

DES MOINES POOL METROPOLITAN PARK DISTRICT

RESOLUTION NO. 2026-04

**A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND
AUTHORIZING TRANSFER TO THE CITY OF DES MOINES, WASHINGTON**

WHEREAS, The Des Moines Pool Metropolitan Park District (“District”) is a municipal corporation organized and existing under **RCW 35.61**; and

WHEREAS, during the **COVID-19 pandemic**, the District acquired a **galvanized swing gate with four (4) resting posts**, sourced by WhiteFab, at a total cost of **\$7,820.40**, in response to **temporary safety, access-control, and risk-mitigation needs** that existed at that time; and

WHEREAS, a portion of the acquisition cost was paid by the District and the remaining portion was funded through a **grant from the Washington Cities Insurance Authority (WCIA)**; and

WHEREAS, the gate has not been installed or used by the District and has been **stored by the City of Des Moines at no cost to the District for approximately four (4) years**; and

WHEREAS, the Board of Commissioners has determined that the **pandemic-related safety conditions and operational risks that prompted the original purchase no longer exist**, and that the gate is **no longer necessary for District purposes and is surplus to the District’s needs**; and

WHEREAS, the **City of Des Moines, Washington (“City”)**, a municipal corporation serving substantially the same taxpayers as the District, has indicated that it **can no longer store the gate** and is willing to accept transfer of the gate as consideration for the past storage of the gate under the terms and conditions set forth in a **Bill of Sale and Hold Harmless Agreement**; and

WHEREAS, the District desires to transfer the surplus gate in a manner that **does not constitute a gift of public funds**, and finds that adequate consideration exists, including:

- Storage of the gate by the City at no cost to the District for approximately four (4) years;
- Elimination of continued storage, insurance, and administrative obligations for the District;
- The fact that the District and City serve substantially identical taxpayers; and
- The City’s acceptance of all future responsibility, liability, maintenance, and use of the gate; and

WHEREAS, the **Washington Cities Insurance Authority has reviewed and approved the transfer of the gate to the City of Des Moines**, and has confirmed that the District holds sufficient ownership interest to lawfully dispose of the property; and

WHEREAS, the District has prepared a **Bill of Sale and Hold Harmless Agreement**, transferring the gate **“as is,” without warranty**, and providing full indemnification and hold harmless protections in favor of the District.

NOW THEREFORE, BE IT RESOLVED, that BOARD OF COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT that:

1. Declaration of Surplus

The Board hereby declares the following personal property to be **surplus to the needs of the District**: Galvanized swing gate with four (4) resting posts, sourced by WhiteFab (Kent, Washington).

2. Authorization to Transfer

The Board authorizes the transfer of the surplus gate to the **City of Des Moines, Washington**, under the terms and conditions of the **Bill of Sale and Hold Harmless Agreement** presented to the Board.

3. Finding of Adequate Consideration and Public Purpose

The Board finds that the transfer is supported by adequate consideration and serves a valid public purpose, and does not constitute a gift of public funds in violation of **Article VIII, Section 7 of the Washington State Constitution**.

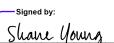
4. Execution Authority

The General Manager is authorized and directed to execute the **Bill of Sale and Hold Harmless Agreement**, and to take all actions necessary to complete the lawful transfer of the surplus property.

5. Effective Date

This Resolution shall take effect immediately upon adoption.

Adoption. ADOPTED at an open public meeting of the BOARD OF COMMISSIONERS OF THE METROPOLITAN PARK DISTRICT on the 27th day of January 2026 the following Commissioners being present and voting:

Signed by:

President Young
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Signed by:

Clerk of the Board Campbell
0E998B29F87C43B

Signed by:

Commissioner Dusenbury
REB0DA0899F2474

Commissioner Fortine

Commissioner Stender

District Clerk Melum