

**REGULAR PARK BOARD MEETING AND AGENDA
APRIL 27, 2020
6:00 PM
REMOTE MEETING**



ATTENTION:

Protecting the public, our partners, and our staff are of the utmost importance. Due to recent health concerns with the novel coronavirus and in compliance with the Governor's Executive Order 20-28 (amending 20-05), this meeting will be held remotely. The public is encouraged to participate via telephone or Zoom and will be given opportunities to comment, as noted below.

You can listen to the Regular Park Board Meeting via telephone by following the instructions below:

Telephone Instructions:

Dial: 253-215-8782
Enter Meeting ID: 91603591121#
Participant ID: no ID needed just press #

You can listen and view presentations of the Regular Park Board Meeting via the Zoom link:

Join Zoom Meeting
<https://zoom.us/j/91603591121>

Community comment is encouraged to be submitted in advance of the meeting in written form. Please submit written comments to the Board by 5pm on April 27, 2020 by e-mailing them to Jennifer Bowman at jenniferb@tacomaparks.com. Comments may also be left on voicemail at 253-305-1091 by 5pm on April 27, 2020. Comments will be compiled and sent to Board members in advance of the meeting.

**METROPOLITAN PARK DISTRICT
OF TACOMA**



AGENDA

APRIL 27, 2020

6:00 P.M.

REMOTE MEETING

Telephone Instructions:

Dial: 253-215-8782

Enter Meeting ID: 91603591121#

Participant ID: no ID needed just press #

OR

Join Zoom Meeting:

<https://zoom.us/j/91603591121>

COMMISSIONERS

TIM REID, PRESIDENT

ERIK HANBERG, CLERK

AARON POINTER

ANDREA SMITH

JESSIE BAINES, JR.

6:00 P.M. **CALL TO ORDER**

ROLL CALL

SPECIAL PRESENTATIONS

COVID 19 RESPONSE UPDATE

PRESIDENT'S REPORT

STANDING COMMITTEE & COMMISSION REPORTS

EXECUTIVE DIRECTOR'S REPORT

REGULAR MEETING

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



COMMUNITY COMMENTS

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MINUTES

(5-8) MINUTES OF THE APRIL 13, 2020 REGULAR BOARD MEETING

CONSENT AGENDA

REGULAR AGENDA

PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

PUBLIC WORKS PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

SINGLE READING RESOLUTIONS

(Requiring one reading for adoption)

(9-12) **RESOLUTION NO. R23-20:** AUTHORIZING RESOLUTION FOR 2020 WASHINGTON STATE HISTORICAL SOCIETY HERITAGE CAPITAL GRANT-FORT NISQUALLY LIVING HISTORY MUSEUM
(Contact: Debbie Terwilleger, Director of Planning & Development)

(13-34) **RESOLUTION NO. R24-20:** APPROVING CONVERSION FOR STREET RIGHT OF WAY INTO REAL PROPERTY AT SWAN CREEK PARK
(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

April 29, 2020	Capital Improvement Committee	5:00 PM	Remote Meeting
May 12, 2020	Regular Board Meeting	6:00 PM	Remote Meeting
May 18, 2020	Committee of the Whole	5:30 PM	Remote Meeting

*Remote meeting details can be found on the Metro Parks Website www.metroparkstacoma.org

*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
April 13, 2020**

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

IN THE CHAIR: Tim Reid

PLACE: Remote call in meeting

REGULAR MEETING

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

SPECIAL PRESENTATIONS EARTH DAY PROCLAMATION

President Reid read a proclamation into the record proclaiming April 22nd as Earth Day. He noted this is the 50th anniversary of Earth Day.

PRESIDENTS REPORT

President Reid commented that the Mayor and City Council recently issued a statement regarding anti-discrimination in the City of Tacoma.
Commissioner Smith moved that the Board support the recent Anti-discrimination statement made by the City of Tacoma; seconded by Commissioner Pointer.

The City statement reads as follows:

A Statement From the Tacoma City Council on Anti- Discrimination and COVID-19

We recognize these are challenging times for everyone in Tacoma and our nation. Respect for individuals of all races, ethnicities and national origins is an integral part of our cultural fabric as a city and as a community.

The City of Tacoma's Office of Equity and Human Rights has recently received information about discriminatory acts on valuable residents in our own Tacoma community. Asian Americans and other marginalized groups are experiencing increased instances of overt racism, including verbal and physical assaults in our region and throughout the country.

Facts, not fear, should drive our decisions and actions.

Misinformation about coronavirus propagates fear and hostility that hurts people and makes it harder to keep everyone healthy. It is important to remember that coronavirus does not recognize race, nationality, or ethnicity.

The virus doesn't discriminate, and neither will we.

As we navigate through these trying times, the Centers for Disease Control and Prevention reminds us that individuals – including those of Asian descent – who do not live in, or have not recently been in, an area of ongoing spread of the virus that causes COVID-19, or have not been in contact with another individual who is a confirmed or suspected case of COVID-19 are NOT at greater risk of spreading COVID-19 than other Americans.

A report prepared for the U.S. based organizations, Chinese for Affirmative Action and the Asian Pacific Policy & Planning Council, stated that nationally, 673 instances of coronavirus discrimination were reported from March 19-25, 2020. Emerging trends include approximately 100 reports daily, with 5.5 percent from limited English speakers and verbal harassment making up two-thirds of reports.

The Office of the Mayor and the Tacoma City Council condemn discrimination of any kind against members of our community. We are stronger as a community when we stand together against discrimination. Our city's diversity is our greatest strength and we will not tolerate discrimination against our residents.

To file a report of discrimination, please file either at the state's Human Rights Commission or with the City's Office of Equity and Human Rights by calling (253) 591-5045.

Being no additional comments the question was called and the motion passed unanimously.

STANDING COMMITTEE AND COUNCIL REPORTS

Greater Metro Parks Foundation

Commissioner Smith noted that GMPF recently met to discuss ideas on how the foundation can support staff during this difficult time.

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Shon Sylvia commented on the following:

- Pete Mayer was introduced. Mr. Mayer commented that Tacoma Pierce County Health is reporting that there are currently 969 positive cases of COVID 19 and 20 deaths in Pierce County. Mr. Mayer stated that Metro Parks Tacoma has mobilized its ICS structure to deal with this global crisis. Following the Governor's mandate of stay home, stay health all Metro Parks' facilities and programs have been closed. Parks remain open although parking lot gates have been closed. He stated District staff continues to push out messages to encourage and remind visitors of social distancing protocols. Mr. Mayer reported that MPT staff has been active in getting childcare stood up for first responders as agencies have come together to share and coordinate resources. Mr. Mayer reported that the District is anticipating a \$13M shortfall of projected revenues. As a result the District made the difficult decision to lay off part-time & seasonal staff. He further noted that more impacts to staff are likely. It was then reported that District staff continue to work on state and federal side of things to mitigate impacts facing the District. Staff is anticipating that the Governor's May 4th order could be extended and are facing the reality of how different the District may look and operate in the future. Mr. Mayer stated that within the area of capital, modifications to the District's plan are being modified based on the current State mandates to focus on essential and emergency projects.

Shon Sylvia commented that tonight's agenda has purchasing items. He stated that staff is sensitive to the expenditures and has scaled down and made reductions to these items. Mr. Sylvia stated that the sign resolution is being recommend by staff as it has a significant fabrication time and that the work is consistent with the Governor's guidance on manufacturing.

COMMUNITY COMMENTS

No community comments received.

Community comment is encouraged to be submitted in advance of the meeting in written form. Please submit written comments to the Board by 5pm on April 13, 2020 by e-mailing them to Jennifer Bowman at jenniferb@tacomaparks.com Comments may also be left on voicemail at 253-305-1091 by 5pm on April 13, 2020. Comments will be compiled and sent to Board members in advance of the meeting.

MINUTES OF THE MARCH 9, 2020 REGULAR BOARD MEETING

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

CONSENT AGENDA

RESOLUTION NO. C19-20: APPROVAL OF WARRANTS CLAIM FUND FOR MARCH 2020

RESOLUTION NO. C20-20: ACCEPTING DONATIONS FROM THE NORTHWEST TREK FOUNDATION FOR THE BENEFIT OF NORTHWEST TREK WILDLIFE PARK

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

PURCHASING RESOLUTIONS

RESOLUTION NO. P21-20: AUTHORIZING PURCHASE OF GOODS AND SERVICES FOR METRO PARKS TACOMA

1. LAMAR ADVERTISING FOR BILLBOARD ADVERTISING IN AN AMOUNT NOT TO EXCEED \$115,000

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

Commissioner Hanberg inquired as to the rate amounts being contracted at this time. Staff indicated that this contract does lock in rates. Commissioner Pointer followed up by asking about the timing of the billboards. Staff commented that there could be some flexibility of depending on current messaging amidst current circumstance. Staff also commented that the contract includes timing of billboards ads for Zoolights.

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

PUBLIC WORKS PURCHASING RESOLUTIONS

RESOLUTION NO. PW22-20: POINT DEFIANCE PARK WATERFRONT PHASE 1 SIGNAGE BID NO. J2020-05, CONTRACT AWARD TO EVERGREEN SIGN COMPANY

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

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

SINGLE READING RESOLUTIONS None

SECOND READINGS RESOLUTIONS None

FIRST READING RESOLUTIONS None

UNFINISHED BUSINESS None

NEW BUSINESS None

BOARD COMMENTS:

Commissioner Pointer spoke about the data being collected related to people of color in urban areas testing positive for COVID 19. Staff indicated the TPCHD and UWT is tracking both zip codes and demographic data.

Commissioner Hanberg thanked staff who are keeping things together for the District during this time.

Commissioner Smith inquired as to the frequency of grass mowing. Mr. Sylvia commented that staff is looking at activities like grass mowing from a safety perspective and will be addressing activities of that nature.

President Reid thanked staff for the work District staff is continuing to do during this pandemic.

ADJOURN:

Being no further business, the meeting was adjourned at 6:35p.m.

APPROVED:

President

Clerk

Submitted by: Jennifer Bowman, Board Secretary



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Terwilleger, Director of Planning & Development

SUBJECT: 2020 Washington State Historical Society Heritage Capital Grant Application Authorizing Resolution- Fort Nisqually Phase II Building Improvements

DATE: April 22, 2020

EXECUTIVE SUMMARY: The Washington State Historical Society (WSHS) has announced that they are accepting Heritage Capital Project (HCP) grant applications now for the 2020 funding cycle. Staff has prepared an application for Fort Nisqually Phase II Building Improvements that is consistent with the criteria as established by the WSHS and supports the District’s Capital Improvement Program (CIP). As part of the application process WSHS requires that the submitting agency pass an Authorizing Resolution as a commitment to the funding request.

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: The Capital Improvement Committee reviewed this resolution at their meeting on April 15th and recommended forwarding this item on to the full Board for approval.

BACKGROUND: The HCP program was created in 1995 by an act of the Washington State Legislature establishing HCP as a program of the Washington State Historical Society. It provides a path to capital funds for projects that increase public access to history through historic preservation and history interpretation. WSHS requires that local agencies approve a resolution authorizing application for funding assistance. This resolution needs to be submitted to WSHS by April 23, 2020 along with all other final application materials.

The application is due April 23, 2020 with final awards being approved by the State Legislature in mid-2020. Funds are not available until Fall 2021 upon finalizing of funding agreement contracts. The following is an overview of the grant process schedule:

- April 23, 2020 Application Phase I Deadline
- April-May, 2020 Application Threshold Review
- June 25, 2020 Application Phase II Deadline
- June-July 2020 Advisory Panel Review
- August 2020 Public Ranking (time and location to be announced)
- September 2020 Ranked List Submitted to state capital budget
- January-June 2021 Legislature determines state capital budget
- July 1, 2021 Contracting begins
- June 30, 2023 Project Completed

Staff developed an internal review process to look at a wide range of project alternatives. Review criteria included consistency with the District's Capital Improvement Program; availability of local match; schedule; project merits, weighed against grant program criteria; and past application experience. Based upon this Staff is proposing to submit one (1) application as follows:

Fort Nisqually Phase II Building Improvements:

Total Project Cost \$1,175,000 Grant Request \$375,000 Matching Funds \$800,000

Description:

This project addresses three Fort Nisqually buildings that were erected in the 1930s: The Clerk's House (Montgomery House), the Sale House, and the Kitchen. Improvements to these structures, including replacement of deteriorated materials, are the top three priorities identified in the Fort Nisqually Building Assessment (2018). Additionally, these repairs are called for in the Fort Nisqually Living History Museum 2036 Capital Development and Program Plan. The condition assessment identified the three structures listed above as in need of improvements to address: life safety and structural improvements, greater ADA access, systems and seismic upgrades, and recreating the historic appearance of the Clerk's House (Montgomery).

FISCAL IMPACT: The Washington State Historical Society, Heritage Capital Project Grant Program operates on a 66.67% matching funds basis. Project selection was based on the availability of providing the required financial match through budgeted funds, currently identified in the CIP; partnership participation; and/or underway private fund raising initiatives. Metro Parks will be required to certify that matching funds are available to support selected projects prior to submission to the legislature for final approval.

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

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. R23-20

**AUTHORIZING RESOLUTION FOR 2020 WASHINGTON STATE HISTORICAL
SOCIETY HERITAGE CAPITAL GRANT
FORT NISQUALLY LIVING HISTORY MUSEUM**

WHEREAS, Metro Parks' Strategic Plan identifies as a major goal to be responsible stewards of its historic and cultural assets; and

WHEREAS, Metro Parks has identified in its Capital Improvement Plan the preservation of significant structures of Fort Nisqually Living History Museum; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that has applied for or intends to apply for funding assistance managed by the Washington State Historical Society for the above listed Project

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

FROM: Debbie Terwilleger, Director of Planning, Design & Development

SUBJECT: Conversion of Street Right of Way into Real Property at Swan Creek Park

DATE: April 21, 2020

EXECUTIVE SUMMARY: The attached resolution seeks Board approval to enable the Executive Director or designee to enter into the necessary agreements providing for the conversion of remnant street rights of way into real property, within the boundaries of Swan Creek Park, where the design of Phase II improvements is currently underway. The conversion process is dictated by RCW 35.79.030 and Tacoma Municipal Code 9.22. In addition staff requests that the Board of Park Commissioners authorize the purchase of the land from City of Tacoma for \$81,157.73.

CAPITAL IMPROVEMENT COMMITTEE: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, April 15, 2020 with a recommendation to forward the action on to the full Board for approval.

BACKGROUND: As part of grant-funded improvements at Swan Creek Park currently in the design process, Metro Parks Tacoma has chosen to request vacation of approximately 400,000 square feet of publicly dedicated right of way within the Swan Creek Park boundaries, lying between East 48th Street and the northern margin of East 52nd Street. The conversion of street right of way into real property will put the subject area entirely within Metro Park's authority/ownership, which will facilitate the construction of parks improvements. City of Tacoma has specific permit requirements for applicants who build within the public right of way. In this case, the rights of way are inactive and the imposition of such requirements would not be the best use of public funds.

RCW 35.79.030 and Tacoma Municipal Code 9.22.090 requires a payment for right of way vacation, and action by the Tacoma City Council. The cost was derived from an appraisal conducted evaluating four other parks properties, averaging \$.19 SF. The right of way vacation proposed under this resolution includes approximately 400,000 square feet. Staff requests that the Board of Park Commissioners authorize the purchase of land from City of Tacoma, at a cost of \$81,157.73.

FISCAL IMPACT: Funds for the purchase of the parcel will come from the 2014 Bond Program under land Acquisitions.

ADDITIONAL INFORMATION: For additional information, contact Debbie Terwilleger
253.305.1086

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. R23-20

**APPROVING CONVERSION FOR STREET RIGHT OF WAY INTO
REAL PROPERTY AT SWAN CREEK PARK**

WHEREAS, As part of grant-funded improvements at Swan Creek Park currently in the design process, Metro Parks Tacoma has chosen to request vacation of approximately 400,000 square feet of publicly dedicated right of way within the Swan Creek Park boundaries, lying between East 48th Street and the northern margin of East 52nd Street and

WHEREAS, The conversion of street right of way into real property will put the subject area entirely within Metro Park's authority/ownership, which will facilitate the construction and management of parks improvements; and

WHEREAS, The City of Tacoma has specific permit requirements for applicants who build within the public right of way; and

WHEREAS RCW 35.79.030 and Tacoma Municipal Code 9.22.090 requires a payment for right of way vacation, and action by the Tacoma City Council; and

WHEREAS the cost was derived from an appraisal conducted evaluating four other parks properties, averaging \$.19 SF; and

WHEREAS, the right of way vacation proposed under this resolution includes approximately 400,000 square feet; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District Tacoma that \$81,157.73 is appropriated for the street vacation and that the Executive Director or designee is authorized to enter into the necessary agreements providing for the conversion of remnant street rights of way into real property

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

ATTEST:

President

Secretary

Clerk

CITY EXHIBIT LIST

HEARING DATE: Thursday, January 30, 2020, at 1:30 p.m.

FILE NUMBER: HEX2019-035 (SV 124.1406)

FILE NAME: *Metropolitan Park District of Tacoma, Petitioner*

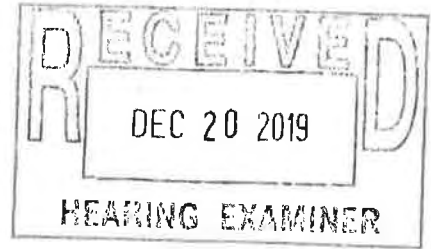
EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
EX. C-1	Preliminary Report	City of Tacoma, Real Property Services ("COT, RPS")				
EX. C-2	Aerial Map Exhibit	COT, RPS				
EX. C-3	Map Exhibit	COT, RPS				
EX. C-4	Plat – Homestead Park	COT, RPS				
EX. C-5	Plat – Portland Avenue First Addition	COT, RPS				
EX. C-6	City of Tacoma Ordinance No. 10398	COT, RPS				
EX. C-7		COT, RPS				
EX. C-8		COT, RPS				
EX. C-9		COT, RPS				
EX. C-10		COT, RPS				
EX. C-11		COT, RPS				
EX. C-12		COT, RPS				

KEY

A = Admitted

E = Excluded

W = Withdrawn



PRELIMINARY REPORT

**PREPARED FOR THE HEARING EXAMINER
BY REAL PROPERTY SERVICES**

**For the Hearing to be Held
Thursday, January 30, 2020 at 1:30 PM**

PETITIONER: METROPOLITAN PARK DISTRICT OF TACOMA FILE NO. 124.1406

A. SUMMARY OF REQUEST:

Real Property Services has received a petition by Metropolitan Park District of Tacoma to vacate all those portions of publicly dedicated streets, lying between East 48th Street and the northerly margin of East 52nd Street, within the Swan Creek Park boundaries, as depicted on the attached Exhibits 2 and 3. The vacated area of right of way will be incorporated into the Park property for park enhancements and improvements.

B. GENERAL INFORMATION:

1. Legal Description of Vacation:

All those portions of East 48th Street, East 50th Street, East "R" Street (also known as East "T" Street per City of Tacoma Ordinance No. 10398, passed February 13, 1930), East "S" Street (also known as Homestead Avenue per City of Tacoma Ordinance No. 10398, passed February 13, 1930), East "T" Street (also known as Roosevelt Avenue per City of Tacoma Ordinance No. 10398, passed February 13, 1930) and all alleys therein lying between the northerly margin of East 48th Street and the northerly margin of East 52nd Street, all as dedicated by Plat filing of Homestead Park, Pierce County, Washington according to the Plat thereof recorded in Book 6, Page 112, records of Pierce County, Washington, all lying east and south of Tract "M", as shown Plat filing of Salishan Division 2, according to the Plat recorded under Auditor's File number 200806245003, records of Pierce County, Washington, and lying east of Tract "K", as shown on Plat filing of Salishan Division 4, according to the Plat recorded under Auditor's File number 201007155004, records of Pierce County, Washington

Together with that portion of unrecorded East "T" Street lying south of the North margin of East 48th Street and North of East 52nd Street depicted outside of the plat of Portland Avenue First Addition, according to the Plat thereof recorded in Book 17, Page 82, records of Pierce County, Washington, more particularly described as follows:

Commencing at the Southeast corner of Tract 'J' as per said plat, thence South 88°03'57" East along the easterly projection of the south line of said Tract "J", 86.91 feet to a line perpendicularly 73 feet East and parallel to the East line of said Tract "J";

Thence North $30^{\circ}56'07''$ West along said parallel line a distance of 159.46 feet to a point of tangency with a 633.30 foot radius curve to the right;

Thence parallel Northwesterly along said curve through a central angle $12^{\circ}57'53''$ an arc distance of 143.30 feet to an angle point;

Thence North $89^{\circ}40'58''$ West a distance of 76.45 feet more or less to a point on a non-tangent curve to the right having a radius of 706.30 feet, from which point the center bears North $73^{\circ}58'33''$ East, said point being on the East line of said Tract "J";

Thence Northwesterly along said curved East line through a central angle of $1^{\circ}13'59''$ an arc distance of 15.20 feet;

Thence continuing along said East line North $14^{\circ}47'27''$ West a distance of 57.35 feet to an angle point;

Thence departing said East line South $89^{\circ}40'58''$ East a distance of 75.61 feet to a line that is 73 feet perpendicularly East and parallel to said East line of Tract "J";

Thence North $14^{\circ}47'27''$ West along said parallel line a distance of 243.75 feet to a point of tangency with a 464.40 foot radius curve to the right;

Thence Northeasterly along said parallel curve through a central angle of $21^{\circ}04'31''$ an arc distance of 170.82 feet to an angle point;

Thence North $69^{\circ}36'40''$ West a distance of 74.95 feet more or less to a point on the East line of said Tract "J", said point being on a non-tangent curve to the right having a radius of 537.40 feet, from which the center bears South $81^{\circ}46'04''$ East;

Thence Northeasterly along said curve and said East line through a central angle of $5^{\circ}24'22''$ an arc distance of 50.71 feet to an angle point;

Thence departing said East line South $69^{\circ}36'40''$ East a distance of 73.59 feet to a point on a line that is 73 feet perpendicularly East and parallel to the East line of said Tract "J", said point being a non-tangent curve to the right having a radius of 464.40 feet, from which point the center bears South $77^{\circ}25'44''$ East;

Thence Northeasterly along said parallel curve through a central angle of $22^{\circ}03'07''$ an arc distance of 178.74 feet;

Thence North $34^{\circ}37'23''$ East along said parallel line a distance of 22.24 feet more or less to the North line of the Northeast Quarter of the Northeast Quarter of Section 22, Township 20 North, Range 3 East of Willamette Meridian, said North line being the North margin of East 48th Street; Thence along said North line South $89^{\circ}16'31''$ East a distance of 65.06 feet;

Thence departing said North line South $34^{\circ}37'23''$ West a distance of 58.52 feet to a point of tangency with a 410.40 foot radius curve to the left;

Thence Southwesterly and Southeasterly along said curve through a central angle $49^{\circ}24'50''$ an arc distance of 353.94 feet;

Thence South $14^{\circ}47'27''$ East a distance of 281.39 feet to a point of tangency with a 579.30 foot radius curve to the left;

Thence Southeasterly along said curve through a central angle $16^{\circ}08'40''$ an arc distance of 163.23 feet;

Thence South $30^{\circ}56'07''$ East a distance of 194.36 feet more or less to intersect said easterly projection of the south line of Tract "J";

Thence North $88^{\circ}03'57''$ West along said projection a distance of 64.29 feet to the Point of Beginning.

All situate in the City of Tacoma, County of Pierce, State of Washington; within the Northeast Quarter of the Northeast Quarter of Section 22, Township 20 North, Range 03 East of the Willamette Meridian.

2. Notification:

9.22.060 NOTICE OF PUBLIC HEARING The Public Works Department shall cause a 30-day notice to be given of the pendency of the petition by written notice posted in three of the most public places in the City, a like notice in a conspicuous place on the street or alley sought to be vacated, a like notice in a newspaper of general circulation in the City, and a like notice to the legal property owners of all property abutting the right of way requested for vacation as enumerated on the applicant's vacation petition, and to any other interested parties of record. In addition to posting notices of the hearing, the Public Works Department shall mail a copy of the notice to all owners and occupants of the property which lies within 1,000 feet of the street or alley to be vacated. The said notice shall contain the statement that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition.

In all cases where the proceeding is initiated by the City Council without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, notice shall be sent as provided above. Failure to send notice by mail to any such property owner where the current address for such property owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed street vacation.

C. PUBLIC NOTICE:

Real Property Services in conjunction with the City of Tacoma Clerk's office issued the following public notice:

The Public Hearing Notices have been advertised, and posted, as described below:

1. Yellow public notice signs were posted on November 26, 2019, affixed to the existing fencing, fronting both South Tacoma Way and Union Avenue off-ramp.
2. On December 19, 2019 public notice memo placed into the glass display case located on the first floor of the Municipal building abutting the Finance Department.
3. Public notice memo advertised on the City of Tacoma web site at address:
<http://www.cityoftacoma.org/notices>
4. Public Notice advertised in the Daily Index newspaper.
5. Public Notice mailed to all parties of record within the 300 feet of vacation request.
6. Public Notice advertised on Municipal Television Channel 12.

D. PURPOSE OF REQUEST:

The Petitioner intends to absorb this segment of right of way into their adjacent property for park enhancements and improvements.

E. HISTORY:

East 48th Street, East 50th Street, East "R" Street (also known as East "T" Street per City of Tacoma Ordinance No. 10398, passed February 13, 1930), East "S" Street (also known as Homestead Avenue), East "T" Street (also known as Roosevelt Avenue), and all alleys therein lying between the northerly margin of East 48th Street and the northerly margin of East 52nd Street, were dedicated, in 1903, by Plat filing of Homestead Park, Pierce County; And that portion of unrecorded East "T" Street as depicted outside the Plat of Portland Avenue First Addition, Copies of the Plats of Homestead Park and Portland Avenue First Addition, and City of Tacoma Ordinance No. 10398, are attached hereto and referenced as Exhibits 4 through 6.

F. PHYSICAL LAND CHARACTERISTICS:

None of these described rights of way have been improved with any street or utility infrastructure and have been historically management, improved and utilized as park amenities/paths.

G. APPLICABLE SECTIONS OF THE OFFICIAL CODE OF THE CITY OF TACOMA:

9.22.010 PETITION TO VACATE AUTHORIZED: The owners of an interest in any real estate abutting on any street or alley who may desire to vacate any street or alley, or any part thereof, shall petition to the City Council to make vacation in the manner hereafter provided in this chapter and pursuant to RCW 35.79 or the City Council may itself initiate by Resolution such vacation procedure. The City Council shall require the petitioners to compensate the City in an amount which equals one-half of the appraisal value of the area vacated; provided that if the street or alley has been a public right of way for 25 years or more, the City shall be compensated in an amount equal to the full appraised value of the area vacated; provided that when the vacation is initiated by the City or the City Council deems it to be in the best interest of the City, all or any portion of such compensation may be waived. Except as provided below, one-half of the revenue received hereunder shall be devoted to the acquisition, improvement, and maintenance of public open space land and one-half may be devoted to transportation projects and the management and maintenance of other City owned lands and unimproved rights-of-way.

In the case of vacations of rights-of-way in the tide flats area, defined as easterly of the Thea Foss Waterway (inclusive of the Murray Morgan Bridge), northerly of State Route 509 and westerly of Marine View Drive, the total revenue received hereunder shall be devoted to transportation projects in the tide flats area.

9.22.040 PUBLIC'S RIGHT TO TRAVEL – UTILITIES: Vacation of any portion of a street that is designated as an arterial under Section 11.05.490 of the Municipal Code shall be of a minor nature only and shall not unreasonably limit the public's right to travel upon said street or interfere with the ancillary right to occupy said street for utility purposes.

CRITERIA: Section 9.22.070 of the Official Code of the City of Tacoma. The following criteria have been considered:

1. That the vacation will provide a public benefit and/or will be for a public purpose.
2. That the right-of-way vacation shall not adversely affect the street pattern or circulation of the immediate area or the community as a whole.
3. That the public need shall not be adversely affected.
4. That the right-of-way is not contemplated or needed for future public use.
5. That no abutting owner becomes landlocked or his access will not be substantially impaired; i.e., there must be an alternative mode of ingress and egress, even if less convenient.
6. That vacation of right-of-way shall not be in violation of RCW 35.79.035

Regarding the above Criteria, Real Property Services finds the following:

1. The vacation is a public benefit because:
 - a. It will reduce the City's maintenance expenditures.
2. City of Tacoma Traffic Engineering has been consulted regarding this petition and does not object to the vacation.
3. No general public is currently served by this unimproved right of way.
4. The vacation area is not contemplated or needed for future public use as a right of way.
5. No abutting property becomes landlocked nor will their access be substantially impaired.
6. The vacation area is not close to a body of water as contemplated under RCW 35.79.035.

H. ADDITIONAL INFORMATION:

The area to be vacated has not been assessed for sanitary sewers and is subject to a Connection Charge In-Lieu-of-Assessment per T.M.C. 12.08.350. At the time of this reading the Assessment is provided as an Advisory Comment only and not a condition of this action. Should the petitioner(s) wish to clear this item from title the Assessments can be paid in connection with this vacation action or will become due and payable at such time as future permitting of the site. Please note that the ordinance establishing the rate of assessment is updated every few years, and/or the infrastructure is replaced, and the amount quoted may increase in the future. As such, should the petitioner elect to wait to make such payment the In-Lieu Assessment should be recalculated at time of such development to ensure current rates.

I. PROJECT RECOMMENDATIONS:

As part of the City's review process for street vacation petitions, notice of this application was mailed to various City departments as well as many outside quasi-governmental agencies. These agencies, as noted below, have provided comments and recommended conditions to the Real Property Services Division. These comments, where appropriate, have been incorporated in the "Recommended Conditions of Approval" section of this preliminary report.

- Preliminary Report – Exhibit 1
- Aerial Map Exhibit – Exhibit 2
- Map Exhibit – Exhibit 3
- Plat of Homestead Park – Exhibit 4
- Plat of Portland Avenue First Addition – Exhibit 5
- City of Tacoma Ordinance No. 10398 – Exhibit 6
- Public Works/LID – Advisory Note Provided

- Environmental Services – No Objection
- Tacoma Fire – No Objection
- PW Engineering – No Objection
- Tacoma Power – No Objection
- Click! Network – No Objection
- Tacoma Water – No Objection
- Planning & Development Services – No Objection
- Comcast Communications – No Objection
- Puget Sound Energy – No Objection
- CenturyLink – No Objection

Police – No Response
Solid Waste – No Response
Pierce Transit – No Response

J. RECOMMENDED CONDITIONS OF APPROVAL:

Since no comments were received should this street vacation request be approved, the Real Property Services Department of Public Works recommends that Payment be the only condition of approval:

1. PAYMENT OF FEES

The petitioner shall compensate the City in an amount equal to the full appraised value of the area vacated. One-half of the revenue received shall be devoted to the acquisition, improvement and maintenance of public open space land and one-half may be devoted to transportation projects and /or management and maintenance of other City owned lands and unimproved rights-of-way. *TMC 9.22.010*

Advisory Comment Only

2. *PUBLIC WORKS/LID - ADVISORY COMMENT ONLY*

- a. *LID estimates and comments provided herein by Real Property Services are advisory comments only, and not as a condition of closing, and can be voluntarily paid at time of this right of way purchase or will be required at time of development.*

Real Property Services has received the following public comment:

- ❖ No public comments received.

The applicant shall comply with all City regulations for any future use of the subject site.

ATTACHMENT: Vacation Jacket containing all pertinent maps and papers.



RECEIVED
DEC 20 2019
HEARING EXAMINER



Metropolitan Park District of Tacoma

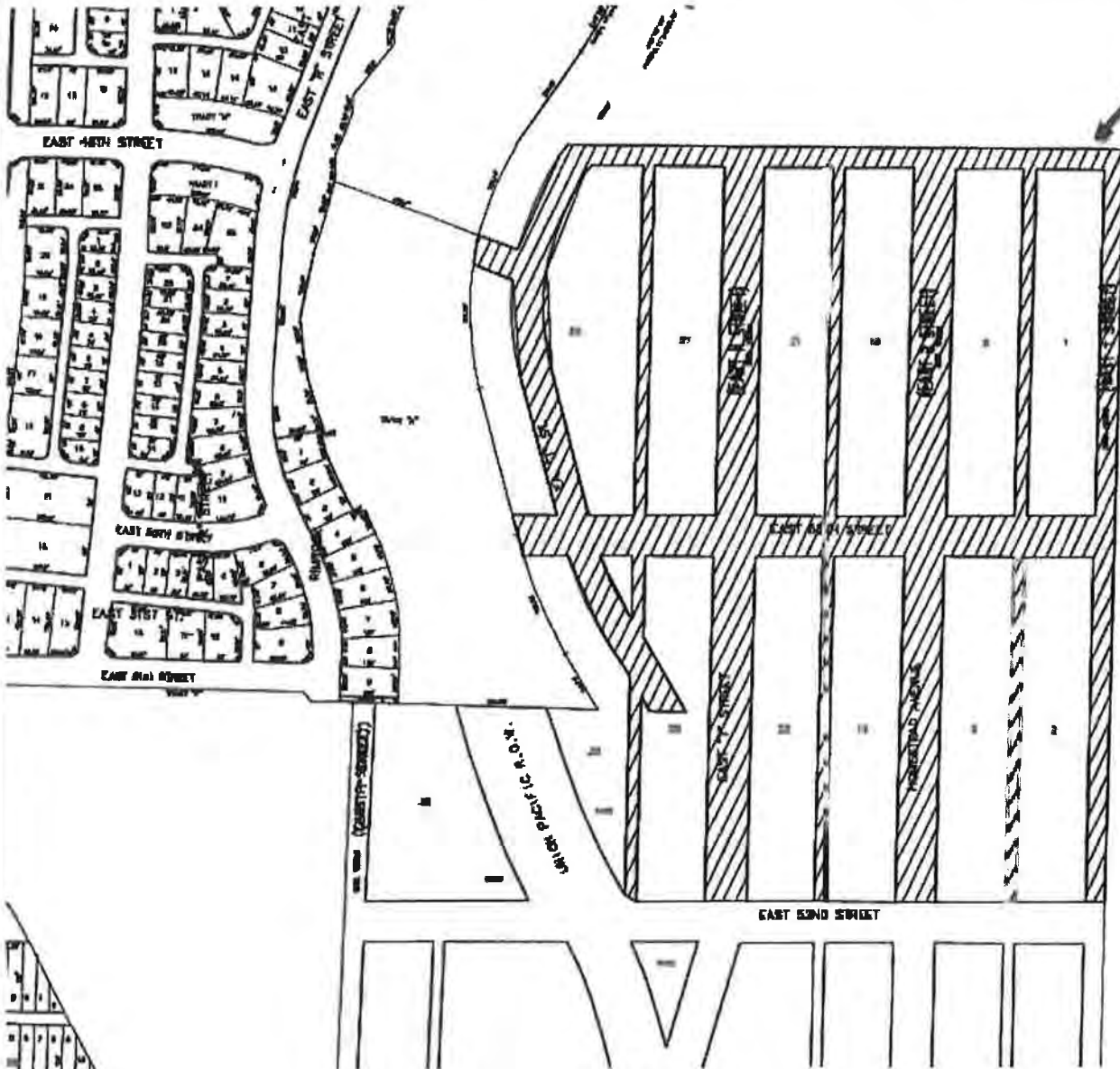
STREET VACATION NO. 124.1406

Homestead Park, Pierce County platted streets between East 48th – East 52nd,
lying within Tacoma's Swan Creek Park

NE ¼ of the NE ¼ SEC. 22, T20N, R03E

NOT TO SCALE

RECEIVED
DEC 20 2019
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DEC 20 2019
HEARING EXAMINER



Homestead Park,

PIERCE COUNTY, WASHINGTON.

see # 11476

Scale, 250 feet per inch.

Know all men by these presents, that O. H. A. Bedecker, trustee, owner in fee simple, do hereby set and plat into acre tracts, streets, and parks the following described tract of land, viz: the northeast quarter of the northeast quarter and lots three (3), four (4), and five (5), all in section twenty-two (22), Township twenty (20), north, range three (3), east, Willamette meridian, all lying in the Puget Sound Indian Reservation and containing 150 acres, more or less, which is hereafter to be known as "Homestead Park, Pierce County, Washington", and I do hereby donate and dedicate to the use of the public forever all the streets and alleys in this plat. The widths of streets and alleys and dimensions of the tracts or blocks are as shown on this plat. In witness whereof I have hereunto set my hand this 6th day of April A.D. 1905.

Witness
O. H. A. Bedecker, Trustee.
Charles Woodworth

Date of Washington }
County of Pierce }
This is to certify that on this 6th day of April A.D. 1905 personally appeared before me, a notary public in and for the State of Washington, O. H. A. Bedecker, Trustee, to me known to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed the same freely and voluntarily for the use and purpose therein mentioned. In witness whereof I have hereunto set my hand and affixed my official seal this 6th day of April A.D. 1905.

Charles Woodworth
Notary public residing at Tacoma, Washington

I hereby certify that I have surveyed "Homestead Park Pierce County, Washington", that this plat is correct and that iron monuments have been placed at points indicated by small circles

Adolph Funke
Civil Engineer.

Accepted by the Board of County Commissioners of Pierce County, Washington, this 11th day of April A.D. 1905.



Board of County Commissioners
of Pierce County, Washington, by
Geo. C. Handley
Chairman

Tacoma, April 7th 1905
I hereby certify that all State and County taxes herefore levied and which have become a charge on the property described within, according to the books and records of my office have been fully paid and discharged.

Geo. B. Reed
Treasurer Pierce County, Wash.
By: L. H. Ropes, Deputy.

160240
State of Washington, County of Pierce
This is to certify that this instrument was filed for record in the office of the Auditor of Pierce County, at the request of Charles Woodworth on this April 15 1905 at 10th o'clock A.M. and recorded in Vol 6 Record of Clats of said County, on page 112

County Auditor.

by _____
Indorsed by Longner

For reference only, not for re-sale.

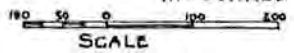
PORTLAND AVENUE FIRST ADDITION

SECTIONS 15 AND 22, TWP. 20, RANGE 3 E. W.M.

TACOMA, WASH.

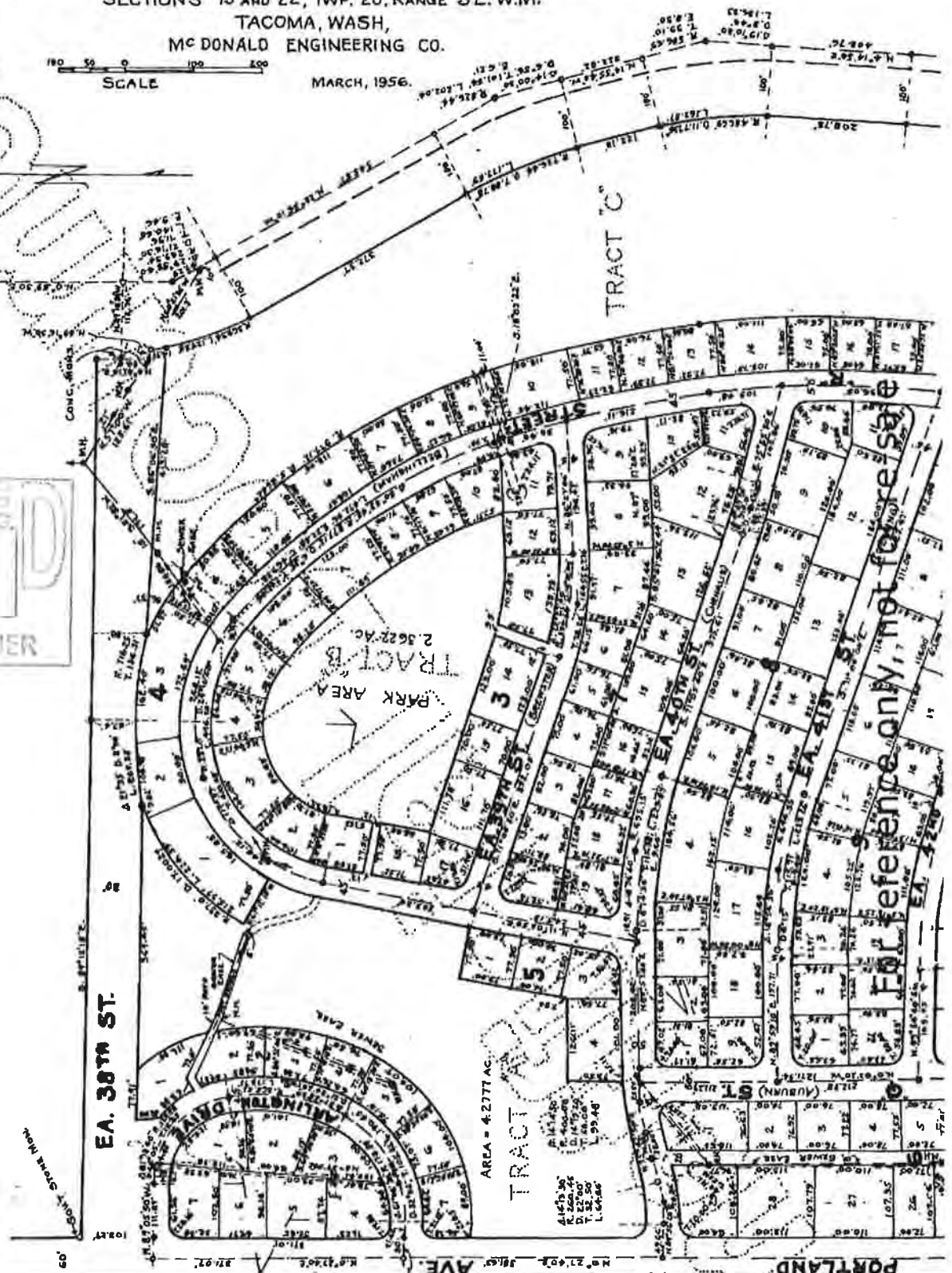
Mc DONALD ENGINEERING CO.

MARCH, 1956.



RECEIVED

RECEIVED
DEC 20 2019
HEARING EXAMINER



- LEGEND -
- MONUMENTS SET
 - EXISTING MONUMENTS
 - M.H. (MANHOLE)

Note:

All radii at street intersections are 20', unless otherwise noted.

COMPASED BY J.K.P.N.
DRAWN BY

EA. 40TH ST

PORTLAND

For reference only, not for resale



For reference only, not for use as a legal document.

NOTE: ALL RABBITS AT STREET INTERSECTIONS ARE 20' UNLESS OTHERWISE NOTED

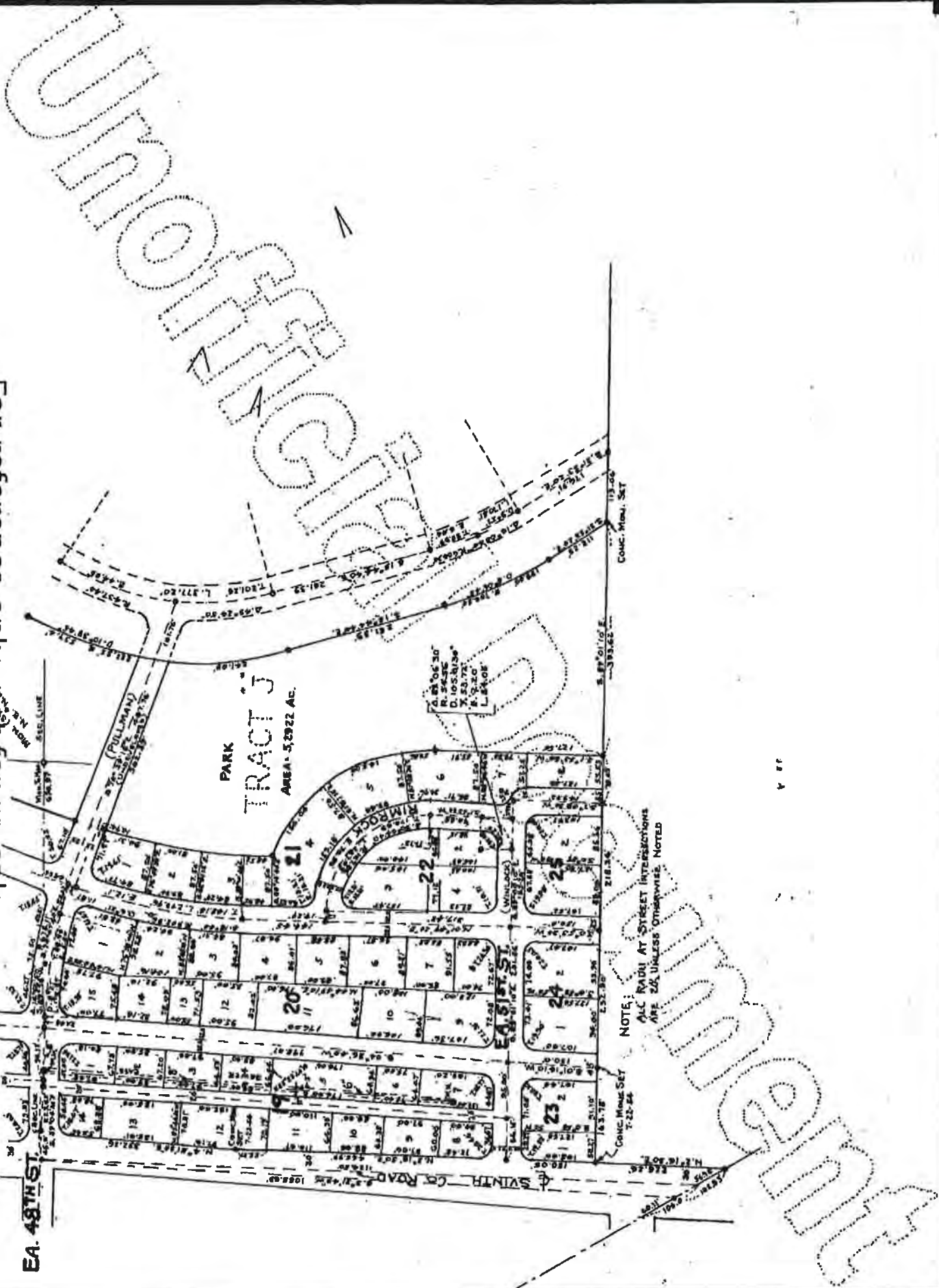
PORTLAND

EA 44TH ST



For reference only, not for re-sale.

For reference only, not for re-sale.



PARK TRACT J
 AREA - 5.2922 AC.

NOTE:
 ALL RADI AT STREET INTERSECTIONS
 ARE 20' UNLESS OTHERWISE NOTED

EA. 48TH ST

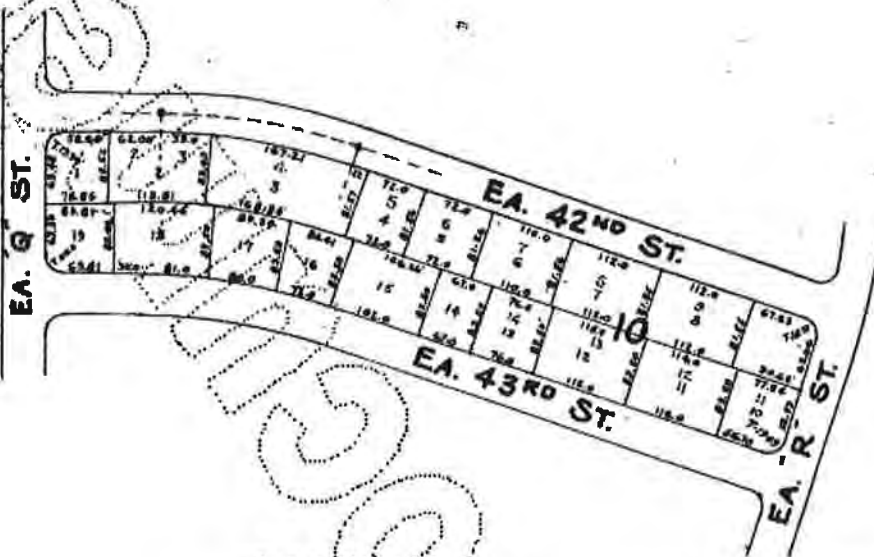
SMITH CT ROAD

EAST ST

(FULLWAY)

REPLAT OF BLOCK 10 PORTLAND AVENUE FIRST ADD.

TO THE CITY OF TACOMA
SCALE 1"=100' MAY 12-1956



I hereby certify that the above plat is correct. Signed this 12th day of May A.D. 1956

W. L. McDonald

W. L. McDonald, Registered Civil Engineer and Land Surveyor. License No. 514-0167000

 * MARY L. Mc DONALD *
 * Registered *
 * PROFESSIONAL ENGINEER *
 * State of Washington *

KNOW ALL MEN BY THESE PRESENTS, that the Housing Authority of the City of Tacoma, by Gertrude Vander Ende, Chairman of the Board of Commissioners, owner of the above described parcel of land, publishes the attached plat, such plat to be known as the "Replat of Block 10, Portland Avenue First Addition" to the City of Tacoma, Pierce County, Washington.

IN WITNESS WHEREOF said representative above mentioned has caused his name to be hereunto subscribed.

Signed this 15th day of May A.D. 1956

HOUSING AUTHORITY OF THE CITY OF TACOMA

By G Vander Ende
Chairman.

Attest Harold Bergerason
Harold Bergerason, Executive Director

State of Washington } S S
County of Pierce }

This is to certify that on this 15th day of May A.D. 1956, personally appeared before me Gertrude Vander Ende, and Harold Bergerason, known to me to be the representatives described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above mentioned.

Gertrude S. McCaffery
Notary Public in and for the State of Washington
Residing in Tacoma, Washington.

 * GERTRUDE S. McCAFFERY NOTARY PUBLIC *
 * State of Washington *
 * Commission expires Nov. 20, 1957 *

Filed and recorded at the request of Housing Authority of the City of Tacoma

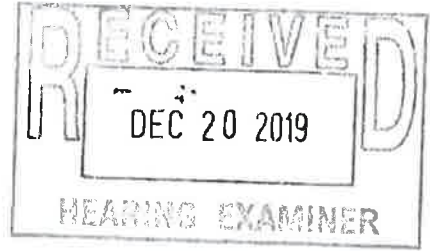
This 23rd day of May A.D. 1956, at 44 min. past 2 o'clock P.M., on page 82 G, Vol. 17 of record of plats.

J. M. Bonitas
Auditor, Pierce County, Washington.

Sue Benisak Deputy.

1756574

For reference only, not for re-sale.



ORDINANCE NO. 10399

By VOTAW:

An ordinance to change the names of certain streets in the City of Tacoma,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the names of the following streets in the City of Tacoma be and the same are hereby changed as follows, to-wit:

1. The street running northwesterly from North 46th Street to Vassault Street through Columbia Addition shall be hereafter known and designated NORTON PLACE.
2. The street lying between Blocks 2 and 3, Roxburgh Addition and its extension northerly to South 76th Street shall be hereafter known and designated THOMPSON AVENUE.
3. East "J" Street in McGregor's, McGregor's 2nd, Cleveland and Marathon Additions shall be hereafter known and designated EAST "I" STREET.
4. The Flume Line Right of Way from the west line of Wing's Addition to South 48th Street and Broadway in Amended Plat of a Part of Latshaw's, Amended Plat of Manning's, and Branson's Additions shall be hereafter known and designated SOUTH TACOMA WAY.
5. East "N" Street in McKinley Park 4th Addition and Knowles First Addition shall be hereafter known and designated HILL STREET.
6. East "O" Street in McKinley Park 4th Addition and Knowles First Addition shall be hereafter known and designated EAST "N" STREET. Pa. 5
7. East "P" Street in Sweet's, McCoy's, London and Liverpool and Central Park Additions shall be hereafter known and designated EAST "Q" STREET. Pa. 71
8. East "P" Street in Homestead Park Addition shall be hereafter known and designated EAST "R" STREET. Pa. 70
9. East "Q" Street in McCoy's and London and Liverpool Additions shall be hereafter known and designated EAST "S" STREET. Pa. 70
10. East "R" Street in McCoy's, London and Liverpool and Homestead Park Additions shall be hereafter known and designated EAST "T" STREET. Pa. 70
11. East "S" Street in McCoy's and Homestead Park Additions shall be hereafter known and designated HOMESTEAD AVENUE. Pa. 70
12. East "T" Street in Homestead Park Addition shall be hereafter known and designated ROOSEVELT AVENUE.

13. Pearson Street in Pearson's First Addition shall be hereafter known and designated BELL STREET.

Passed FEB 10 1880

J. H. Newby
Mayor

Attest Gensicve Martin
City Clerk