket Issuer Letter of Representations from the District to DTC.

**MSRB** means the Municipal Securities Rulemaking Board or any successors to its functions.

**Official Statement** means the disclosure documents prepared and delivered in connection with the issuance of the Bonds.

**Projects** mean the capital projects described in the recitals of this resolution and more particularly described in the Election Resolution to be financed with proceeds of the Bonds.

**Purchase Contract** means the bond purchase agreement between the District and the Underwriter provided for in Section 11 of this resolution.

**Record Date** means the close of business for the Bond Registrar that is 15 days preceding any interest and/or principal payment or redemption date.

**Registered Owner** means the person in whose name a Bond is registered on the Bond Register. For so long as the District utilizes the book-entry only system for the Bonds, DTC shall be deemed to be the Registered Owner.

**Rule** means the United States Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934, as amended from time to time.

**State** means the state of Washington.

**Treasurer** means the Pierce County Office of Budget and Finance, as *ex officio* Treasurer of the District, or any successor to the functions thereof.

**Underwriter** means KeyBanc Capital Markets Inc., or its successors.

**Rules of Interpretation.** In this resolution, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this resolution, refer to this resolution as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this resolution;

(b) Words of the masculine or feminine gender shall mean and include correlative words of any genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and sections of this resolution, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this resolution, nor shall they affect its meaning, construction or effect; and

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof.

## Section 2. Authorization of Bonds.

For the purpose of paying and/or reimbursing the District for the costs for the Projects as authorized by the Election Resolution and the qualified electors of the District at a special election held on April 22, 2014, and paying costs of issuance, the District shall now issue and sell its unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$50,000,000 (the “Bonds”), as set forth herein.

The Bonds shall be designated as the “Metropolitan Park District of Tacoma, Pierce County, Washington, Unlimited Tax General Obligation Bonds, 2018” with additional series designation or other such designation as determined to be necessary by the Designated



Representative. The Bonds shall be dated as of the date of Closing; shall be fully registered as to both principal and interest; shall be in the denomination of \$5,000 each or any integral multiple thereof within a maturity, provided that no Bond shall represent more than one maturity; shall be numbered separately in such manner and with any additional designation as the Bond Registrar deems necessary for purposes of identification; and shall bear interest from their date payable on the days and at the rates set forth in the Purchase Contract; and shall mature on the dates and in the principal amounts set forth in the Purchase Contract and as approved by the Designated Representative pursuant to Section 11 of this resolution.

Section 3. Registration, Payment and Transfer.

(a) *Bond Registrar/Bond Register.* The District hereby requests that the Treasurer specify and adopt the system of registration and transfer for the Bonds approved by the Washington State Finance Committee from time to time through the appointment of a state fiscal agent. The District shall cause a bond register to be maintained by the Bond Registrar. So long as any Bonds remain outstanding, the Bond Registrar shall make all necessary provisions to permit the exchange or registration or transfer of Bonds at its principal corporate trust office. The Bond Registrar may be removed at any time at the option of the Treasurer upon prior notice to the Bond Registrar, DTC and a successor Bond Registrar appointed by the Treasurer. No resignation or removal of the Bond Registrar shall be effective until a successor shall have been appointed and until the successor Bond Registrar shall have accepted the duties of the Bond Registrar hereunder. The Bond Registrar is authorized, on behalf of the District, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of such Bonds and this resolution and to carry out all of the Bond Registrar's powers and duties under this resolution. The Bond Registrar shall be responsible for its representations contained in the Certificate of Authentication on the Bonds.

(b) *Registered Ownership.* The District and the Bond Registrar, each in its discretion, may deem and treat the Registered Owner of each Bond as the absolute owner thereof for all purposes (except as provided in the ongoing disclosure undertaking executed in accordance with the Rule), and neither the District nor the Bond Registrar shall be affected by any notice to the contrary. Payment of any such Bond shall be made only as described in Section 3(g) hereof, but such Bond may be transferred as herein provided. All such payments made as described in Section 3(g) shall be valid and shall satisfy and discharge the liability of the District upon such Bond to the extent of the amount or amounts so paid.

(c) *DTC Acceptance/Letter of Representations.* The District has executed and delivered to DTC a Letter of Representations. Neither the District nor the Bond Registrar will have any responsibility or obligation to DTC participants or the persons for whom they act as nominees (or any successor depository) with respect to the Bonds in respect of the accuracy of any records maintained by DTC (or any successor depository) or any DTC participant, the payment by DTC (or any successor depository) or any DTC participant of any amount in respect of the principal of or interest on Bonds, any notice which is permitted or required to be given to Registered Owners under this resolution (except such notices as shall be required to be given by the District to the Bond Registrar or to DTC (or any successor depository), or any consent given or other action taken by DTC (or any successor depository) as the Registered Owner. For so long as any Bonds are held in fully-immobilized form hereunder, DTC or its successor depository shall be deemed to be the Registered Owner for all purposes hereunder, and all references herein to the

Registered Owners shall mean DTC (or any successor depository) or its nominee and shall not mean the owners of any beneficial interest in such Bonds.

(d) *Use of Depository.*

(1) The Bonds shall be registered initially in the name of "Cede & Co.", as nominee of DTC, with one Bond maturing on each of the maturity dates for the Bonds in a denomination corresponding to the total principal therein designated to mature on such date.

Registered ownership of such immobilized Bonds, or any portions thereof, may not thereafter be transferred except (A) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (B) to any substitute depository appointed by the Designated Representative pursuant to subsection (2) below or such substitute depository's successor; or (C) to any person as provided in subsection (4) below.

(2) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by the Designated Representative to discontinue the system of book-entry transfers through DTC or its successor (or any substitute depository or its successor), the Designated Representative may hereafter appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(3) In the case of any transfer pursuant to clause (A) or (B) of subsection (1) above, the Bond Registrar shall, upon receipt of all outstanding Bonds, together with a written request from the Designated Representative, issue a single new Bond for each maturity then outstanding, registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such written request of the Designated Representative.

(4) In the event that (A) DTC or its successor (or any substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (B) the Designated Representative determines that it is in the best interest of the beneficial owners of the Bonds that such owners be able to obtain such Bonds in the form of Bond certificates, the ownership of such Bonds may then be transferred to any person or entity as herein provided, and shall no longer be held in fully-immobilized form. The Designated Representative shall deliver a written request to the Bond Registrar, together with a supply of definitive Bonds, to issue Bonds as herein provided in any authorized denomination. Upon receipt by the Bond Registrar of all then outstanding Bonds together with a written request on behalf of the Board to the Bond Registrar, new Bonds shall be issued in the appropriate denominations and registered in the names of such persons as are requested in such written request.

(e) *Registration of Transfer of Ownership or Exchange; Change in Denominations.* The transfer of any Bond may be registered and Bonds may be exchanged, but no transfer of any such Bond shall be valid unless such Bond is surrendered to the Bond Registrar with the assignment form appearing on such Bond duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Bond Registrar. Upon

such surrender, the Bond Registrar shall cancel the surrendered Bond and shall authenticate and deliver, without charge to the Registered Owner or transferee therefor, a new Bond (or Bonds at the option of the new Registered Owner) of the same date, maturity, redemption provisions and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Bond, in exchange for such surrendered and cancelled Bond. Any Bond may be surrendered to the Bond Registrar and exchanged, without charge, for an equal aggregate principal amount of Bonds of the same date, maturity, redemption provisions and interest rate, in any authorized denomination. The Bond Registrar shall not be obligated to register the transfer or to exchange any Bond during the 15 days preceding the date any such Bond is to be redeemed.

(f) *Bond Registrar's Ownership of Bonds.* The Bond Registrar may become the Registered Owner of any Bond with the same rights it would have if it were not the Bond Registrar, and to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as member of, or in any other capacity with respect to, any committee formed to protect the right of the Registered Owners of the Bonds.

(g) *Place and Medium of Payment.* Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America. Interest on the Bonds shall be calculated on the basis of a year of 360 days and twelve 30 day months. For so long as all Bonds are held by a depository, payments of principal thereof and interest thereon shall be made to Registered Owners as of the Record Date as provided in accordance with the operational arrangements of DTC referred to in the Letter of Representations. In the event that the Bonds are no longer held by a depository, interest on the Bonds shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Bond Register on the Record Date, or upon the written request of a Registered Owner of more than \$1,000,000 of Bonds (received by the Bond Registrar at least by the Record Date), such payment shall be made by the Bond Registrar by wire transfer to the account within the United States designated by the Registered Owner. Principal of the Bonds shall be payable upon presentation and surrender of such Bonds by the Registered Owners at the designated office of the Bond Registrar.

If any Bond shall be duly presented for payment and funds have not been duly provided by the District on such applicable date, then interest shall continue to accrue thereafter on the unpaid principal thereof at the rate stated on such Bond until such Bond is paid.

#### Section 4. Redemption and Purchase of Bonds.

(a) *Optional Redemption.* The Designated Representative may designate all or a portion of the maturities of the Bonds as being subject to redemption at the option of the District prior to their respective maturities on the dates and at the prices set forth in the Purchase Contract.

(b) *Mandatory Redemption.* In the event that the Underwriter specifies one or more maturities as term bonds, the term bonds will be redeemed in accordance with the maturity schedule set forth in the Purchase Contract (unless such term bonds shall previously have been optionally redeemed).

(c) *Selection of Bonds for Redemption.* As long as the Bonds are held in book-entry only form, the selection of Bonds within a maturity to be redeemed shall be made in accordance with the operational arrangements in effect at DTC. If the Bonds are no longer held in uncertificated form, the selection of such Bonds to be redeemed shall be made as provided in this subsection (c). If the District redeems at any one time fewer than all of the Bonds having the same maturity date, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot (or in such other manner determined by the District) in increments of \$5,000. In the case of a Bond of a denomination greater than \$5,000, the District and Bond Registrar shall treat each Bond as representing such number of separate Bonds each of the denomination of \$5,000 as is obtained by dividing the actual principal amount of such Bond by \$5,000. In the event that only a portion of the principal sum of a Bond is redeemed, upon surrender of such Bond at the principal office of the Bond Registrar there shall be issued to the Registered Owner, without charge therefor, for the then unredeemed balance of the principal sum thereof, at the option of the Registered Owner, a Bond or Bonds of like maturity and interest rate in any of the denominations herein authorized. If Bonds are called for optional redemption, portions of the principal amount of such Bonds, in installments of \$5,000 or any integral multiple of \$5,000, may be redeemed.

(d) *Purchase of Bonds.* The District reserves the right to purchase any of the Bonds offered to it at any time at a price deemed reasonable by the District.

(e) *Notice of Redemption.*

(1) Official Notice. Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any such redemption, which notice may be conditional, shall be given by the Bond Registrar on behalf of the District by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner of the Bond or Bonds to be redeemed at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. Notwithstanding anything to the contrary herein, for so long as the Bonds are held in uncertificated form, notice of redemption shall be given in accordance with the operational arrangements of DTC as then in effect, and neither the District nor the Bond Registrar will provide any notice of redemption to any Beneficial Owners.

All official notices of redemption shall be dated and shall state: (A) the redemption date, (B) the redemption price, (C) if fewer than all outstanding Bonds are to be redeemed, the identification by series and maturity (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (D) that (unless the notice of redemption is a conditional notice, in which case the notice shall state that interest shall cease to accrue from the redemption date if and to the extent that funds have been provided to the Bond Registrar for the redemption of Bonds) on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, (E) any conditions to redemption; and (F) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar.

On or prior to any redemption date, unless such redemption has been rescinded or revoked, the District shall deposit with the Bond Registrar an amount of money sufficient to pay the

redemption price of all the Bonds or portions of Bonds which are to be redeemed on that date. The District retains the right to rescind any redemption notice and the related optional redemption of Bonds by giving notice of rescission to the affected registered owners at any time on or prior to the scheduled redemption date. Any notice of optional redemption that is so rescinded shall be of no effect, and the Bonds for which the notice of optional redemption has been rescinded shall remain outstanding.

(2) Effect of Notice; Bonds Due. If notice of redemption has been given and not rescinded or revoked, or if the conditions set forth in a conditional notice of redemption have been satisfied or waived, the Bonds or portions of Bonds to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date such Bonds or portions of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with said notice, such Bonds shall be paid by the Bond Registrar at the redemption price. Installments of interest due on or prior to the redemption date shall be payable as herein provided for payment of interest. All Bonds which have been redeemed shall be canceled by the Bond Registrar and shall not be reissued.

(3) Additional Notice. In addition to the foregoing notice, further notice may be given by the District as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest, if any, borne by each Bond being redeemed; (D) the maturity date of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed. Each further notice of redemption may be sent at least 20 days before the redemption date to each party entitled to receive notice pursuant to Section 14 and to the Underwriter and with such additional information as the District shall deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Bonds.

(4) CUSIP Number. Upon the payment of the redemption price of Bonds being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer.

(5) Amendment of Notice Provisions. The foregoing notice provisions of this Section 4, including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

#### Section 5. Form of Bonds.

The Bonds shall be in substantially the form set forth in Exhibit A, which is incorporated herein by this reference.

#### Section 6. Execution of Bonds.

The Bonds shall be executed on behalf of the District with the facsimile or manual signatures of the President and Secretary of its Board, and shall have the seal of the District impressed or a facsimile thereof imprinted, or otherwise reproduced thereon.

In case either or both of the officers who have signed or attested any of the Bonds cease to be such officer before such Bonds have been actually issued and delivered, such Bonds shall be valid nevertheless and may be issued by the District with the same effect as though the persons who had signed or attested such Bonds had not ceased to be such officers, and any Bond may be signed or attested on behalf of the District by officers who at the date of actual execution of such Bond are the proper officers, although at the nominal date of execution of such Bond such officer was not an officer of the District.

Only Bonds that bear a Certificate of Authentication in the form set forth in Exhibit A, manually executed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this resolution. Such Certificate of Authentication shall be conclusive evidence that the Bonds so authenticated have been duly executed, authenticated and delivered and are entitled to the benefits of this resolution.

Section 7. Lost or Destroyed Bonds.

If any Bonds are lost, stolen or destroyed, the Bond Registrar may authenticate and deliver a new Bond or Bonds of like amount, maturity and tenor to the Registered Owner upon the owner's paying the expenses and charges of the Bond Registrar and the District in connection with preparation and authentication of the replacement Bond or Bonds and upon his or her filing with the Bond Registrar and the District evidence satisfactory to both that such Bond or Bonds were actually lost, stolen or destroyed and of his or her ownership, and upon furnishing the District and the Bond Registrar with indemnity satisfactory to both.

Section 8. Bond Fund; Pledge of Taxes and Credit.

The District shall maintain a fund or account (the "Bond Fund"), with the appropriate designation as determined by the District, which shall be held in trust by the Treasurer of the District for the benefit of the owners of the Bonds until all such Bonds are paid or deemed paid. Money in the Bond Fund shall be used solely to pay principal of and interest on the Bonds as provided in this resolution and Bond Registrar costs. For so long as any Bonds remain outstanding, the District hereby irrevocably obligates and binds itself to set aside and pay into the Bond Fund out of available money, on or prior to the principal or interest payment date, an amount sufficient (with other amounts available in the Bond Fund) to pay all Bond principal and interest which is due on that payment date. On or before each payment date the District or the Treasurer shall transfer to the Bond Registrar the amount due on the Bonds on that payment date. Money in the Bond Fund may be invested as permitted by law, but only to the extent that the same are acquired, valued and disposed of at Fair Market Value. All interest earned and profits derived from such investments shall be retained in and become a part of the Bond Fund. After all bonds authorized pursuant to the Election Resolution have been fully paid and are no longer outstanding, any money remaining in the Bond Fund shall be deposited into the General Fund.

The District hereby irrevocably covenants that, unless the principal of and interest on the Bonds are paid from other sources, it will make annual levies of taxes without limitation as to rate or amount upon all of the property subject to taxation in amounts sufficient to pay such principal and interest as the same shall become due. The full faith, credit and resources of the District are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

Section 9. Defeasance.

In the event that money and/or Government Obligations, maturing at such time or times and bearing interest to be earned thereon in amounts (together with such money, if necessary) sufficient to redeem and retire part or all of the Bonds in accordance with their terms, are set aside in a special account of the District to effect such redemption and retirement, and such money and the principal of and interest on such Government Obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Fund for the payment of the principal of and interest on the Bonds so provided for, and such Bonds shall cease to be entitled to any lien, benefit or security of this resolution except the right to receive the money so set aside and pledged, and such Bonds shall be deemed not to be outstanding hereunder. The District shall give or cause to be given written notice of defeasance in accordance with the Continuing Disclosure Certificate.

Section 10. Tax Covenants.

The District will take all actions necessary to assure the exclusion of interest on the Bonds from the gross income of the owners of the Bonds to the same extent as such interest is permitted to be excluded from gross income under the Code as in effect on the date of issuance of the Bonds, including but not limited to the following:

- (a) *Private Activity Bond Limitation.* The District will assure that the proceeds of the Bonds are not so used as to cause the Bonds to satisfy the private business tests of Section 141(b) of the Code or the private loan financing test of Section 141(c) of the Code.
- (b) *Limitations on Disposition of the Projects.* The District will not sell or otherwise transfer or dispose of (i) any personal property components of the Projects other than in the ordinary course of an established government program under Treasury Regulation 1.141-2(d)(4) or (ii) any real property components of the Projects, unless it has received an opinion of nationally recognized Bond Counsel to the effect that such disposition will not adversely affect the treatment of interest on the Bonds as excludable from gross income for federal income tax purposes.
- (c) *Federal Guarantee Prohibition.* The District will not take any action or permit or suffer any action to be taken if the result of such action would be to cause any of the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.
- (d) *Rebate Requirement.* The District will take any and all actions necessary to assure compliance with Section 148(f) of the Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Bonds.



(e) *No Arbitrage.* The District will not take, or permit or suffer to be taken, any action with respect to the proceeds of the Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Bonds would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code.

(f) *Registration Covenant.* The District will maintain a system for recording the ownership of each Bond that complies with the provisions of Section 149 of the Code until all Bonds have been surrendered and canceled.

(g) *Record Retention.* The District will retain its records of all accounting and monitoring it carries out with respect to the Bonds for at least three years after the Bonds mature or are redeemed (whichever is earlier); however, if the Bonds are redeemed and refunded, the District will retain its records of accounting and monitoring at least three years after the earlier of the maturity or redemption of the obligations that refunded the Bonds.

(h) *Compliance with Federal Tax Certificate.* The District will comply with the provisions of the Federal Tax Certificate with respect to the Bonds, which are incorporated herein as if fully set forth herein. The covenants of this section will survive payment in full or defeasance of the Bonds.

Section 11. Sale of the Bonds; Delegation.

(a) *Delegation.* The Bonds shall be sold by negotiated sale to the Underwriter pursuant to the terms of the Purchase Contract executed in connection with the issuance of the Bonds. The Board has determined that it is in the best interest of the District to delegate to the Designated Representative, for a limited time, the authority to approve the final interest rates, aggregate principal amount, principal amount of each maturity, maturity dates, and redemption terms for the Bonds. Subject to the terms and conditions set forth in this Section 11 and the Election Resolution, the Designated Representative is hereby authorized to approve the final interest rates, aggregate principal amount, principal amount of each maturity, maturity dates, and redemption terms for the Bonds in the manner provided hereafter so long as:

- (1) the aggregate principal amount of the Bonds does not exceed \$50,000,000;
- (2) the final maturity of the Bonds is no later than 20 years from the date of issuance;
- (3) the Bonds are sold (in the aggregate) at a price not less than 98% and not greater than 135%;
- (4) the true interest cost for the Bonds (in the aggregate) does not exceed 4.25%; and
- (5) the Bonds conform to all other terms of this resolution.

(b) *Bond Sale; Purchase Contract.* Subject to the terms and conditions set forth in this Section 11, the Designated Representative is hereby authorized to execute the final form of a



Purchase Contract with respect to the Bonds upon approval of the final interest rates, maturity dates, aggregate principal amount, principal maturities, terms of redemption and redemption rights for the Bonds set forth therein, which approval shall be evidenced by the Designated Representative execution of the Purchase Contract. Following the execution of a Purchase Contract, the Designated Representative shall provide a report to the Board at the next regularly scheduled meeting describing the final terms of the Bonds approved pursuant to the authority delegated in this section.

The authority granted to the Designated Representative by this Section 11 shall expire 180 days after the effective date of this resolution. If a Purchase Contract for the Bonds has not been executed on or prior to 180 days after the effective date of this resolution, the authorization for the issuance of those Bonds shall be rescinded, and any remaining portion of the Bonds authorized under this resolution may not be issued nor their sale approved unless such Bonds are re-authorized by resolution of the Board. The resolution re-authorizing the issuance and sale of such Bonds may be in the form of a new resolution repealing this resolution in whole or in part (only with respect to the Bonds not issued) or may be in the form of an amendatory resolution approving a purchase contract or establishing terms and conditions for the authority delegated under this Section 11.

(c) *Delivery of Bonds; Documentation.* Upon the passage and approval of this resolution, the proper officials of the District, including but not limited to the Designated Representative, are authorized and directed to undertake all actions necessary for the prompt execution and delivery of the Bonds to the Underwriter and further to execute all closing certificates and documents required to effect the closing and delivery of the Bonds in accordance with the terms of the Purchase Contract. Such documents may include, but are not limited to, documents related to a municipal bond insurance policy delivered by an insurer to insure the payment when due of the principal of and interest on all or a portion of the Bonds as provided therein, if such insurance is determined by the Designated Representative to be in the best interest of the District.

Section 12. Preliminary and Final Official Statements.

The Designated Representative is hereby authorized to deem final a preliminary Official Statement relating to the Bonds for the purposes of the Rule. The Designated Representative is further authorized to approve for purposes of the Rule, on behalf of the District, a final Official Statement relating to the issuance and sale of the Bonds and the distribution of such Official Statement with such changes, if any, as may be deemed by him or her to be appropriate.

Section 13. Application of Bond Proceeds.

A portion of the proceeds of the sale of the Bonds, net of any Underwriter's discount and fees, shall be deposited in the Capital Improvements Fund in the amounts specified in the closing memorandum prepared in connection with the issuance of the Bonds. Such proceeds shall be used to pay and/or reimburse the District for the costs of the Projects and to pay costs of issuance of the Bonds. To the extent the District makes capital expenditures for the Projects prior to the date the Bonds are issued, the District intends to reimburse all or a portion of those capital expenditures out of proceeds of the Bonds as permitted by U.S. Treasury Regulation 1.150-2(d).

Money in the Capital Improvements Fund may be invested in any legal investments for District funds, but only to the extent that the same are acquired, valued and disposed of at Fair Market Value. Earnings on such investments shall accrue to the benefit of the Capital Improvements Fund.

If any or all Projects have been completed, or their completion duly provided for, or their completion found to be impractical, the District may apply the proceeds of the Bonds or any portion thereof to other portions of the Projects, or to other public park and recreation capital purposes of the District, or transfer such proceeds to the Bond Fund to pay principal on the Bonds, as the Board in its discretion shall determine.

Section 14. Undertaking to Provide Ongoing Disclosure.

The District covenants to execute and deliver at the time of Closing a Continuing Disclosure Certificate. The Designated Representative is hereby authorized to execute and deliver a Continuing Disclosure Certificate upon the issuance, delivery and sale of the Bonds with such terms and provisions as such officer shall deem appropriate and in the best interests of the District.

Section 15. General Authorization and Ratification.

The President and Secretary of the Board, the Designated Representative and other appropriate officers of the District are authorized to take any actions and to execute documents as in their judgment may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this resolution. All acts taken pursuant to the authority of this resolution but prior to its effective date are hereby ratified.

Section 16. Severability.

If any provision in this resolution is declared by any court of competent jurisdiction to be contrary to law, then such provision shall be null and void and shall be deemed separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bonds.

Section 17. Effective Date.

This resolution shall become effective immediately upon its adoption.

ADOPTED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma, Pierce County, Washington, at a regular meeting thereof held this 23rd day of April, 2018.

METROPOLITAN PARK DISTRICT OF  
TACOMA, PIERCE COUNTY,  
WASHINGTON

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President, Board of Park Commissioners

ATTEST:

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Secretary

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Clerk

EXHIBIT A  
BOND FORM

UNITED STATES OF AMERICA

NO. \_\_\_\_\_

\$ \_\_\_\_\_

STATE OF WASHINGTON

METROPOLITAN PARK DISTRICT OF TACOMA,  
PIERCE COUNTY

UNLIMITED TAX GENERAL OBLIGATION BOND, 2018

INTEREST RATE:       %       MATURITY DATE:       CUSIP NO.:

REGISTERED OWNER: CEDE & Co.

PRINCIPAL AMOUNT:

Metropolitan Park District of Tacoma, Pierce County, Washington (the "District"), hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, the Principal Amount indicated above and to pay interest thereon from \_\_\_\_\_, 20\_\_\_\_, or the most recent date to which interest has been paid or duly provided for until payment of this bond at the Interest Rate set forth above, payable on \_\_\_\_\_, 20\_\_\_\_, and semiannually thereafter on the first days of each succeeding \_\_\_\_\_ and \_\_\_\_\_. Both principal of and interest on this bond are payable in lawful money of the United States of America. For so long as the bonds of this issue are held in fully immobilized form, payments of principal and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company ("DTC") referred to in the Blanket Issuer Letter of Representations (the "Letter of Representations") from the District to DTC. The fiscal agent of the State of Washington is acting as the registrar, authenticating agent and paying agent for the bond of this issue (the "Bond Registrar").

This bond is one of an authorized issue of bonds of like date, and tenor, except as to number, amount, rate of interest, redemption provisions and date of maturity, in the aggregate principal amount of \$\_\_\_\_\_, and is issued pursuant to Resolution No. \_\_\_\_\_ (the "Bond Resolution") adopted by the Board of Park Commissioners of the District (the "Board") on April 23, 2018, to provide funds to construct, equip, renovate, acquire and make other capital improvements to facilities of the District as authorized by resolution of the Board and approved by the qualified electors of the District at a special election held therein on April 22, 2014. Capitalized terms used in this bond and not otherwise defined shall have the meanings given them in the Bond Resolution.

This bond is subject to redemption prior to its stated date of maturity as provided in the Bond Resolution and the Purchase Contract.

The District has not designated the bonds of this issue as “qualified tax-exempt obligations” under Section 265(b) of the Internal Revenue Code of 1986, as amended.

The District hereby irrevocably covenants that, unless the principal of and interest on this bond are paid from other sources, it will make annual levies of taxes without limitation as to rate or amount upon all of the property in the District subject to taxation in amounts sufficient to pay the principal of and interest on this bond as the same shall become due. The full faith, credit and resources of the District are hereby irrevocably pledged for the annual levy and collection of such taxes and the prompt payment of such principal and interest. The pledge of tax levies may be discharged prior to maturity of this bond and the bonds of this issue by making provision for the payment thereof on the terms and conditions set forth in the Bond Resolution.

Owners of this bond do not have a security interest in particular revenues or assets of the District. This bond is not a debt or indebtedness of the State of Washington or any political subdivision thereof other than the District.

This bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication hereon shall have been manually signed by or on behalf of the Bond Registrar.

It is hereby certified that all acts, conditions and things required by the Constitution and statutes of the State of Washington to exist, to have happened, been done and performed precedent to and in the issuance of this bond have happened, been done and performed and that the issuance of this bond and the bonds of this issue does not violate any constitutional, statutory or other limitation upon the amount of bonded indebtedness that the District may incur.

IN WITNESS WHEREOF, the Metropolitan Park District of Tacoma, Pierce County, Washington, has caused this bond to be executed by the manual or facsimile signatures of the President and Secretary of its Board of Park Commissioners and the seal of the District to be impressed or imprinted hereon as of this \_\_\_ day of \_\_\_\_\_, 2018.

METROPOLITAN PARK DISTRICT OF  
TACOMA, PIERCE COUNTY,  
WASHINGTON

By \_\_\_\_\_ /s/ manual or facsimile  
President, Board of Park Commissioners

ATTEST:

\_\_\_\_\_  
/s/ manual or facsimile  
Secretary, Board of Park  
Commissioners

DATE OF AUTHENTICATION: \_\_\_\_\_

**CERTIFICATE OF AUTHENTICATION**

This is one of the Unlimited Tax General Obligation Bonds, 2018 of the District, dated \_\_\_\_\_, 2018, as described in the Bond Resolution.

WASHINGTON STATE FISCAL AGENT, as  
Registrar

By \_\_\_\_\_  
Authorized Signer

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Board of Finance of the District of Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
President Board of Finance

CERTIFICATE

I, the undersigned, Secretary of the Board of Park Commissioners of the Metropolitan Park District of Tacoma, Pierce County, Washington (the "District"), and keeper of the records of the Board of Park Commissioners (the "Board"), DO HEREBY CERTIFY:

1. The attached copy of Resolution No. RR35-18(the "Resolution") is a full, true and correct copy of a resolution duly passed at a regular meeting of the Board on April 23, 2018 as that resolution appears in the minute book of the District; and the Resolution will be in full force and effect immediately after its passage and publication as provided by law;

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the passage of the Resolution; and that all other requirements and proceedings incident to the proper passage of the Resolution have been fully fulfilled, carried out and otherwise observed; and

3. That the Resolution has not been amended, supplemented or rescinded since its passage and is in full force and effect and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of April, 2018.

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Secretary, Board of Park Commissioners

