

RESOLUTION NO. 109

A JOINT RESOLUTION OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AND THE UNIVERSITY PLACE PARKS AND RECREATION DISTRICT, ESTABLISHING AN INTERLOCAL AGREEMENT PROVIDING FOR JOINT PARKS AND RECREATION OPERATIONS, AND PROVIDING FOR A PROPOSED CONSOLIDATED PARKS AND RECREATION PROGRAM, ESTABLISHING A CITY OF UNIVERSITY PLACE PARKS AND RECREATION COMMISSION, APPOINTING MEMBERS TO THE COMMISSION, AND TRANSFERRING ONGOING PARKS AND RECREATION SERVICES RESPONSIBILITY TO THE CITY.

WHEREAS, the City of University Place, Washington, hereinafter "City", and the University Place Parks and Recreation District, hereinafter "District" both desire increased parks and recreation services throughout the entire University Place community; and

WHEREAS, the District was established to provide parks and recreation services within the then unincorporated area of Pierce County known as University Place; and

WHEREAS, the voters of the University Place community subsequently voted to incorporate at an election held in November, 1994, and the City of University Place became officially incorporated on August 31, 1995; and

WHEREAS, the Parks and Recreation District is wholly contained within the corporate limits of the City while City limits extend beyond Park District borders; and

WHEREAS, the City has already established a Parks and Recreation Division within the Department of Planning and Community Development and has begun providing services to residents of the City, including those within the Park District's borders; and

WHEREAS, the City is charged with the responsibility under the Growth Management Act of developing a comprehensive plan for the City including the preservation of open space and as part of the comprehensive planning process the City will consider and provide for the long term parks and open space needs of the City; and

WHEREAS, the City has previously established funding from the current 2-1/2% utility tax on natural gas, telephone, cable television and refuse services, for parks and recreation purposes; and

WHEREAS, the City and the District wish to enhance park and recreation programs for residents of University Place while avoiding duplication of governmental services; and

WHEREAS, the City and the District agree that the best interests of the University Place community are served by consolidating all parks and recreation operations with the City; NOW THEREFORE,

IT IS MUTUALLY AGREED UPON BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE AND THE BOARD OF THE UNIVERSITY PLACE PARKS AND RECREATION DISTRICT, THAT:

Section 1. Joint Parks and Recreation Operations Effective on the date of mutual approval of this Joint Resolution, there shall be joint, coordinated operation of parks and recreation services. The City agrees to recognize and support the current programs and activities of the District Board and other community sports and recreational organizations as priority uses for facilities and fields. The City further agrees to honor the interlocal agreements between the Parks District and the University Place School District. District funds and programs shall remain under District control. City funds and programs shall remain under City control. The City Parks and Recreation Manager, assisted by policy advice from the newly created Parks and Recreation Advisory Commission, shall provide program direction and financial oversight of the funds used by both the City and the District for Parks and Recreation programs. This joint operation shall terminate on December 31, 1996, unless mutually extended by the parties.

Section 2. City Parks and Recreation Advisory Commission There is hereby created within the City of University Place a Parks and Recreation Advisory Commission which shall act as an advisory body to the University Place City Council.

Section 3. Appointing Members to the Parks and Recreation Commission The City Council hereby appoints the five current Board members of the District to the City Parks and Recreation Commission for the remainder of their current terms of office as Board members. Membership in the Commission shall be limited to five in 1996 and 1997. Effective January 1, 1998, the City Council may expand the Commission up to nine members. The Council shall seek the advice and input of the Commission prior to making any Commission appointments. The Council may

appoint a separate committee to advise as to the acquisition and management of land for parks services.

Section 4. City Services. The City Council agrees to further support parks and recreation programs through its Parks and Recreation Division, Public Works Operations Division, City Finance and Treasurer Division, and management and legal services. Current District employees if qualified, will be offered City positions if available and budgeted in 1997. The City agrees to funding at the current 2-1/2% utility tax level as applied to natural gas, telephone, cable television and refuse services for parks and recreation purposes. The City agrees to renew Resolution No. 75 for 1997 and the 1998 Adopted Budget, and thereafter unless repealed by a future Council.

Section 5. Real and Personal Property. Real and personal property acquired by the District during the term of this agreement shall remain the property of the District until such time as the District is dissolved and all assets and liabilities transferred from the District to the City. Real and personal property acquired by the City during the term of this agreement shall remain the property of the City. However, nothing in this agreement shall be construed to prohibit or prevent the dissolution of the District.

Section 6. Termination This agreement shall remain in full force and effect until the purposes of this agreement are accomplished.

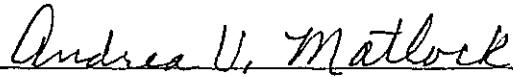
Section 7. Indemnification. Once the District is dissolved and the assets and liabilities are transferred to the City, the City agrees to indemnify and hold harmless the former Park District members, individually and as a group, from any and all legal challenges or suits arising from the dissolution of the District and the transfer of assets and liabilities to the City.

Section 8. Approval, Effective Date, and Further Action. This Joint Resolution shall become effective immediately upon approvals by majority votes of both the Board of the University Place Parks and Recreation District and the City Council of the City of University Place. The City and the District shall diligently take all necessary steps to dissolve the District by December 31, 1996, and transfer all assets and liabilities to the City. The City is directed to take all necessary actions including filing a petition for dissolution of the District, a declaratory action, a condemnation action or any other actions which it deems necessary to accomplish the lawful purposes of this resolution. The City Clerk shall file copies of this Resolution with appropriate State and County offices.

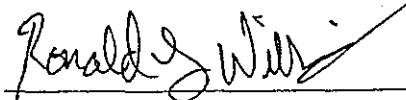
Adopted this 4th day of August, 1996.

FOR THE UNIVERSITY PLACE
PARKS AND RECREATION DISTRICT:

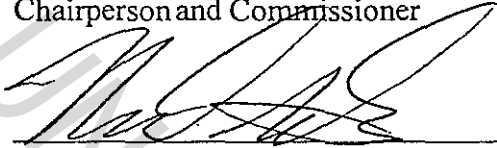
FOR THE CITY OF
UNIVERSITY PLACE, WA;



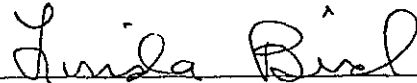
Andrea V. Matlock
Chairperson and Commissioner



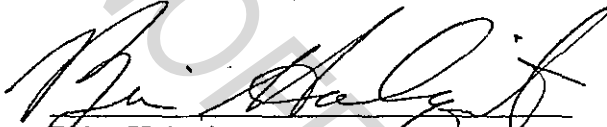
Ronald L. Williams, Mayor




Michael D. Adams, Commissioner



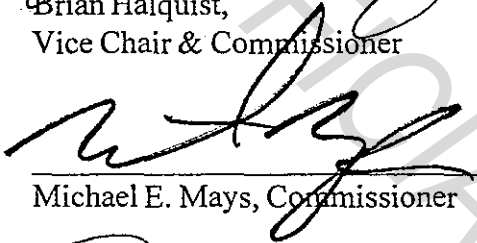
Linda Bird, Mayor Pro Tem




Brian Halquist,
Vice Chair & Commissioner



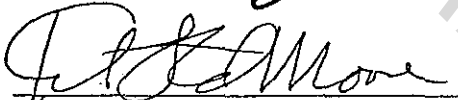
Jean Brooks, Councilmember



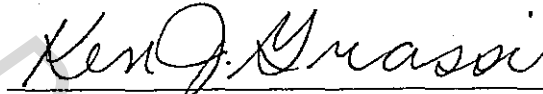
Michael E. Mays, Commissioner



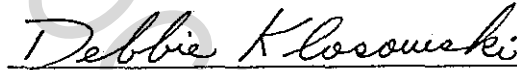
Stanley L.K. Flemming, Councilmember



Kristine Strood Moore,
Secretary & Commissioner



Ken Grassi, Councilmember

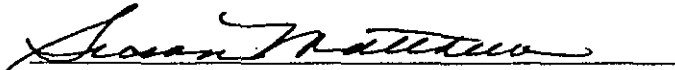


Debbie Klosowski, Councilmember



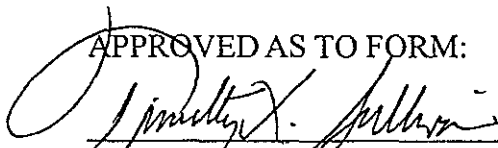
Lorna Smith, Councilmember

ATTEST:



Susan Matthew, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney