

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

RESOLUTION 2012-03

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT, KITSAP COUNTY, WASHINGTON, ASSUMING RESPONSIBILITY FOR THE MANAGEMENT OF A PARK SLATED FOR THE FORMER UNOCAL SITE IN WINSLOW, AND SUBJECT TO SPECIFIED CONDITIONS AND COMPLETION OF THE PARK'S CONSTRUCTION.

WHEREAS, the City of Bainbridge Island ("City") and Kitsap Transit ("KT") jointly own a parcel of property located on the southwest corner of the intersection of Winslow Way East and State Route 305 ("Park Parcel"), which is currently vacant and unused, and often referred to as the Unocal park site; and

WHEREAS, a broad-based informal committee of interested citizens has formed, known as the Citizens Park Task Force ("Citizens Task Force"), to advocate for and oversee the development of the Park Parcel as a passive public park; and

WHEREAS, the Bainbridge Island Metropolitan Park & Recreation District ("Park District") is willing to assume responsibility for the operation, management and maintenance of the Park Parcel once the park is completed, subject to the following conditions,

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, that the Park District commits to assuming all responsibilities for and costs relating to the operations, management, and maintenance of the Park Parcel following completion of the park's construction and installation of park improvements, provided that the following conditions are met:

1. No Park District funds shall be expended for the design, permitting or construction of the Park Parcel; all funds shall be raised by the Citizens Task Force from private donations; and
2. To ensure that the park is constructed with on-going maintenance and operation concerns in mind, the Citizens Task Force shall give the Park District a commanding role in determining the design parameters for the Park Parcel, within which the public may give input; and
3. Before any permit applications are filed with the City for construction of the Park Parcel, the proposed design of the Park Parcel must be approved by the Board of Commissioners of the Park District; and
4. The proposed design of the Park Parcel must be in accordance with any applicable clean-up or remediation requirements for the site required by the WA State Department of Ecology and/or under the Model Toxics Control Act; and
5. Before ground-breaking for the project, the City, KT, and Park District shall have approved and executed one or more Interlocal Agreements that set out the detailed terms for the Park District's assumption of responsibility for all management, operation and maintenance of the park following its completion; and
6. The Park District is indemnified of any on-going or future liability related to risks associated with this site's designation as a hazardous waste clean-up site; and

PASSED by the Board of Commissioners of the Bainbridge Island Metropolitan Park & Recreation District, Kitsap County, Washington, at a regular meeting thereof held this 16th day of February, 2012, the undersigned commissioners being present.

BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT

BY: _____
Kenneth R. DeWitt

BY: _____
John Thomas Swolgaard

BY: _____
Jay C. Kinney

BY: _____
Kirk B. Robinson

ATTEST: Lee Cross
Lee Cross – Secretary