

**Capital Improvement Committee Meeting (CIC)  
Agenda & Meeting Materials  
August 16, 2023 - 5:00 PM**

Metro Parks Headquarters  
4702 S 19th St.  
Tacoma, WA 98405



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This Capital Improvement Committee Meeting (CIC) will be held at Metro Parks Headquarters, 4702 S 19th St., Tacoma, WA 98405. You can also join the meeting remotely by following the instructions below: (either by online link or by phone)

**Topic: Metro Parks Tacoma Capital Improvement Committee (CIC)**

**Time: August 16, 2023 5:00 PM Pacific Time (US and Canada)**

**Join Zoom Meeting Online by clicking the link below:**

**<https://zoom.us/j/95041531173?pwd=ZUsvRmRLOUpNTWdZdGFxM085Zz09>**

<b>Or Dial:</b>	<b>(253) 215-8782</b>
<b>Enter Meeting ID:</b>	<b>950 4153 1173</b>
<b>Password:</b>	<b>039699</b>
<b>Participant ID:</b>	<b>No ID needed, just press #</b>

**Order of Presentation:** In general, each agenda item will include a short staff presentation, followed by board discussion. Public Comment is not taken at this committee meeting.



**BOARD OF PARK COMMISSIONERS  
CAPITAL IMPROVEMENT COMMITTEE  
AGENDA**

**Wednesday, August 16, 2023  
5:00 PM**

**MINUTES FROM JUNE 14, 2023**

**PROJECT STATUS REPORT**

**DISCUSSION ITEMS**

- Public Art – Storm Drain Murals

**ACTION ITEMS**

- Stormwater NPDES Permit MOU with COT
- PDP – Water Utility Inventory & Assessment Project – Contract Award to RH2

**FUTURE AGENDA TOPICS**

**ADJOURNMENT**



## BOARD OF PARK COMMISSIONERS CAPITAL IMPROVEMENT COMMITTEE

June 14, 2023  
5:00 PM  
MINUTES

**Attendees:** Commissioner Pointer, Commissioner Reid

**Staff Support:** **Debbie Russell**, Director of Business, Administration & Planning; **Marty Stump**, Deputy Director - Planning and Development; **Roger Stanton**, Capital Program Manager, Regional & ZEED; **Mary Kay Henley**, Planning Administration

**Acceptance of Minutes:** Minutes from the May 24, 2023, meeting were approved as written.

### Discussion Item

N/A

### Action Items

#### **Fort Nisqually Phase II – Contract Award to SHKS Architects**

- Roger reported this resolution authorizes an A&E Contract to SHKS Architects to provide design development plans through construction administration for the Phase II building improvements at Point Defiance Park's Fort Nisqually Living History Museum in the amount of \$291,000. He explained this covers the design fee to demo and replace the Clerk's House, plus make improvements to the Sales Shop and Kitchen building.
- It was explained that Phase I included a facility assessment report that prioritized necessary work. The Clerk's House rose to the top because it provides valuable volunteer workplace accommodations and is in substandard condition. Marty reported that SHKS specializes in historic design work and did the original assessment making them very familiar with the project. They also served as the architects on recent projects at W.W. Seymour Conservatory and Owen Beach. Roger also announced the project was just awarded a Washington State Heritage Grant.
- Commissioner Pointer asked the age of the buildings, 15 – 20 years old? Roger reported they are a lot older, and that these buildings have likely been there as long as Fort Nisqually has been on the site. He added that plans for both the Sale Shop and Kitchen include an inside steel structure to firm up the building. The Clerk's House can be demolished and rebuilt since it isn't historic.
- Commissioner Reid wanted to make sure work will not impact the historical value of the site. Roger reported the contractor is experienced in sensitive work like this and added the project's light footprint won't impact the building's registry. He also pointed out the extensive historical review and approval process that must take place to move forward with

the project. Commissioner Reid suggested going over this information during the Board presentation.

- Commissioner Pointer asked how long the project will take. Roger reported it depends on permitting, but it is expected to be completed in spring of 2024 or 2025.
- Commissioner Reid asked if public art funds are included in this project. Marty said yes. Staff will get clarification on whether these art funds will be used at Fort Nisqually or go into the District Art Fund.
- This item was accepted for moving forward to the full Board with a recommendation of approval.

#### **Lease of Stanley Playfield Playground Area by Tacoma School District No. 10 (TSD)**

- Marty explained that a portion of the Stanley playground currently lies on park property and lacks the standard boundary between a school playground and park property. TSD is currently working on constructing a new playground closer to the school building and part of a new fence will fall on park property. This resolution authorizes Metro Parks to enter into a lease agreement for the playground area at Stanley Playfield with TSD that allows for fence installation and ongoing maintenance.
- Marty showed the commissioner's pictures of the area being discussed. He pointed out how the new fence will create a physical separation between the school playground and park property.
- Commissioner Reid asked if we should let the NFL know about this work since we received a grant from them awhile back. Marty confirmed that Metro Parks did receive an NFL youth football grant for sport field renovations at Stanley Playfield. He added that this work is well outside the grant area, however he will double-check with our attorney to make sure there aren't any issues. Commissioner Pointer added that he doesn't expect the NFL to be interested in the entire field, just the football field.
- Debbie added it's anticipated that TSD will include the replacement of Stanley Elementary in their next capital bond and at that time, we may reevaluate the property line.
- This item was accepted for moving forward to the full Board with a recommendation of approval.

#### **Accepting Funds from Greater Metro Parks Foundation for Eastside Community Center (Last minute add to meeting agenda)**

- Debbie explained that the Eastside Community Center project received additional funding, including from Greater Metro Parks Foundation (GMPF) now called Tacoma Parks Foundation. They pledged \$3M toward construction and in 2018 we received \$1.8M. This resolution will accept the remaining \$1.2M.
- She reported it has taken awhile to receive these remaining funds. She explained we have invoiced Tacoma Parks Foundation who used non-profit grant funds they received from the Boys & Girls Club.
- Although a resolution wasn't prepared, the previous 2018 resolution was shown as a sample. Debbie added she is consulting with Metro Park's attorney to see if this needs Board action. If not, the Commissioners won't see this resolution being brought forward to the Board.

- Both Commissioners agreed this appears to be basic accounting and wanted to make sure we are being compliant. Debbie said staff are working hard to make sure everything is completed properly.
- This item was accepted for moving forward to the full Board with a recommendation of approval.

#### **Other Discussion Items**

- Commissioner Pointer asked if Ross Wilton is now the acting staff liaison for the Active Lifestyle Advisory Council with the recent departure of Mary Tuttle. Staff reported they will find out and report back.
- Commissioner Reid asked if staff have investigated his previously reported ADA accessibility issues at Point Defiance Park and Swan Creek entrances. Marty reported staff are currently working on an ADA assessment of trails, making sure rules are followed and width is adequate. He will check to see if these areas were flagged and report back on his findings.
- Commissioner Reid received a question about any plans for the abandoned house by Norpoint Community Center. Marty reported we have plans to demolish and remove the house most likely in 2024, however timing depends on permitting.

#### **Meeting Adjourned**

# Metro Parks Tacoma

## Public Art Project Scope Definition

DATE: 7/18/2023

**Project Name:** STAR Center Stormdrain Murals

**Project total:** No cost to MPT

\_\_\_\_\_ Metro Parks Lead: 100% Metro Parks Funded

\_\_\_\_\_ Metro Parks Lead: Joint Metro Parks/City of Tacoma Funding

\_\_\_\_\_ City of Tacoma Lead: Metro Parks Financial Contribution

### **Description of the larger capital project/context:**

The SERA Campus sprayground, located north of STAR Center, is a lively, engaging recreation space that flows playfully across the landscape. This project will boost the opportunity for playful engagement with the space and bring a layer of environmental education to those visiting by sharing the knowledge that “if it hits the ground, it hits the Sound!”

The City of Tacoma’s Environmental Services (ES) Department and Office of Arts & Cultural Vitality (OACV) have been implementing public art pieces – including stencils and stormdrain murals – to spread this message across Tacoma since 2020 with these goals in mind:

- Telling the story of the City’s stormwater system
- Encouraging proper use and stewardship of stormdrains
- Engaging community around an “unseen” aspect of surfacewater management

Metro Parks Tacoma has made a commitment to implementing public art through setting aside 1 percent of the district’s capital projects budget for art. This project would be an excellent complement to the growing collection of public art on Metro Parks’ land.

### **Goals of the larger capital project/context:**

This project is part of a larger effort to spread the “if it hits the ground, it hits the Sound” message in public spaces across Tacoma. We are identifying locations for new murals around People’s Park and other spaces related to Metro Parks. Existing stormdrain murals and stencils can be found:

- Murals: Along 6<sup>th</sup> Avenue, McKinley Avenue, Center Street, East D Street, Pacific Avenue
- Stencils: Near University of Puget Sound, Foss Waterway Seaport, Center for Urban Waters, Tacoma Recovery & Transfer Center

### **Public Art Program Recommended Strategy for the Project:**

Several existing drains within and around the sprayground will be selected for painting bright, fun, eye-catching mural art and/or the phrase “If it hits the ground, it hits the Sound.” While many of the drains within this park are not connected to Tacoma’s stormwater system, the message will encourage stewardship of the recycled water system of the sprayground and, ideally, impact the viewers in a way that encourages stewardship of stormdrains throughout Tacoma and beyond. A mural artist will be directly hired and paid a fee to create and install the stormdrain artwork, and may decide to work with other artists for the installation. This project should be developed in partnership with Environmental Services (ES).

Proposed drain locations identified by OACV and ES staff and approved by MPT staff. Any additional drains that are not in view must be approved by MPT staff review.



**Stormdrain mural site option details:**



**Scope of Work:**

A mural artist will create a cohesive design that will highlight various drains throughout the sprayground and surrounding walkways. The design should be delivered digitally, and installation will be managed by the City. The designs should include the “if it hits the ground, it hits the Sound” text, patterns, images, etc. in order to call attention to the importance of keeping our surfaces, and ultimately water, clean.

**Artist Selection Strategy:**

- Open Competition
- Invitational or Limited Competition
- Direct Selection
- Direct Purchase

**Description of Artist Selection Strategy:**

The selection strategy should be developed in partnership with Environmental Services. This is an excellent opportunity for artists who have not worked extensively in the public realm.

**Skill Set Required:**

The selected artist should **meet** the following criteria:

- Artistic quality as exemplified in past work
- Ability to think and work in a scale and with materials that can be translated to the site
- Ability to create work that complements and enhances ES's messaging and outreach goals

**Project Schedule:**

- July 2023: Finalize scope/opportunity for artists
- August 2023: Opportunity available to artists/artist selection
- September-October 2023: installation of artwork

**Project Support:**

The selected artist can expect the following support from the design and project management team for this project:

- Explanation of project background, purpose, and goals
- Design feedback
- Onsite support during installation
- Materials

**Project Deliverables:**

- Digital files of 1) draft and 2) final designs.
  - Installation of mural(s) around approved storm drains.
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**Proposed 1% for Art Budget** – budget subject to change depending on approach as identified among the team.

This project will be funded by the City of Tacoma's Environmental Services Department, and administered by the Office of Arts & Cultural Vitality.





## **MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Russell, Director of Business Administration & Planning

**SUBJECT: Adopting a Memorandum of Understanding for the Phase 1 Municipal Stormwater Permit by and between the City of Tacoma and the Metropolitan Park District of Tacoma**

DATE: August 28, 2023

**EXECUTIVE SUMMARY:** Staff is recommending that the Board endorse the Memorandum of Understanding (MOU) and authorize the executive Director to enter into an agreement with the City of Tacoma relating to the Phase 1 Municipal Stormwater Permit.

### **BACKGROUND:**

On August 1, 2019, the Washington State Department of Ecology (Ecology) issued the 2019-2024 National Pollutant Discharge Elimination System (NPDES) Phase 1 Municipal Stormwater Permit (“Permit”), which includes the City of Tacoma. The Permit is available online at: <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Municipal-stormwater-general-permits/Municipal-Stormwater-Phase-I-Permit>.

The Permit regulates the discharge of stormwater to surface waters and groundwaters of the state from Tacoma’s Municipal Separate Storm Sewer System (MS4). The Permit is designed to protect and improve the water quality of receiving waters by requiring the City of Tacoma (City) to implement a variety of stormwater management activities.

The Metropolitan Park District of Tacoma (MPT) is a Secondary Permittee under the Permit with independent responsibility for discharges from small municipal separate storm sewers contained on its property.

In cases where a Permittee relies on another agency to fulfil Permit requirements, Ecology requires a Share Responsibility Statement under the Notice of Intent (NOI)- Permit requirements S3.B.1 and S3.B.2. Because of the overlapping nature of property management and stormwater management coordination between MPT and COT, this MOU was developed to outline the roles and responsibilities between these agencies, as required by Ecology and the Permit.

**FISCAL IMPACT:** There is no direct fiscal impact.

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Russell, Director of Business Administration & Planning, at (253) 305-1086.

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. RRXX-23**

**ADOPTING A MEMORANDUM OF UNDERSTANDING FOR THE PHASE 1  
MUNICIPAL STORMWATER PERMIT BY AND BETWEEN THE CITY OF TACOMA  
AND THE METROPOLITAN PARK DISTRICT OF TACOMA**

WHEREAS, the Board of Park Commissioners recognizes the importance of protecting and improving the water quality of receiving waters; and

WHEREAS, the Board seeks compliance with the Department of Ecology’s NPDES Permit; and

WHEREAS, the attached Memorandum of Understanding has been reviewed by staff and legal counsel to ensure it complies with Permit Section S3.B1 and S3.B.2- Responsibilities of Permittees; Now, therefore be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that they hereby authorize the Executive Director to negotiate final terms and execute the Memorandum of Understanding.

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE METROPOLITAN PARK DISTRICT OF TACOMA  
AND  
THE CITY OF TACOMA  
RELATING TO PHASE I MUNICIPAL STORMWATER PERMIT RESPONSIBILITIES**

This MEMORANDUM OF UNDERSTANDING (“MOU”) is dated August \_\_\_\_, 2023 (for reference purposes only) and is entered into by and between the Metropolitan Park District of Tacoma, a municipal corporation (“MPT”) and the City of Tacoma, a municipal corporation of the State of Washington (the “City”) for the purposes described herein. MPT and the City are sometimes collectively referred to herein as the “Parties” or singularly as the “Party”.

**RECITALS**

WHEREAS, the Parties are subject to the Clean Water Act’s National Pollutant Discharge Elimination System (“NPDES”) Phase I Municipal Stormwater Permit (“Stormwater Permit”) pursuant to which the City is a Permittee and MPT is a Secondary Permittee;

WHEREAS, the Stormwater Permit provides at Sections S3.B.1 and S3.B.2 that

**S3.B.1**

Permittees and Co-Permittees that are continuing coverage under this Permit shall submit a statement that describes the permit requirements that will be implemented by other entities. The statement shall be signed by all participating entities. There is no deadline for submitting such a statement, provided that this does not alter implementation deadlines. Permittees and Co-Permittees may amend their statement during the term of the Permit to establish, terminate, or amend their shared responsibilities statement, and submit the amended statements to Ecology.

**S3.B.2**

Secondary Permittees shall submit an NOI that describes which requirements they will implement and identify the entities that will implement the other permit requirements in the area served by the Secondary Permittee’s MS4. A statement confirming the shared responsibilities, signed by all participating entities, shall accompany the NOI. Secondary Permittees may amend their NOI, during the term of the Permit, to establish, terminate, or amend shared responsibility arrangements, provided this does not alter implementation deadlines.

WHEREAS, the Parties desire to enter into this MOU to meet the requirements of Sections S3.B.1 and S3.B.2 of the Stormwater Permit to describe the permit requirements that will be implemented by MPT and intend to submit this MOU to the Washington State Department of Ecology as required under the Stormwater Permit;

WHEREAS, the Parties have previously entered into an Interlocal Agreement Relating to Parks and Facility Operations and Maintenance effective Jan 1, 2015, to December 31, 2026, (the “2016 ILA”) and have entered into other agreements that outline certain responsibilities of the Parties with respect to use, maintenance and operation of real property and appurtenances of the other Party that may include stormwater compliance functions (collectively the “Use, Maintenance and Operation Agreements”);

WHEREAS, the City owns certain real property and appurtenances within and upon which MPT operates and conducts Stormwater Permit compliance activities and MPT owns certain real property and appurtenances within and upon which the City operates and conducts Stormwater Permit compliance activities in accordance with the Use, Maintenance and Operations Agreements; and

WHEREAS, , MPT intends to conduct specific tasks that are required in the Phase I Municipal Stormwater Permit on behalf of the City as provided in this MOU, and the City intends to conduct specific tasks that are required in the Phase I Municipal Stormwater Permit on behalf of MPT as provided in this MOU;

NOW THEREFORE, the Parties acknowledge and agree that the foregoing recitals are true and correct and based upon the foregoing agree as follows:

## **AGREEMENT**

### **SECTION 1. PURPOSE.**

MPT and the City have co-terminus boundaries and each own real property and appurtenances as specified on **Exhibit A** and **Exhibit B** and has undertaken certain responsibilities in accordance with the Use, Maintenance and Operations Agreements. It is the intent of the Parties that this MOU, as required by Sections S.B.3.1 and S.B.3.2 of the Phase I Municipal Stormwater Permit, memorialize the Parties' mutual understanding of their respective stormwater permit compliance responsibilities and tasks to be implemented by each Party on behalf of the other Party with respect to the real property and appurtenances identified in Exhibit A and Exhibit B. It is not the intent of the Parties through this MOU to change or alter the contractual obligations of the Parties as set forth in the Use, Maintenance and Operations Agreements.

### **SECTION 2. DURATION OF MOU, TERMINATION.**

The date of execution hereof notwithstanding, the Parties agree that this MOU shall be effective upon the date of mutual execution (the "Effective Date") through August 1, 2029. The Parties intend to update and revise this MOU every 5 years thereafter, PROVIDED, that either Party hereto shall have the right to terminate this MOU for any reason whatsoever, upon giving the other Party a minimum of sixty (60) calendar days written notice in advance of the date of termination.

### **SECTION 3. STORMWATER PERMIT SUPPORT.**

The City and MPT agree that each will provide Stormwater Permit Compliance activities as described herein at all locations owned by the City where MPT has responsibility for maintenance and/or operations as noted in Exhibit A and at all locations where the City has responsibility for maintenance and/or operations for MPT owned parcels as noted in Exhibit B. Responsibility for maintenance and/or operations may arise by operation of law or through a contractual obligation as set forth in one or more Use, Maintenance and Operations Agreements.

#### **A. S6.D.1 Public Education and Outreach:**

- a. Per Stormwater Permit Section S6.D.1.a, MPT will label and maintain storm drain inlets in maintenance yards, parking lots, along sidewalks, and at pedestrian access points.

- b. Per Stormwater Permit Section S6.D.1.a, The City will label and maintain storm drain inlets in maintenance yards, parking lots, along sidewalks, and at pedestrian access points.

B. S6.D.3 Illicit Discharge Detection and Elimination:

- a. MPT will inspect, correct, and report illicit connections, spills, and illicit discharges per S6.3 of the Permit. MPT will notify the City as soon as practicable and within 24 hours of discovery of such events per TMC 12.08D.120. MPT will call the City's 24-hour pager number 253-502-2222 to report any spill to the stormwater system or receiving waters. All spills and other applicable events will be reported per Stormwater Permit Section G3.
- b. The City will inspect, correct, and report any illicit connections, spills, and other illicit discharges per S5.C.9.d and G3 for incidents that occur on the parcels noted in Exhibit B that MPT owns and the City operates. City staff will email to notify MPT at stormwater@tacomaparks.com within 24 hours of such events.

C. S6.D.6 Pollution Prevention and Good Housekeeping for Municipal Operations:

- a. The City will provide to MPT, upon request, inspection reports from the City's inspection of MPT's stormwater treatment and flow control facilities both owned and/or operated by MPT. Per S6.D.6.a.i, MPT may utilize that information to fulfill the Stormwater Permit requirement for stormwater treatment and flow control facilities. The City will complete these inspections per its schedule as required in Section S5.C.10.b and/or S5.C.10.c.
- b. All catch basins owned by the City and operated by MPT or on parcels that are owned by the City where the catch basins are owned or operated by MPT shall be inspected by MPT annually in compliance with Stormwater Permit Section S5.C.10.d.i. Maintenance shall be completed by the deadlines prescribed by Stormwater Permit Section S5.C.10.a.ii. MPT will supply the results of all inspections and maintenance it completes to the City by December 1st of each calendar year beginning in 2024. Maintenance results shall include the date the inspection was performed for each individual catch basin and the date and type of maintenance performed, including any cleaning that is performed.
- c. All stormwater treatment and flow control BMPs/facilities owned by the City and operated by MPT or on parcels that are owned by City where the stormwater systems are owned or operated by MPT shall be inspected by the City's Environmental Services Environmental Compliance for compliance with Stormwater Permit Section S5.C.10.c.i. MPT shall complete all required maintenance by the deadlines prescribed by Environmental Services and Stormwater Permit Section S5.C.10.a.ii. MPT will supply a maintenance report to the City by December 1st of each calendar year beginning in 2024. The maintenance report shall include the date maintenance was performed for each individual facility and the type of maintenance that was completed.
- d. For all Operations and Maintenance Activities covered under Stormwater Permit Section S5.C.10.e that MPT undertakes on parcels owned by the City, the City's procedures shall be followed. The City's procedures are currently documented in

the "City of Tacoma Utility Employee Stormwater Quality Best Management Practices Manual" dated October 2017 (the "BMP Manual") and are available on the following webpage: <https://www.cityoftacoma.org/cms/One.aspx?portalId=169&pageId=147435>. The City shall provide to MPT any updates to the BMP Manual per Stormwater Permit Sections S5.C.10.e and S6.D.6.a within 14 days of the update becoming effective. MPT will comply with the updates 30 days after MPT is advised of the update.

- e. The City will inspect all stormwater systems including, but not limited to: catch basins, stormwater pipes, open channels, and culverts on property owned by MPT, but operated by the City (as noted in Exhibit B), per the Stormwater Permit Sections S5.C.10 and S6.D.6.a.i and MPT's Operation and Maintenance Plan per Stormwater Permit Section S6.D.6.a, a minimum of once per year and complete all Stormwater Permit required maintenance per the Stormwater permit required timelines and per the City's maintenance standards. The City will supply a maintenance report to MPT by December 1<sup>st</sup> of each calendar year. The maintenance report shall include the date maintenance was performed for each individual facility and the type of maintenance that was completed. MPT will supply their Operation and Maintenance Plan per Stormwater Permit Section S6.C.6.a to the City within 5 days of the Effective Date of this MOU and any updates to the Operation and Maintenance Plan per Stormwater Permit Section S6.C.6.a within 14 days of the update becoming effective. City will comply with the updates 30 days after City is advised of the update.
- f. For all Operations and Maintenance Activities required by Stormwater Permit Section S5.C.10.e the City undertakes on parcels owned by MPT, MPT's Operations and Maintenance Plan procedures shall be followed.

#### **SECTION 4. COMMUNICATION.**

All standard communications and reports included in this MOU will be sent to:

City Stormwater Permit Manager  
Sarah Norberg  
Environmental Services, Environmental Programs Group  
253-208-0536  
[snorberg@cityoftacoma.org](mailto:snorberg@cityoftacoma.org)  
[SWNPDESpemits@cityoftacoma.org](mailto:SWNPDESpemits@cityoftacoma.org)

MPT Stormwater Permit Manager:  
Erich Sachs  
Metro Parks Tacoma  
253-305-1017  
[erich.sachs@tacomaparks.com](mailto:erich.sachs@tacomaparks.com)  
[stormwater@tacomaparks.com](mailto:stormwater@tacomaparks.com)

#### **SECTION 5. PERFORMANCE MEASURES.**

MPT will ensure that all work accomplished will be completed per this MOU and the pertinent Stormwater Permit Section(s). MPT will provide the City Stormwater Permit Manager a copy of all inspection reports and Stormwater Permit required maintenance reports. All maintenance shall be accomplished in the timelines and procedures of the Stormwater Permit.

The City will ensure that all work accomplished will be completed per this MOU and the pertinent Stormwater Permit Section(s). The City will provide the MPT Stormwater Permit Manager a copy of all inspection reports and Stormwater Permit required maintenance reports. All maintenance shall be accomplished in the timelines and procedures of the Stormwater Permit.

**SECTION 6. DISPUTE RESOLUTION.**

In the event of a dispute between MPT and the City arising out of or relating to this MOU, the matter shall be submitted to the Interagency Coordinating Committee (ICC) for resolution. If the matter is not resolved by the ICC, the MPT Executive Director and the City Manager or their designated representatives shall review such dispute and options for resolution. If the dispute cannot be resolved by MPT Executive Director and the City Manager, the dispute may be submitted to mediation, and if still not resolved, shall be submitted to binding arbitration in accordance with the rules and procedures set forth in Chapter 7.04 RCW, and the judgment or award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

**SECTION 9. NO THIRD-PARTY BENEFICIARY.**

MPT does not intend by this MOU to assume any contractual obligations to anyone other than the City. The City does not intend by this MOU to assume any contractual obligations to anyone other than MPT. MPT and the City do not intend for there to be any third-party beneficiary to this MOU.

**SECTION 10. NOTICES.**

All notices, demands or requests which may be or are required to be given by one party to the other under this MOU shall be given in writing and hand delivered, or sent by United States registered or certified mail, postage prepaid, return receipt requested, and addressed to the addresses below, as the case may be. Notices shall be deemed to have been given upon receipt or attempted delivery when delivery is not accepted. Either party may change its address upon written notice given to the other.

MPT:  
Metropolitan Park District of Tacoma  
Attn: Executive Director  
4702 South 19th Street  
Tacoma, WA 98405

City:  
City of Tacoma  
Attn: Michael P, Slevin, III, P.E., Director of Environmental Services  
747 Market Street Rm. 408  
Tacoma, WA 98402

**SECTION 13. INTEGRATION AND AMENDMENT.**

The provisions of this MOU may be amended with the mutual consent of the parties. All amendments and/or addendums shall be incorporated into the original MOU, and shall not supersede, replace, or otherwise alter the original MOU unless otherwise indicated. No additions to or alterations of the terms of this MOU shall be valid unless made in writing and formally approved and executed by the City Manager and the MPT Executive Director. This MOU shall supplement the Use, Maintenance And Operation Agreements.

**SECTION 14. INVALID PROVISIONS.**

If any provision of this MOU shall be held invalid, the remainder of the MOU shall not be affected thereby, if such remainder would then continue to serve the purposes and objectives of the Parties.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the date below each signature.

CITY OF TACOMA

METROPOLITAN PARK DISTRICT  
OF TACOMA

By: \_\_\_\_\_  
Its Director of Environmental Services  
Date: July \_\_\_\_, 2023.

By: \_\_\_\_\_  
Its Executive Director  
Date: July \_\_\_\_, 2023.

Approved as to Form:

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

DRAFT



## EXHIBIT A

### City owned property where stormwater elements are operated and/or owned by MPT

Parcel Number	Physical Location	Description	Ownership	Stormwater Information
2016220011 (2016220010 and 2016230021 have been combined into 2016220011)	1602 MLK Jr. Way	People's Community Center	Owned by City of Tacoma	The agreements indicate that all stormwater elements and facilities should be inspected and maintained by Metro Parks (2016 ILA expires 12/31/2026) City will inspect the stormwater facility annually
0221103000	5400 N Pearl St	Point Defiance Park	Owned by City of Tacoma	Metro Parks will complete cb inspection and maintenance and inspection and maintenance of all other stormwater facilities annually. ES owns and will inspect and maintain the Regional Water Quality Facility located east of 163/North Pearl Street and north of Park Ave
8950002351	1743 N Schuster Pkwy (2201 Ruston Way)	Jack Hyde Park on Commencement Bay (formerly Commencement Park)	Owned by City of Tacoma	Per the 2016 ILA Catch basin inspection and maintenance by Metro Parks Tacoma
8950002860	3427 Ruston Way	Marine Park / Les Davis Pier; Marine Park to be renamed Judge Jack Tanner Park	Owned by City of Tacoma	Per the 2016 ILA catch basin inspection and maintenance by MPT. City responsible for public outfalls that cross this parcel and ROW cbs unless specified in another agreement.
8950002870	3427 Ruston Way	Marine Park / Les Davis Pier; Marine Park to be renamed Judge Jack Tanner Park	Owned by City of Tacoma	Per the 2016 ILA catch basin inspection and maintenance by MPT. City responsible for ROW cbs unless specified in another agreement.
0321293035	1741 N Schuster Pkwy	Chinese Reconciliation Park	Owned by City of Tacoma	Per the 2016 ILA Metro Parks Tacoma shall inspect and maintain the site stormwater.
8950002361	1741 N Schuster Pkwy	Chinese Reconciliation Park	Owned by City of Tacoma	Per the 2016 the ILA Metro Parks Tacoma should inspect and maintain the site stormwater. There is a ES outfall on this parcel that will be maintained by ES, unless specified in another agreement.

**Exhibit B**  
**MPT owned property, where stormwater elements are operated or partially operated by the City**

Parcel Number	Physical Location	Description	Ownership	City Stormwater Information
0320214184	400 E. 56th St.	Police Sector 4 (Stewart Heights) Substation	Parcel owned by Metro Parks Tacoma	See Sheet C3.01 of Permit 40000118702 for stormwater elements related to Police substation
0320292027	1501 South 72nd Street	Police Sector 3 (Wapato) Substation	Parcel owned by Metro Parks Tacoma	See permit 40000039402 sheet C4.04 for stormwater elements related to Police substation There are also ES stormwater mains on this parcel
0321221090 Substation parcel 0321221003	4818 Nassau Ave NE Substation address 4731 Norpoint Way NE	Norpoint Police Substation	Parcel owned by Metro Parks Tacoma	See Permit 40000039403 sheets C2.04 and C2.05 for stormwater elements related to Police substation

DRAFT



**MEMORANDUM**

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

FROM: Debbie Russell, Director of Business, Administration and Planning

**SUBJECT: Point Defiance Park Water Utility Inventory & Assessment RFQ No. J2023-11 Contract Award to RH2 Engineering, Inc.**

DATE: August 28, 2023

**EXECUTIVE SUMMARY:** This resolution authorizes contract award of Point Defiance Park Water Utility Inventory & Assessment RFQ No. J2023-11, to RH2 Engineering, Inc. for inventory and assessment services in the amount of \$242,738.00.

**BACKGROUND:**

The 760-acre Point Defiance Park contains miles of trails and many amenities including the Point Defiance Zoo and Aquarium, a full-service marina and boathouse, Fort Nisqually Living History Museum, and a plethora of gardens, historic buildings, and related attractions. The park is owned by the City of Tacoma but is operated under contract by Metro Parks Tacoma (MPT) and serves millions of visitors every year. The complexities of land ownership, historical shifts in maintenance responsibilities and elusive funding have created a patchwork system of water utility infrastructure throughout the park where additions and repairs have been made on an as needed basis and emergency (vs. preventative) maintenance of water service systems have become the norm.

The water utility system is extensive and, in many locations, old and failing. Records are incomplete or insufficient for park managers to utilize for future capital and budget planning. Furthermore, it is a priority for the District to manage park properties in the most environmentally sustainable manner possible, and old and decrepit utility systems are a hinderance to this goal.

The objective for this project is to develop a comprehensive condition assessment and inventory for the park's water utility system, complete with a prioritized upgrade phasing plan and associated cost projections to bring the network up to today's industry standards.

This project is expected to be completed by December 31, 2023. Joe Brady and Roger Stanton will act as Program Managers for this project.

**FISCAL IMPACT:** The funds for the Point Defiance Park Water Utility Inventory & Assessment contract to RH2 are derived from Executive Director Operating Reserves, 2023 Operating Budget, and future funding as required to complete construction will be determined at a later date. The following is a breakdown of the funding sources and project budgets.

**Point Defiance Park Water Utility Inventory & Assessment:**

<u>Executive Director Operating Reserves, 2023 Operating Budget</u>	<u>\$242,738.00</u>
<b>Total</b>	<b>\$242,738.00</b>

**ADDITIONAL INFORMATION:** For additional information, please contact Debbie Russell, Director of Business, Administration & Planning at 253.305.1086.

**METROPOLITAN PARK DISTRICT OF TACOMA**

**RESOLUTION NO. \_\_\_\_\_**

**POINT DEFIANCE PARK WATER UTILITY INVENTORY &  
ASSESSMENT - CONTRACT TO RH2 ENGINEERING, INC.**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to improve the water utility facilities at Point Defiance Park; and

WHEREAS, staff has developed a planning framework to include a Site Analysis, Concept Development, and Final Concepts and Concept Statements; and

WHEREAS, RH2 Engineering, Inc. was selected to inventory, review, and develop a water system inventory and replacement plan from a review of two (2) Statement of Qualifications (SOQs) that were obtained from qualified engineering teams in response to Metro Parks public solicitation (RFQJ2023-11), with one (1) team being reviewed and accepted; and

WHEREAS, funds for the project are provided from the Executive Director Operating Reserves, 2023 Operating Budget; Now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to approve the design contract to RH2 Engineering Inc. for design services in the amount of \$242,738.00 (not including Washington State Sales Tax).

The foregoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on \_\_\_\_\_2023.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Clerk

**METRO PARKS TACOMA  
REQUEST FOR QUALIFICATIONS  
FOR  
POINT DEFIANCE WATER UTILITY  
INVENTORY & ASSESSMENT**

**RFQ J2023-11**

**RFQ Summary Score Sheet**

**AHBL**

**RH2**

**RFQ Ranking**

**RFQ Ranking**

**SELECTION PANEL MEMBERS**

Joe Brady  
Erich Sachs  
Ali Polda  
Keil Drescher  
Fred Ramey  
Ross Wilton  
Mike Yaden

Ranked	Comment	Ranked	Comment
55		64	
61		76	
55		61	
65		85	
67		71	
70		74	
64		74	
<b>437</b>	Raw score	<b>505</b>	Raw score

**SOQ RANKINGS PER RAW SCORE**

<b>2</b>	Tabulated Ranking	<b>1</b>	Tabulated Ranking
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**RANKING PER PANEL CONSIDERATIONS**

<b>2</b>	Selection Ranking	<b>1</b>	Selection Ranking
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**SELECTED FOR INTERVIEW?**

N/A	N/A
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**SELECTED TO AWARD CONTACT**

N	Y
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