

**METROPOLITAN PARK DISTRICT
OF TACOMA**



AGENDA

March 9, 2020

6:00 P.M.

**METRO PARKS HEADQUARTERS
4702 S 19TH ST., TACOMA, WA 98405**

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

COMMISSIONERS

TIM REID, PRESIDENT

ERIK HANBERG, CLERK

AARON POINTER

ANDREA SMITH

JESSIE BAINES, JR.

5:30 P.M. **STUDY SESSION** PARTNERSHIP WITH TACOMA PIERCE COUNTY
HEALTH DEPARTMENT

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

COMMUNITY COMMENTS

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



MINUTES

(5-8) MINUTES OF THE FEBRUARY 24, 2020 REGULAR BOARD MEETING

CONSENT AGENDA

(9-10) **RESOLUTION NO. C14-20:** APPROVAL OF WARRANTS CLAIM FUND FOR FEBRUARY 2020
(Contact: Erwin Vidallon, Chief Financial Officer)

(11-12) **RESOLUTION NO. C15-20:** WATERFRONT PHASE 1 WAVE WALL & MARKER PILES PROJECT FINAL ACCEPTANCE OF AMERICAN CONSTRUCTION COMPANY CONTRACT#: 2019172J / BID#: 2019-11
(Contact: Debbie Terwilleger, Director of Planning & Development)

REGULAR AGENDA

PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

- (13-18) **RESOLUTION NO. P16-20:** AUTHORIZING PURCHASE OF GOODS AND SERVICES FOR METRO PARKS TACOMA
1. ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR LICENSED SOFTWARE IN AN AMOUNT NOT TO EXCEED \$104,690.00
(Contact: Paul Weed, Chief Administrative Officer)
 2. RYAN SCHROEDER FOR EVENT AND VENUE DEVELOPMENT, PRODUCTION AND CONSULTING EVENT SERVICES IN AN AMOUNT NOT TO EXCEED \$70,000
(Contact: Marina, Becker, Director of Parks & Recreation)

PUBLIC WORKS PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

SINGLE READING RESOLUTIONS

(Requiring one reading for adoption)

(19-20) **RESOLUTION NO. R17-20:** ACCEPTING AND APPROPRIATING FUNDS FROM THE W.W. SEYMOUR CONSERVATORY FOUNDATION
(Contract: Sandra Eliason, Chief Marketing and Development Officer)

(21-39) **RESOLUTION NO. R18-20:** HEIDELBERG SPORTS VILLAGE LETTER OF INTENT
(Contact: Debbie Terwilleger, Director of Planning & Development)

SECOND READING RESOLUTIONS

(Requiring two readings for adoption)

FIRST READINGS:

(Requiring two readings for adoption)

UNFINISHED BUSINESS

NEW BUSINESS

BOARD COMMENTS

ADJOURNMENT

UPCOMING BOARD MEETINGS

March 11, 2020	Capital Improvement Committee	5:00 PM	Park Headquarters
March 16, 2020	Committee of the Whole	5:30 PM	Park Headquarters
March 23, 2020	Regular Park Board Meeting	6:00 PM	Park Headquarters
March 25, 2020	Capital Improvement Committee	5:00 PM	Park Headquarters
March 30, 2020	Committee of the Whole	5:30 PM	Park Headquarters

* Committee Meetings are subject to change - please check the Metro Parks Website, www.metroparkstacoma.org for the most up to date meeting schedules.





**MINUTES OF REGULAR MEETING
BOARD OF PARK COMMISSIONERS
February 24, 2020**

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

IN THE CHAIR: President Reid

PLACE: Metro Parks Tacoma District Headquarters

FLAG SALUTE: Commissioner Smith

REGULAR MEETING

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

SPECIAL PRESENTATIONS

CITY OF TACOMA COMMUNITY SURVEY RESULTS

Kathryn Johnston of the city of Tacoma's Budget office was present to share results of the City's most recent community survey. Ms. Johnston commented that a telephone survey of 750 respondents was conducted in late 2019. Those who were interviewed answered survey questions related to quality of life, satisfaction with City services and major issues facing the city, as well as confidence with local government. Ms. Johnston highlighted that survey data was broken down by councilmanic districts.

Key findings reported by Ms. Johnston include ratings of quality of life and overall satisfaction remain strong, but showed some signs of decreasing from the 2018 survey. In addition, homelessness, population growth, affordable housing, crime and drugs were commonly cited as major issues facing the City of Tacoma in the next ten years. Additionally, police investigations/patrol, public transit services, neighborhood walkability, and the health of the Puget Sound are newly identified high ranking services in this year's survey. Survey results also indicate that code enforcement, street condition/lighting, traffic signal timing and economic/ business development activities remain high priorities from the 2018 survey. It was also found that measures of safety and confidence with police remained mostly stable, and racial and demographic differences continue to be observable in these measures.

Ms. Johnston stated that the park and recreation questions were stated a bit differently than in past surveys but responses indicated that citizens are still very highly satisfied with park and recreation services in the city.

Black History Month

Staff members Delia Flores, Courtney Acoff and Adriane Kehinde-Lewis commented on the recent Black History Month Celebration held at People's Community Center. Staff reported on the evening's activities and the positive impact events such as these have on the neighborhood.

Photos of the event were shared with the Board. Commissioners Reid and Pointer commented positively on the event.

District Arts Program Update

Debbie Terwilleger reminded the Board that as part of the 2014 Bond a policy was adopted by the Board to set aside 1% of the District's capital projects budget for public art. The policy is supported throughout the District with assistance from the City of Tacoma's Office of Arts & Cultural Vitality. As a reminder staff noted that public art financial contribution is calculated upon 1% of capital projects with budgets of \$100,000 or greater. Projects with a budget of \$5M or greater the art allocation will be retained within the project and developed as part of the overall project design. Projects with a budget of less than \$5M shall contribute funds to the District Art Fund (DAF), or used by the project if recommended by the District Arts Plan.

Ms. Terwilleger noted the goals of the District's public art program including using public art to foster Metro Parks' multi-pronged mission of fostering active lifestyles, promoting appreciation and stewardship of nature and wildlife, and building understanding of culture and heritage. A process flow chart of the District's public art project development process was reviewed. Staff informed Board members that priorities of the public art plan include: Community Vision and Leveraging Opportunities, Geographic Equity, Diversity, and New Audiences, Connections and Systems and Capacity Building. A map showing the distribution of the public art throughout the city was reviewed.

Staff commented that thus far 14 public art projects through the District process have been completed, 6 are in progress and 11 are currently proposed. These projects total just over \$1.5M. Photos highlighting the completed art were viewed.

Next steps include extending the contract with the City for continued art administration and updating the 21/22 art work plan.

PRESIDENTS REPORT None

STANDING COMMITTEE AND COUNCIL REPORTS

Joint Municipal Action Committee

Commissioner Smith reported that JMAC met on February 13th. The agenda included 2019 work plan highlights from each jurisdiction.

Zoo Volunteer Event

Commissioner Smith commented that she attend the Zoo Volunteer Recognition Event on February 1st. Volunteer hours at the zoo in 2019 totaled 36,170 hours.

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Shon Sylvia commented on the following:

- Alan Varsik introduced the following new employees: Kelsie Atz-Riley, Monica Battersby & Mette Hansen.
- Staff is continuing to clean up and access damage from the weekend storms at Point Defiance Park and Meadow Park Golf Course.
- Repair work related to damage resulting from the landslides under Wilson Way have begun.

CITIZEN COMMENTS None

MINUTES OF THE FEBRUARY 10, 2020 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 None

PURCHASING RESOLUTIONS None

PUBLIC WORKS PURCHASING RESOLUTIONS None

SINGLE READING RESOLUTIONS None

SECOND READINGS RESOLUTIONS None

FIRST READING RESOLUTIONS None

UNFINISHED BUSINESS None

NEW BUSINESS None

BOARD COMMENTS None

ADJOURN:

Being no further business, the meeting was adjourned at 6:50 p.m.

APPROVED:

President

Clerk

Submitted by: Jennifer Bowman, Board Secretary



METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C14-20

APPROVAL OF WARRANTS CLAIM FUND FOR FEBRUARY 2020

WHEREAS, the Board of Park Commissioners approved, appropriated and adopted the 2019-2020 Biennial Budget in Resolution No. RR92-18, dated December 10, 2018 to meet public expenses, bond retirement, interest and operational expenses for the biennium ending December 31, 2020; and

WHEREAS, the Board of Park Commissioners has authorized the Executive Director to establish procedures to meet the fiscal year public debt, to maintain accountable records of all transactions, and to provide certification that labor and debt claims have been met; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that the warrants issued to meet obligations in the Warrants Claim Fund and the Disbursements by Funds in the amounts and for the period indicated on Attachment "A" have been audited and certified by the auditing officer as required by RCW.42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090, be approved for payment.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2020.

ATTEST:

President

Secretary

Clerk

BLANKET CERTIFICATION AND WARRANT APPROVAL FORM

AUDITOR'S CERTIFICATION

I, the undersigned, do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and that the claim is a just, due and unpaid obligation against the Metropolitan Park District of Tacoma, and that I am authorized to authenticate and certify to said claim.

FOR THE PERIOD STARTING FEBRUARY 1, 2020 AND ENDING FEBRUARY 29, 2020.

WARRANTS CLAIM FUND

ACCOUNTS PAYABLE CLAIMS FUND:

Warrant Serial Numbers <u>331066</u> to <u>331376</u>	AMOUNT:	<u>\$5,365,176.84</u>
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PAYROLL CLAIMS FUND:

Warrant Serial Numbers <u>052489</u> to <u>052699</u>	AMOUNT:	<u>\$89,878.75</u>
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(Most employees receive payment through direct deposit advices, which are paid to the bank through the Accounts Payable Claims Fund.)

TOTAL	<u>\$5,455,055.59</u>
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Finance and Accounting Auditing Officer
Metropolitan Park District of Tacoma

- Warrant summary reports are available with the board secretary.
- Detail reports and claim vouchers are available in the Finance and Administrative Services Office.



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Sylvia*

FROM: Debbie Terwilleger, Director of Planning Design & Development

SUBJECT: **Waterfront Phase 1 Wave Wall & Marker Piles Project – Final Acceptance of American Construction Company Contract#: 2019172J/Bid#: 2019-11**

DATE: March 2, 2020

EXECUTIVE SUMMARY: This resolution authorizes final acceptance to American Construction Company for the Wave Wall & Marker Pile Project at the Point Defiance Park yacht basin in the amount of \$ 203,870.00.

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, October 30, 2019 with a recommendation to forward the action on to the full Board for approval.

BACKGROUND: Under the Waterfront Phase 1 project recently completed in partnership with the Environmental Protection Agency (EPA), shoreline improvements were constructed at the entrance to the Pt. Defiance Park yacht basin that altered the slope and configuration of the peninsula shoreline. This project involved constructing additional enhancements in the form of a Wave Wall and Marker Piles to better delineate the navigational corridor and to attenuate for a slight increase in wave exposure to boats moored in the TYC and Breakwater Marina.

Construction of the wave wall included timber lagging and bracket assemblies to attach the lagging to the HP piles. The piles were driven into an existing armored slope consisting of geotextile overlain with a bedding layer and large armor rock. Construction included repair and replacement of the armor stone and geotextile if damaged during construction. Work was conducted in the water and required a debris curtain in the marina. Navigational signage was also added.

The project was inspected by staff and was completed as specified. The final contract amount was \$ 203,870.00 including sales tax.

FISCAL IMPACT: The funds for this project are directly reimbursed from the Environmental Protection Agency Project.

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

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C15-20

**WATERFRONT PHASE 1 WAVE WALL & MARKER PILES PROJECT FINAL
ACCEPTANCE OF AMERICAN CONSTRUCTION COMPANY
CONTRACT#: 2019172J / BID#: 2019-11**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to move forward with the requested work from the Environmental Protection Agency for the Wave Wall & Marker Piles Project.

WHEREAS, funds for the project are provided directly from the Environmental Protection Agency; and

WHEREAS, the advertisement for formal bids was used to solicit the bids required and three (3) bids were received with three (3) being considered; and

WHEREAS, at the meeting on November 25, 2019, the Board of Park Commissioners approved the Board Resolution #: PW72-19, Awarding the contract to American Construction Company for in water construction of the Wave Wall & Marker Piles; and

WHEREAS, American Construction Company has completed the in water construction of the Wave Wall and Marker Piles as specified and the work has been inspected and approved by staff; Now, therefore, be it

RESOLVED, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to accept the American Construction Company Contract 2019172J/Bid#: 2019-11.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2020.

ATTEST:

President

Secretary

Clerk



MEMORANDUM

TO: Board of Park Commissioners
THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*
FROM: Paul Weed, Chief Administrative Officer
Marina Becker, Director of Parks & Recreation
SUBJECT: **Purchasing Resolution**
DATE: March 2, 2020

EXECUTIVE SUMMARY: This Purchasing resolution seeks board approval to enable the Executive Director to renew the necessary agreements for the purchase and acquisition of the goods and services detailed in Exhibit A to the Resolution and in the supporting information below for Metro Parks Tacoma.

Proposed goods and services for purchase and/or acquisition:

<u>Item Number</u>	<u>Proposed Vendor</u>	<u>Proposed Purchase</u>	<u>Price (including Sales Tax)</u>
1.	Environmental Systems Research Institute, Inc. (ESRI)	Licensed Software	\$104,690.00
2.	Ryan Schroeder	Event and venue development, production and consulting	Not to exceed \$70,000.00

<u>Item No. 1</u>	
VENDOR	ESRI
GOODS OR SERVICES	Licensed Software
PRICE	\$104,690.00
SOURCE OF FUNDING	Business & Innovation- Business Intelligence Division
CONTACT	Paul Weed- (253)-404 -3949

BACKGROUND: Staff requests that the Board of Park Commissioners authorize the purchase of GIS software licensing in the amount not to exceed \$104,690.00 for a three year contract renewal. The current purchase order has reached the limit of authorization without Board approval.

Metro Parks Business Intelligence Division is expanding the current licensing agreement with ESRI (Environmental Systems Research Institute, Inc.) to provide broader and more individualized GIS services to staff, specifically adding fifty named user licenses to properly manage the expanded growth and development over the next three years.

FISCAL IMPACT: The expense is budgeted in the Business & Innovation departmental operating budget. This resolution has no fiscal impact for the current 2020 budget. The contract will increase the operating budget and annual fee from \$25,000 to \$35,000 for fiscal years 2021 & 2022.

ADDITIONAL INFORMATION: For additional information, please contact Paul Weed at (253) 305-3949 or paulw@tacomaparks.com.

Item No. 2

VENDOR

Ryan Schroeder

GOODS OR SERVICES

Event and venue development, production and consulting

PRICE

Not to exceed \$70,000.00

SOURCE OF FUNDING

2020 Park and Recreation Operating Budget

CONTACT

Marina Becker- (253)305-1024

BACKGROUND: The parks and recreation department produces numerous small to large-scale outdoor and indoor special events and festivals annually which require significant staff time and resources. This professional services contract will allow for a dedicated, experienced event professional to (1) produce and manage, Ethnic Fest, (2) develop and manage Dune Peninsula at Point Defiance Park as a destination waterfront event venue and, (3) manage a number of existing event contracts and logistics, (4) assess and evaluate community events and festivals and the feasibility of an integrated, comprehensive citywide approach to support and advance Tacoma's special events.

Ryan Schroeder is a highly experienced and respected event professional in the Puget Sound responsible for producing many signature events in our region. In 2019 Mr. Schroeder assisted Metro Parks with the Dune Peninsula Celebration Concert. Mr. Schroeder is well-versed in creating new revenue streams to increase event vitality through added sponsorship, ticketing and experiential opportunities for festival-goers.

Due to the unique nature and specific prior experience of this contactor relative to District and community needs and Metro Parks and City venues, this contract is deemed a sole source. Mr. Schroeder's expertise in event production, venue management and consultation services will

assist Metro Parks and the City of Tacoma in efforts to further align Tacoma's comprehensive vision and capacity to support special events with the city's changing and increasing population, culture and economy.

FISCAL IMPACT: The expense is budgeted in the Park & Recreation Operating Budget. This Professional services contract in an amount not to exceed \$70,000

ADDITIONAL INFORMATION: For additional information, please contact Marina Becker at (253) 305-1024 or Marinab@tacomaparks.com.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. P16-20

PURCHASING RESOLUTION

WHEREAS, the Board of Park Commissioners have established polices governing the purchase of good and services for Metro Parks Tacoma through the adoption of Resolution No. RR21-15, Authorizing Amendment of Purchasing Policy for Metropolitan Parks District of Tacoma; and

WHEREAS, the Board of Park Commissioners through the adoption of Resolution No. R51-02, Adopting Board Policies and Procedures, authorized the use of a Purchasing Resolution for consolidation of all purchases seeking approval by the Board of Park Commissioners; and

WHEREAS, Metro Parks staff recommends the Board of Park Commissioners authorize the purchase of goods and services detailed below; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to authorize the Executive Director to enter into the necessary agreements to purchase or acquire the following goods and services as detailed in Exhibit A to this resolution.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2020.

ATTEST:

President

Secretary

Clerk

Exhibit A
to
Purchasing Resolution No. P16-20

- **VENDOR** Environmental Systems Research Institute, Inc. (ESRI)
- **GOODS OR SERVICES** Licensed Software
- **PRICE** Not to exceed \$104,690.00
- **SOURCE OF FUNDING** Business Intelligence - GIS
- **CONTACT** Paul Weed (253) 404-3949

- **VENDOR** Ryan Schroeder
- **GOODS OR SERVICES** Event And Venue Development, Production and Consulting
- **PRICE** Not to exceed \$70,000.00
- **SOURCE OF FUNDING** 2020 Park and Recreation Operating Budget
- **CONTACT** Marina Becker (253) 305-1024





MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Sandra Eliason, Chief Marketing & Development Officer

SUBJECT: Accepting 2019 Membership Revenue Share and Annual Fundraising Commitment from W.W. Seymour Botanical Conservatory Foundation

DATE: March 2, 2020

EXECUTIVE SUMMARY: A resolution is requested to accept and appropriate funds from W.W. Seymour Botanical Conservatory Foundation. This 2019 fund distribution is made in accordance with the Memo of Understanding that Metro Parks Tacoma has with the W.W. Seymour Conservatory Foundation regarding a revenue split for Conservatory Foundation memberships and an annual fundraising commitment towards Conservatory operating expenses.

Memberships	\$ 906.25
Annual commitment for Operating Expenses (as per MOU)	\$ 1,000.00
Program Support	<u>\$ 27,082.30</u>
	\$ 28,988.55

BACKGROUND: The W.W. Seymour Botanical Conservatory Foundation is a private, nonprofit organization that has been serving the Seymour Botanical Conservatory since 1996. The WWSCF board supports the horticultural and educational vision of the Conservatory, ensuring that future generations will continue to enjoy the unparalleled oasis for discovery, enjoyment and appreciation that the Seymour Botanical Conservatory offers. WWSCF maintains the “Friends of the Conservatory” memberships, fundraises for special Conservatory projects and programs, and encourages interest and investment in the Conservatory and its offerings through events, grants and individual donations. WWSCF consists of a group of community volunteers, guided by MPT professional resource development staff, who are committed to improving parks and recreation in our community.

FISCAL IMPACT: Metro Parks Tacoma will accept \$28,988.55 from W.W. Seymour Botanical Conservatory Foundation.

ADDITIONAL INFORMATION: For additional information, please contact Sandra Eliason, Chief Marketing & Development Officer at 253-305-1016.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. R17-20

**ACCEPTING & APPROPRIATING \$28,988.55 IN FUNDS FROM
THE W.W. SEYMOUR BOTANICAL CONSERVATORY FOUNDATION**

WHEREAS, the W.W. Seymour Botanical Conservatory Foundation was established to promote financial support for the Metro Parks W.W. Seymour Botanical Conservatory and its programs, services and projects; and

WHEREAS, the W.W. Seymour Botanical Conservatory Foundation desires to provide Metro Parks Tacoma with a 2019 disbursement of \$28,988.55 in contributed funds for the following:

Memberships	\$ 906.25
Annual commitment for Operating Expenses (as per MOU)	\$ 1,000.00
Program Support	\$ 27,082.30

Now, therefore, be it

RESOLVED by the Board of Park Commissioners that the Metropolitan Park District of Tacoma accepts and appropriates the cash contributions of \$28,988.55 from the W.W. Seymour Botanical Conservatory Foundation.

The forgoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____ 2020.

President

ATTEST:

Secretary

Clerk



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Debbie Terwilleger, Director of Planning and Development

SUBJECT: **Letter of Intent for the Heidelberg Sports Village Project**

DATE: March 4, 2020

EXECUTIVE SUMMARY: This resolution authorizes the Executive Director to execute a non-binding Letter of Intent between Metro Parks Tacoma, The Soccer Club of Tacoma, and the City establishing the preconditions and terms for the negotiation of future agreements regarding a potential future soccer stadium and future adjacent development in the vicinity of Cheney Stadium.

BACKGROUND: In 2017, the Soccer Club of Tacoma (“TSCOT”), a joint venture of the Tacoma Rainiers and Seattle Sounders, approached Metro Parks Tacoma (“MPT”) and the City of Tacoma (the “City”) about the possibility of developing a professional soccer stadium and a mixed use commercial and residential housing development adjacent to Cheney Stadium.

The Board of Park Commissioners and the Tacoma City Council directed staff via Resolution 107-17 and Resolution 39900, respectively, to proceed with the necessary work to determine if the stadium and mixed use development were feasible as well as the feasibility of developing additional sports fields for the benefit of the citizens of Tacoma. In order to evaluate the proposal, TSCOT, MPT and the City, through a competitive process, jointly selected Populous, one of the world's premier sports and entertainment consultants, to conduct a feasibility study, which study was funded in equal thirds by TSCOT, MPT and the City. The Heidelberg Sports Village Feasibility Study evaluated three work streams:

1. A 5,000 seat professional soccer-specific stadium that can include educational, and sports medicine facilities as the first phase of development.
2. A future phase surrounding the stadium which would feature mixed-use commercial and residential development with approximately 500 residential units, including affordable housing, and approximately 70,000 square feet of commercial and retail space, which numbers are drawn from the 2019 feasibility study.
3. A future phase multi-sport complex to provide for additional public recreational use.

The completed feasibility study was presented to the City Council and the Metro Parks Board in a public study session on July 9, 2019. Following the study session, TSCOT, MPT and the City negotiated high-level conceptual plan to explore further funding and development of the proposed stadium and mixed use development. That the preconditions and process is included in a Letter of Intent (LOI) which was studied by the Metropolitan Park Board at its Committee of the Whole meeting on Monday, February 3, 2020, and by the City Council at its Study session on Tuesday, February 4, 2020. If this resolution passes Metro Parks and City of Tacoma staff will begin to develop the public engagement process as outlined in the LOI.

The City Council voted to amend the LOI and with those amendments authorized execution of the LOI at their regular meeting held on March 2, 2020. The amendments related to the following:

1. Page 6., Paragraph 2. G.

City of Tacoma Investment. The City will undertake authorization to fund a maximum capped investment of \$15 million, with \$10 million in cash invested over a period of up to six (6) years for Stadium capital project costs, and an additional \$5 million in in-kind investments, including but not limited to, offsite improvements and other mitigation required as part of the Stadium capital project.

2. Page 7., Paragraph 3, New “d.”

In the agreements for design and construction there will be a requirement to design-in and construct facilities within the Stadium campus to accommodate and support robust public transit connections to and from the Stadium to all Tacoma neighborhoods.

3. Page 9., Paragraph 4, New “h.”

In the Lease there will be a requirement to work with public transit providers to implement robust public transit connections to and from the Stadium to all Tacoma neighborhoods.

FISCAL IMPACT: The Letter of Intent is non-binding and intended to establish the negotiation framework for future binding agreements. If the project advances according to the terms of the LOI, MPT would be asked to make a maximum commitment of \$7.5 million dollars. Staff will provide additional information to the Board through the negotiation phase to discuss the funding structure and benefits to the Park District.

ADDITIONAL INFORMATION: For additional information, please contact Debbie Terwilleger, MPT Director of Planning at (253) 305-1086.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. R18-20

HEIDELBERG SPORTS VILLAGE LETTER OF INTENT

WHEREAS, in 2017, the Soccer Club of Tacoma (“TSCOT”), a joint venture of the Tacoma Rainiers and Seattle Sounders, approached Metro Parks Tacoma (“MPT”) and the City of Tacoma (the “City”) about the possibility of developing a professional soccer stadium and a mixed use commercial and residential housing development adjacent to Cheney Stadium; and

WHEREAS, in December 2017, the Board of Park Commissioners and the Tacoma City Council directed staff via Resolution 107-17 and Resolution 39900, respectively, to proceed with the necessary work to determine if the stadium and mixed use development were feasible as well as the feasibility of developing additional sports fields for the benefit of the citizens of Tacoma; and

WHEREAS, in order to evaluate TSCOT’s proposal and the development of a public multi-field sports complex, MPT conducted a competitive process through which TSCOT, MPT and the City jointly selected Populous, one of the world’s premier sports and entertainment consultants, to conduct a feasibility study, which study was funded in equal thirds by TSCOT, MPT and the City to ensure the consultant had professional obligations to all; and

WHEREAS, the scope of the feasibility study included three elements, (a soccer-specific stadium, future mixed use development and a new public multi-field sports complex to provide for additional recreational opportunities unrelated to the stadium or the possibility of any lost use of the Heidelberg fields) which the parties anticipated would be phased in over time; and

WHEREAS, the first phase element consists of a 5,000 seat professional soccer stadium that may include adjoining educational and sports medicine facilities that would be constructed where the existing Heidelberg baseball fields are located; and

WHEREAS, the second phase element consists of a mixed-use commercial and residential development with approximately 500 residential units, including affordable housing, and approximately 70,000 square feet of commercial and retail space, which numbers are drawn from the 2019 feasibility study; and

WHEREAS, the third phase, an additional public multi-field sports complex to meet growing public demand, remains an important component of MPT’s future park and recreation planning, but the location for the fields has not been identified; and

WHEREAS, the completed feasibility study was presented to the City Council and the Board of Park Commissioners in a public study session on July 9, 2019, and

WHEREAS, following the study session, TSCOT, MPT and the City developed a high-level conceptual plan to further explore the funding and development of the project and that process is memorialized in a non-binding Letter of Intent (LOI) which was studied by the Board of Park Commissioners at its Study Session on Monday, February 3, 2020, and by the City Council at its Study session on Tuesday, February 4, 2020; and

WHEREAS, the Stadium was identified by the Study as a lynchpin for the Project as a whole, and is therefore the principal focus of work to date addressed in this LOI; and

WHEREAS, the LOI has a number of conditions that must be met before the parties will prepare any binding agreements, including the condition that all of the funding be secured first, that TSCOT will provide for field capacity to offset lost use of the Heidelberg fields until field capacity is restored, and TSCOT will assist with the long term solution for field replacements; and

WHEREAS, the City Council voted to amend the LOI and with those amendments authorized execution of the LOI at their regular meeting held on March 2, 2020; now, therefore, be it

RESOLVED, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that the Executive Director is authorized to execute the non-binding Letter of Intent among and between Metro Parks Tacoma, The Soccer Club of Tacoma, and the City (as amended by the City) in substantially the same form as the attached Exhibit "A" establishing the preconditions and process for the negotiation of future agreements regarding a potential future soccer stadium, and future adjacent mixed use development, in the vicinity of Cheney Stadium. Although the LOI is not a binding agreement, it must be executed by all three parties before moving forward with any further consideration of the projects. It is further

RESOLVED that as a part of the LOI, MPT will conduct a robust and inclusive public outreach effort regarding the potential future soccer stadium and mixed use development adjacent to Cheney Stadium. It is further

RESOLVED that any proposed binding agreements on the subject of or related to the LOI, the potential future soccer stadium and/or the mixed use development shall first be submitted to the Board of Park Commissioners for its approval or rejection.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2020.

ATTEST:

President

Secretary

Clerk

_____, 2020

Metro Parks Tacoma

Xxxx

Xxxx

Xxxx

City of Tacoma

Xxxx

Xxxx

Xxxx

RE: Letter of Intent to Proceed to Due Diligence, Financing, Development Agreement and Lease Negotiation

Dear _____:

This Letter of Intent (“LOI”) confirms the principal understandings and intent to date by and between The Soccer Club of Tacoma, LLC (“TSCOT”), the Metropolitan Park District of Tacoma (“MPT”) and the City of Tacoma (“City”) (collectively, the “Parties”), concerning a Heidelberg Sports Village project (“Project”) that would include a professional class soccer specific stadium (“Stadium”) and a mixed use sports village development (“Development”).

The Tacoma City Council and the MPT Board of Park Commissioners each adopted resolutions in late 2017 expressing support for the Project and, pursuant to which, the Parties subsequently agreed to commission a comprehensive professional feasibility study to evaluate it. A team of highly respected consultants to undertake the study was selected by the Parties through a competitive process. The consultant team published the Heidelberg Sports Village Feasibility Study (“Study”) in May of 2019. This LOI is premised on the conclusions and recommendations of the Study.

This LOI reflects the Parties' preliminary agreements to date regarding the Project's scope, capital and operational funding, contracting and project delivery, and roles and responsibilities of the Parties.

1. **Project Scope Principles.** The Parties concur in the following principles, as provided in the Study:

- a. *Overall Project Scope:* The Study evaluated a Project with three interrelated components, including the Stadium, the Development between the new Stadium and existing Cheney stadium, and the Sports Fields. The Stadium was identified by the Study as a lynchpin for the Project as a whole, and is therefore the principal focus of work to date addressed in this LOI.
- b. *Stadium Scope:* The Stadium includes a program that will support the operating of one first division professional women's soccer franchise (currently Reign FC), and one USL-Championship professional soccer franchise (currently the Tacoma Defiance), and additional professional sports franchises; to wit, a 5,000 fixed seat facility which meets US Soccer professional soccer stadium standards.
- c. *Development Scope:* The Study identified the potential for a Development featuring up to approximately 520 multifamily residential units, including affordable housing, and an approximately 70,000 square foot retail destination that serves the adjacent Stadium to create a dynamic sports and entertainment neighborhood in Central Tacoma. The Development is intended to have a cohesive identity and relationship between the sports-focused elements at Cheney and the new Stadium and the other elements.

The Development is anticipated to follow a phased design and construction approach that would accommodate all regulatory requirements.

- d. *Sport Fields*: There will be no net loss of available fields due to displacement of existing fields for development of the Stadium. TSCOT will provide for field capacity to offset lost use of the Heidelberg fields until field capacity is restored, and will assist with the long term solution for field replacement.
- e. *Feasibility*. The Study concluded that all three components of the Project are feasible.
- f. *Cost Estimating, Financing and Revenue*. The Study proposed approaches to all three components of the Project for construction and development costs, funding, financing and revenue generation from activities after construction. The Parties acknowledge that this LOI is premised on the accuracy of those conclusions but concur that confirmation is required prior to any formal agreements among the Parties.
- g. *The Baseball Club of Tacoma Lease*. The Baseball Club of Tacoma (“TBCOT”), an affiliate of TSCOT, is a master tenant and operator pursuant to a current lease with the City of Tacoma for Cheney Stadium. That lease provides TBCOT the right to use the City-owned parcels between Cheney and the new Stadium, which are contemplated for the Development for parking purposes in service to Cheney activities. The City and TSCOT acknowledge that any future Development must include sufficient parking to accommodate Cheney Stadium activities.

2. **Funding and Financing Plan.** This LOI does not include a fully vetted funding or financing plan for the Stadium. The Parties will exercise their best reasonable efforts to complete an agreed upon funding and financing plan (“Funding Plan”) to fully fund the cost to construct a \$60 million Stadium no later than March 31, 2020 after which the Parties will commence meaningful pre-construction planning and development in 2020. Such matters include negotiation of the Development Agreement and Lease consistent with the requirements herein and commencing the processes identified in Section 5(b) regarding the Development. The Parties understand that all MPT and City commitments under the Funding Plan will require (i) confirmation of the availability of all sources of funding identified in the Funding Plan prior to commencement of Stadium construction, and (ii) the consideration and approval of their respective governing bodies, initially in the form of resolutions approving this LOI and the Funding Plan and, eventually, of actions approving legal documents, such as financing agreements, a development agreement and a lease, among others. Release of funding from COT, MPT and TSCOT identified in such Funding Plan for construction shall be contingent upon confirmation of the availability of all other proposed funding sources required to complete the Stadium when construction is scheduled to commence, as well as approval of a Lease and Development and other agreements consistent with the requirements of this LOI. The Parties agree that at a minimum the Funding Plan for the new Stadium shall include:

- a. *Stadium Cost.* The Parties assume a Stadium capital cost of \$60 million, based on the conclusions of the Study.
- b. *New Markets Tax Credits.* TSCOT, MPT and COT will jointly support Congressional reauthorization of the New Markets Tax Credits (“NMTC”)

program, recognizing its importance to the Funding Plan. TSCOT shall serve as the guarantor to any NMTCs. If available, NMTCs should provide approximately 20 percent of eligible capital costs toward Stadium construction. If NMTCs are not reauthorized or otherwise unavailable for the Stadium, the Parties will endeavor to identify alternative funding sources to replace NMTC proceeds or other measures to fund the cost to construct the Stadium.

c. *Other Public Funding.* TSCOT, the City of Tacoma and Metro Parks will jointly lead the process to identify other sources of public investment from other public entities including the State of Washington. Specifically, TSCOT should pursue State support in the form of a credit of the State's share of local taxes to fund Stadium construction costs, consistent with the State's historical role in funding the construction of major league sports venues in Seattle. These commitments represent a total of \$7 million. If \$7 million of other public funds is not secured, TSCOT will make up the difference up to a maximum of \$2 million. The Parties will share in a proportional decrease based on their respective cash investments in the Stadium in any additional funds secured above \$7 million.

d. *TSCOT Investment.*

- i. TSCOT agrees to provide \$2.5 million up front cash toward the Stadium project costs which will be expended first towards master planning and design.
- ii. TSCOT agrees to fund at least \$16 million of the construction cost through guaranteed and secured annual debt service payments (estimated at \$900,000 per year, at 3.5% interest for 30 years), over the term of any

bonds issued to fund Stadium construction costs. This commitment is not dependent on Stadium revenues.

iii. While Stadium revenues will be pledged to debt service, TSCOT will also provide reasonably sufficient security, such as guarantees, for debt service payments.

- e. Financing.* At such time as all sources of cash and debt-service identified in the Funding Plan are furnished and obligated, either or both MPT or the City will issue debt, which in combination with the available cash, is sufficient to fund construction of a \$60 million Stadium.
- f.* TSCOT agrees to fund any Stadium-related project costs (including any costs associated with state and local regulatory requirements) that exceed the \$60 million total cost estimate.
- g. City of Tacoma Investment.* The City will undertake authorization to fund a maximum capped investment of \$15 million, with \$10 million in cash invested over a period of up to six (6) years for Stadium capital project costs, and an additional \$5 million in in-kind investments, including but not limited to, offsite improvements and other mitigation required as part of the Stadium capital project.
- h. Metro Parks Investment.* MPT will undertake authorization to fund a maximum capped investment of \$7.5 million in cash up front toward the Stadium project costs.
- i. No Additional City or MPT Funding.* Neither the City nor MPT will provide any funding to the extent the NMTCs or Other Public Funding is not available, nor for any costs in excess of the \$60 million cost of construction.

3. **Stadium Project Delivery.** The Parties shall negotiate a Development Agreement for the Stadium under which TSCOT shall procure design professionals and construction contractors and manage construction of the Stadium. In material part, the Development Agreement will provide for:
- a. procurement, contractual and payment requirements that comply with all requirements applicable to public funding sources and will include Women and Minority Business Enterprises and a Project Labor Agreement, including a local employment program.
 - b. design and construction document approval by the Stadium site owner/landlord and/or the entity or entities issuing bonds.
 - c. TSCOT to be responsible for all costs for Stadium design and construction (including any costs associated with state and local regulatory requirements) in excess of the amounts agreed in the Funding Plan. TSCOT shall be permitted to secure those funds from any source, provided that TSCOT shall be required to maintain as primary and not subordinate its debt service obligations under the publicly issued bonds, including any required guaranties and security.
 - d. In the agreements for design and construction there will be a requirement to design-in and construct reasonable facilities within the Stadium campus to accommodate and support robust public transit connections to and from the Stadium to all Tacoma neighborhoods.
4. **Stadium Lease.** TSCOT will execute a lease with the City of Tacoma, to become the master tenant and operator of the Stadium.

- a. At minimum the lease will be for an initial term not less than thirty (30) years, the length of time required by the bond financing repayment term or as might be required by NMTCs, whichever is longer.
- b. TSCOT intends to secure a first division professional women's soccer franchise (currently Reign FC), and one USL-Championship professional soccer franchise (currently the Tacoma Defiance), as initial anchor tenants of the Stadium. Stadium development is entirely dependent on and would not be considered by the Parties absent those soccer franchises being secured as initial anchor tenants of the Stadium.
- c. TSCOT shall be permitted to sublease portions of the Stadium footprint, including permitting build-out of subtenant facilities that may or may not provide public facing amenities or services. Any subtenant leases (other than for concessions) are subject to review and approval by the Lessor.
- d. TSCOT shall retain all revenues from operating the Stadium, except as otherwise agreed by the Parties during subsequent lease negotiations.
- e. The Lease will require TSCOT to pay rent and be responsible for regular ongoing maintenance and operations consistent with standards to be negotiated by TSCOT and the City. TSCOT shall prepare (i) maintenance and management and (ii) long term major maintenance, capital repair and replacement and upgrade plans to be approved by the City.
- f. In Lease negotiations, the Parties will address the magnitude and use of any Stadium specific admissions or other taxes, charges and fees; public use rights and allocation of revenues generated by any such events; and

responsibility for and identification of Stadium or Project revenue to support long term Stadium major maintenance, capital repair and replacement and upgrades.

- g. The Lease and subtenant leases will collectively include discrete and specific public benefits derived from the Stadium, including a minimum of 100 rent-free days and other activities to be determined for public use of the Stadium, reasonably proportional to the public investment, such as those reflected on Exhibit 1.
- h. In the agreements for design and construction there will be a requirement to design-in and construct reasonable facilities within the Stadium campus to accommodate and support robust public transit connections to and from the Stadium to all Tacoma neighborhoods.

5. **Outstanding Issues.** In addition to the Stadium and Funding Plan, the parties agree to work in good faith to resolve the following issues:

- a. Stadium Site. The Stadium is intended to be constructed on the easterly portion of relevant parcel J-1 and the “Supporters Green” is intended to be constructed on the westerly portion of parcel J-1, which is owned by MPT (See Exhibit 2). The Parties agree that the City of Tacoma and MPT will work to arrive, in principle, at a formal agreement whereby the City of Tacoma shall become the owner or long-term lessee of all or a portion of the Stadium parcel J-1 site. The Supporters Green is intended to be a public park subject to an agreement for the periodic use by the Stadium tenant during game and event days.

- b. **Development Site.** By March 31, 2020, MPT and the City in consultation with TSCOT will work to arrive, in principal, at an agreement regarding the process for determining the eventual ownership and use of the MPT (J2) parcel. The process would consider MPT's comprehensive parks and recreation plan, necessity for loss/replacement of park land, future revenue to support park operations, opportunity for affordable housing, and the parking for Cheney Stadium and the new Stadium. If no such agreement is achieved, then MPT property will continue to be used for parking until a future agreement can be negotiated and adopted.
 - c. COT commits to develop an appropriate process through which TSCOT may acquire some or all of the parcels it owns in and around Cheney Stadium, specifically including parcels F, G and H, to ensure that Cheney Stadium and the proposed new Stadium continue to have access to adequate parking and to facilitate the Development.
 - d. The Parties will use best efforts to complete the processes identified in Subsections 5(a) and (c) by mid-2020.
6. **Time Is of the Essence.** TSCOT, MPT and City acknowledge and agree that time is of the essence and commit their good faith and best reasonable efforts to the timely completion of the matters identified in this LOI.
7. **Preliminary Commitments.** This Letter of Intent is not intended to create, nor shall it create, any obligation on the part of TSCOT, MPT or the City with respect to the proposed Project, and shall only serve as the basis for collectively proceeding to the next step of securing the necessary financing for the Stadium, and then the negotiations to consummate a mutually acceptable Funding Plan, Stadium design, Development

Agreement, lease agreement and other related agreements as contemplated herein. The terms stated herein are not binding on any party unless and until they are formally incorporated into a mutually acceptable agreement and executed by the appropriate parties. Prior to consideration of any final agreements by the City of Tacoma City Council or the MPT Board of Park Commissioners, the parties will engage the public through public meetings and public process.

EXHIBIT 1

Public Benefits

Economic

The relocation of the Tacoma Defiance and Reign FC professional soccer clubs and owner investment in the community has fueled the efforts to construct a new soccer stadium. The soccer stadium development in turn has attracted potential new private capital investment with MultiCare prepared to invest \$20 + million dollars in a new health facility to be embedded in the stadium.

As identified in the feasibility Study, a mixed use development located between the Stadium and Cheney Stadium could provide affordable housing, jobs and economic development on a currently underused parking lot.

The potential construction of the Stadium has led to discussions around a future educational partnership between TSCOT and the University of Washington at Tacoma for a sports management education program for students in the local area.

Public Use, Access and Community Benefits

TSCOT's commitment to a minimum of 100 rent free days at the new Stadium for the community will provide for community access and youth sports/cultural opportunities with rent waivers valued at \$ 400,000.00 annually. The Tacoma Defiance and Seattle Sounders FC will commit to at least 35 professional soccer camps and clinics days annually at the Stadium and the adjacent Supporters Green Park, or at community centers (7 Camp Weeks, about 100 kids per camp) to support Community programming.

The Rave Foundation would consider working in partnership with the local community to build multiple small soccer fields and/or mini-pitches for rent free use in Tacoma, and provide soccer balls through the ONE Ball program, as well as supporting programs (which would include aforementioned free clinics) on an equitable and free basis, consistent with Rave's mission, vision and strategic plan to economically disadvantaged neighborhoods and children.

TSCOT, the City of Tacoma and MPT are committed to the achievement of equity in sport, service delivery, decision making and community engagement.

EXHIBIT 2

Exhibit 2

