



TO: Phyllis K. Macleod, Hearing Examiner
FROM: Ralph K. Rodriguez, L.I.D. Administrator
SUBJECT: LID 8645
DATE: May 8, 2017



In response to the verbal and written comments submitted during the hearing on the assessment roll of LID 8645 and additional letters filed following the hearing, the Public Works Department provides the following response.

- **Exhibit No. 10** - Owens Financial Group, Parcels 900872-001-0 thru 900872-015-0
The Local Improvement District (LID) assessments for the Mecca Condominium are comprised of two components, their proportionate share of the \$7.6 million expense of the LID improvements shared by all parcels within the assessment district as authorized by Ordinance 27475 (\$97,959.21) and the expense of the reconstruction of the vaulted structural sidewalk abutting the property as requested by the previous property owner (\$170,181.69).
- **Exhibit No. 11** - YWCA, Parcels 200405-001-2, 200405-002-0, 200405-007-0, 200406-001-0 and 200406-002-0
Having the record held open for 30-days after the hearing accomplished the intent of the 30-day deferral requested by the YWCA.
- **Exhibit No. 12** – Judy Robinette, Parcel 900525-018-3
The final assessment amount of \$7,193.00 includes \$503.61 of requested supplemental work for the irrigation system installed in the planted area. The amount of \$3,849.31 was noted as the estimated assessment during the formation of the LID. In 2007 the owner was informed of the increase in assessment, Mr. Robinette responded favorably to the increased assessment amount of \$5,761.61 (Attachment 1).
- **Exhibit No. 13** – Evergreen Investments of WA, LLC, Parcel 900525-003-0
The final assessment amount of \$13,307.00 includes \$596.40 of requested supplemental work for the irrigation system installed in the planted area. The estimated assessment noted during the formation of the LID was \$4,558.52. In 2007 the owner was informed of the increase in assessment to \$6,830.26 and elected to not respond to the survey.
- **Exhibit No. 14** – SPI Enterprise LLC, Parcels 200705-003-3 and 200705-001-1
The owner did not provide proof that the property, a surface parking lot, was not benefitted.
- **Exhibit No. 15** – Linda Merelle, Parcel 900525-015-3
The final assessment amount of \$3,508.00 includes \$230.37 of requested supplemental work for the irrigation system installed in the planted area. The amount of \$1,760.80 was noted as the estimated assessment during the formation of the LID. In 2007 the

EXHIBIT 60

owner was informed of the increase in assessment to \$2,638.30 and elected to not respond to the survey.

- **Exhibit No. 16** – William & Helen Abbott, Parcel 900913-013-0
The statutes governing LIDs allow local jurisdictions to use any other method or combination of methods other than zone and termini to compute assessments which may be deemed to more fairly reflect the special benefits to the properties being assessed. Due to the variety of uses of properties within the district, the Department opted for a special benefit analysis which more fairly allocates the expenses and assures that the assessments are not greater than the benefit received from the LID. All properties within the assessment district were reviewed. The statute cited by Mr. Abbott in section 6.B is used when parcels have been inadvertently left off the assessment roll and not included within the original assessment district, the reassessments must equal the original assessment total as approved by the legislative body.

With respect to Mr. Abbotts comment about unfair subsidy, the four City parcels along St Helens Avenue were included within the assessment district, the assessments of the parcels increased from \$568,785.25 to \$1,647,485.

The final assessment amount of \$433,764.00 includes \$43,927.45 of requested supplemental work not included with Mr. Abbot's objection. The final assessment includes all expenses related to construction, engineering, surveying, ascertaining the ownership of the lots or parcels of land, advertising, mailing, and publishing all necessary notices, accounting, clerical labor, legal, financial, appraisal services, financing, including the issuance of the Consolidated Local Improvement District Bonds associated with the improvements.

- **Exhibit No. 17** – Winthrop LP, Parcel 200705-015-0
The agreement signed by the owner for the structural walk was to fill the voided space and construct sidewalk on grade (Attachment 2). The PCS expenses are for a structural engineer to evaluate the lateral pressure that would be placed on the building foundation. The owner requested a change to leave the vaulted walk and shore up to meet H-20 load rating. The \$36,936.95 are costs associated for the design and redesign of the walk. The \$70,259.38 represents the portion of staff charges associated with the shoring up of the structural walk. The interest charges are short term financing expense associated with the work.

The term discount actually refers to the Consolidated Local Improvement District Bond issuance costs associated with the long term financing of the structural walk, if the assessment is paid in full within the 30-day interest free period the assessment would be reduced by 2.5%.

- **Exhibit No. 18** – Paul Grigsby, Parcel 2007065-013-0
The Department contacted the Grigsby's in December 2006, September 2008, May 2009, and September 2009 regarding the structural sidewalk. The owner returned the response form in September 2009 indicating he approved including the structural sidewalk work in his LID assessment. The contested expenses are for the work

associated with the structural walk performed prior to the City being notified by Mr. Grigsby that the void would instead be filled through a private work order issued June 2010. (Attachments 3 thru 7)

- **Exhibit No. 19** – David Fischer, Parcel 900804-015-0
The final assessment amount of \$8,712.00 includes \$1,277.30 of requested supplemental work. The estimated amount of \$4,580.45 identified in Schedule B of the First American Title report is an estimated amount and does not include the expense of the additional work, nor the assessments as allocated by the special benefit study.

Please see the response from Valbridge Property Advisors.

- **Exhibit No. 20** – Larry Strege, Parcel 900913-025-0
Please see the response from Valbridge Property Advisors.
- **Exhibit No. 21** – 1300US LLC, Parcels 900915-001-0 thru 900915-006-0
Please see the response from Valbridge Property Advisors.
- **Exhibit No. 22** – William Riley, Parcels 200406-006-0, 200406-007-0, 200705-014-0, 200706-001-6, 200706-003-0, 200706-004-0, 200706-006-0, 200706-009-0 and 200706-010-0

The City did contact Mr. Riley to discuss costs related to the ADA ramp, the repointing of the brick veneer and the removal of the UST, the City provided Mr. Riley with the costs associated with the improvements. (Attachments 21A thru 21N)

The City provided Mr. Riley's personal assistant with an electronic copy of the Broadway LID spreadsheet. The spreadsheet noted how the costs were allocated and which items were specifically assessed to Mr. Riley's parcels.

The quantities for the improvements were agreed upon between the contractor (Wm Dickson) and the City on November 2012, with the retainage bond being released January 2013, the retainage bond for the structural walk (R.L. Alia) and portions of the LID abutting the structural walk was released July 2013, the retainage bond for the abated structural walk (Anthony Construction Co) and portions of the LID abutting was released January 2013. The final quantifies paid to the contractor were needed to determine the final project costs and could not have been completed prior to the releases.

Please see the response from Valbridge Property Advisors.

- **Exhibit No. 24** – Metera Investment, Parcel 900678-006-0
The record has been held open for additional time to provide an opportunity for a 3rd party to review the 'Special Benefit Study' and to provide additional testimony. As of May 1st no additional information was submitted.
- **Exhibit No. 25** – Blaine Johnson, Parcels 900599-004-0 & 900599-019-0, Nancy Brown, Parcel 900599-014-0 and Steven Bellinghausen, Parcel 900599-007-0

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

PCS, the Structural Engineer, provided an engineering report on the integrity of the structural walk. The expense of that report was assessed to the units within the Vintage 'Y'.

Exhibit No. 28 – The Passages Partnership, Inc., Parcel 900312-001-0

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

The statutes governing LID allow local jurisdictions to include the cost for financing of the local improvements.

Exhibit No. 29 – The Roberson on Ledger Square, Parcels 900804-001-0 thru 900804-047-0

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

A copy of the additional or requested work was provided to Blaine Johnson, the representative of the Roberson on Ledger Square Condominium.

Exhibit No. 30 – Jamie Brooks, Parcel 900678-001-0

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The

construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

The statutes governing LIDs allow local jurisdictions to include the cost for financing of the local improvements. Statutes also allow local jurisdictions to use any other method or combination of methods other than zone and termini to compute assessments which may be deemed to more fairly reflect the special benefits to the properties being assessed. Due to the variety of development of properties within the district, the Department opted for a special benefit analysis which more fairly allocates the expenses and assures that the assessments are not greater than the benefit received from the LID.

Exhibit No. 31 – Madelynn Leifson, Parcel 237200-002-0 and 237200-027-0

The final assessment amounts of \$4,085.00 for parcel 237200-002-0 and \$4,755.00 parcel 237200-027-0 are for the respective parcels currently owned by Ms. Leifson. The amounts of \$2,642.52 for parcel 237200-002-0 and \$3,199.03 for parcel 237200-027-0 were noted as the estimated assessment during the formation of the LID. In 2007 the owner was informed of the increase in assessment to \$3,959.42 for parcel 237200-002-0 and voted against proceeding (Attachment 9). Parcel 237200-027-0 was owned by Mr. & Mrs. Lovely they were provided with a revised assessment of \$4,793.28 and voted not to proceed with the project (Attachment 8).

Exhibit No. 32 – Jacqueline Wihbey, Parcel 900546-001-0

This parcel is at the northerly end of the project. The electrical, telecommunication and cable-tv distribution lines were placed underground, the utility pole abutting the parcel provides secondary service to the building. City staff could not reach an agreeable solution to place the secondary lines underground with the owners during the construction phase of the project.

Exhibit No. 33 – Stella Jones, Parcel 237200-003-0

The final assessment amount is \$4,106.00. The amount of \$2,642.52 was noted as the estimated assessment during the formation of the LID. In 2007 the owner was informed of the increase in assessment to \$3,959.42 and voted against proceeding (Attachment 10).

Exhibit No. 34 – Kim Patino, Parcel 237200-028-0

The final assessment amount is \$5,114.00. The amount of \$3,516.33 was noted as the estimated assessment during the formation of the LID. In 2007 the parcel was owned by Mr. & Mrs. Lovely. They were provided with a revised assessment of \$5,269.70 and voted not to proceed with the project (Attachment 11).

The quantities for the improvements were agreed upon between the contractor (Wm Dickson) and the City on November 2012, with the retainage bond being released January 2013, the retainage bond for the structural walk (R.L. Alia) and portions of the

LID abutting the structural walk was released July 2013, the retainage bond for the abated structural walk (Anthony Construction Co) and portions of the LID abutting was released January 2013. The final quantifies paid to the contractor were needed to determine the final project costs and could not have been completed prior to the releases.

Exhibit No. 35 – Terry Balish, Parcel 900550-024-0

The final assessment amount is \$3,793.00. The amount of \$1,729.28 was noted as the estimated assessment during the formation of the LID. In 2007 the owner Mr. and Mrs. McDowell were informed of the increase in assessment to \$2,591.07, they voted in favor of proceeding. The updated assessment amounts were provided to the City Treasurer's office to update their records. The information provided by the title company does not reflect the updated assessment amounts or the information provided in 2012 (Attachments 12 & 13).

The statutes governing LIDs allow local jurisdictions to include the cost for financing of the local improvements.

Exhibit No. 36 – Julie Hill, Parcel 900550-026-0

No updates have been provided to Ms. Hill, the only correspondence is a letter to Windermere Real Estate dated September 6, 2011 with an estimated assessment amount of \$1,945.45. The amount of \$1,252.24 was noted as the estimated assessment during the formation of the LID.

Exhibit No. 37 – Roxanne Auge, Parcel 237200-009-0

The final assessment amount is \$4,755.00. The amount of \$3,079.73 was noted as the estimated assessment during the formation of the LID. In 2007 the previous owner Mr. & Mrs. Toth were informed of the increase in assessment to \$4,614.53 and voted to proceed with the project. The updated assessment amounts were provided to the City Treasurer's office to update their records which are available to the title companies. On July 24, 2015 the department provided a letter to Rainier Title with an updated assessment amount.

Exhibit No. 38 – Eric Lawrence, Parcel 900913-027-0

The final assessment amount of \$5,308 includes \$540.86 of requested additional work requested by the developer which is included in their final assessment. The special benefit is deemed to more fairly reflect the special benefits the properties received from the improvements instead of the zone and termini method of assessment.

Exhibit No. 39 – City of Destiny, LLC, Parcel 200807-004-7

The LID assessments for the parcel are comprised of two components, their proportionate share of the \$7.6 million total assessment of the LID improvements shared by all parcels within the assessment district as authorized by Ordinance 27475, the parcels share being \$6,889.25 and the expense of the reconstruction of the vaulted

structural sidewalk abutting the property as requested, \$121,273.75. The expenses are for the construction, design, bidding, construction management, financing and long term financing for the structural sidewalk. The original assessment for the LID improvements in 2006 was estimated at \$11,509.73, in 2007 the amount increased to \$17,245.62, the owners did not indicate a preference. The appraiser determined that the parcel received less benefit than determined by using the zone and termini method of assessment, therefore the assessment was lowered. The cost of the reconstruction of the structural sidewalk was estimated \$85,604. During construction a void was discovered and added to the walk replacement expense. The department is not aware of any water coming from the reconstructed sidewalk, and made no guarantee of preventing water from the abutment wall.

Exhibit No. 40 – Tom Krilich for the Granville Condominiums, Parcels 900669-001-0 thru 900669-006-0

The final total assessment for the parcels within the Granville Condominiums totaled \$80,914. Using the zone and termini method of assessment the 2006 estimated assessment amount for the parcel (pre-condo) amounted to \$33,668.72. In 2007 the owners were informed of the increase in assessment with the revised total of \$50,447.59, with five of the six owners responding (Attachments 14 thru 18). The special benefit analysis more accurately reflects the special benefit the properties received from the improvements instead of the zone and termini method of assessment.

The expense for the reconstruction of the structural sidewalk was not prorated throughout the district but was allocated to the specific parcels with a structural sidewalk. The Wm. Dickson contract on LID 8645 was awarded on April 15, 2008 and final quantities agreed upon on November 2012. The retainage bond was released in 2013. The other two contacts retainage bonds were also released in 2013.

The purchasers of the units should check their title reports, the information was provided to the City Treasurer's office on November 11, 2008 with the assessment information provided to the title companies.

Exhibit No. 42, 43 and 44 – Court C Condominium, Parcels 900915-001-0 thru 900915-006-0.

While the land area and their buildings are approximately the same size, the appraiser has determined that the parcels for the Court 'C' Condominium receive less benefit than the 732 Broadway Condominiums. The assessments calculated in 2006 reflect the assessments using the zone and termini method of assessment.

Exhibit No. 45 – Terry Balish, Parcel 900550-024-0

The final assessment for unit 560, of the Skyview Terrace Condominium is \$3,793.00. The \$1,729.28 was noted as the estimated assessment during the formation of the LID. In 2012, Attorney's Title was provided a letter indicating that the preliminary assessment for Unit 560 was \$2,612.29. Rainier Title Company appears to have relied on the 2006 assessment amount and did not check for updates with the City Treasurer's office.

Exhibit No. 46 – Hugh Moore, Parcel 900913-012-0

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

The title report should have disclosed that there was a preliminary LID assessment against the parcel prior to the sale being processed. With the disclosure, the preliminary LID assessment could have been negotiated between buyer and seller with funds being placed in escrow or the cost of the unit lowered to have the new owner responsible for the LID assessment. Those issues are between buyer and seller.

Exhibit No. 50 – Pat Wagner, Parcel 900550-008

The allocation of costs could not have started until after the quantities were agreed upon and it was verified that the subcontractors did not have a claim against the general contractor. The prefinal contractor payments were paid in late 2012, with the releases being received in 2013. The review of costs and allocation of expenses took more time than anticipated. Until that process was completed, the appraiser could not complete the Special Benefit Study.

Exhibit No. 51 – Tom Krilich for the Granville Condominiums, Parcels 900669-001-0 thru 900669-006-0

The final total assessment for the parcels within the Granville Condominiums totaled \$80,914. Using the zone and termini method of assessment the 2006 estimated assessment amount for the parcel (pre-condo) amounted to \$33,668.72. In 2007 the owners were informed of the increase in assessment with the revised total of \$50,447.59. The special benefit analysis more accurately reflects the special benefit the properties received from the improvements instead of the zone and termini method of assessment.

The expense for the reconstruction of the structural sidewalk was not prorated throughout the district but was allocated to the specific parcels with a structural sidewalk. The Wm. Dickson contract on LID 8645 was awarded on April 15, 2008 and final quantities agreed upon on November 2012. The retainage bond was released in 2013. The other two contacts retainage bonds were also released in 2013.

The purchasers of the units should check their title reports, the information was provided to the City Treasurer's office on November 11, 2008 with the assessment information was available to the title companies.

- **Exhibit No. 52** – Winthrop LP, Parcel 200705-015-0

The agreement signed by the owner for the structural walk was to fill the voided space and construct sidewalk on grade. The PCS expenses are for a structural engineer to evaluate the lateral pressure that would be placed on the building foundation. The owner requested a change to leave the vaulted walk and shore up to meet H-20 load rating. The \$36,936.95 are costs associated for the design and redesign of the walk. The \$70,259.38 represents the portion of staff charges associated with the shoring up of the structural walk. The interest charges are short term financing expense associated with the work.

The term discount actually refers to the Consolidated Local Improvement District Bond issuance costs associated with the long term financing of the structural walk, if the assessment is paid in full within the 30-day interest free period the assessment would be reduced by 2.5%.

The City received inquiries during the purchase of the property, with the preliminary assessments provided prior to sale of the parcel.

Exhibit No. 54 – Ann Marinkovich, Parcel 237200-014-0

The final assessment amount is \$4,106.00. The amount of \$2,682.39 was noted as the estimated assessment during the formation of the LID. In 2007 the owner was informed of the increase in assessment to \$4,019.16. The owner duly noted her opposition to the 2007 increase in assessment letter (Attachment 19).

Exhibit No. 55 – Paul and Kim Patino, Parcel 237200-028-0

The RCW cited by the owner refers to reallocation of assessments after the LID assessments have been confirmed by the legislative body.

Please see the response from Valbridge Property Advisors

Exhibit No. 56 – Madelynn Leifson, Parcels 237200-002-0 and 237200-027-0

The second protest is noted.

Exhibit No. 57 – Roxanne Auge, Parcel 237200-009-0

The final assessments include all expenses related to construction, engineering, surveying, ascertaining the ownership of the lots or parcels of land, advertising, mailing, and publishing all necessary notices, accounting, clerical labor, legal, financial, appraisal services, financing, including the issuance of the Consolidated Local Improvement District Bonds associated with the improvements. The allocation of costs could not have started until after the quantities were agreed upon and it was verified that the subcontractors did not have a claim against the general contractor. The prefinal contractor payments were paid in late 2012, with the releases being received in 2013. The review of costs and allocation of expenses took more time than anticipated. The

RCW cited by the owner refers to reallocation of assessments after the LID assessments have been confirmed by the legislative body (Attachment 20).

Exhibit No. 58 – Stella Jones, Parcel 237200-003-0

In 2005 the department could not have anticipated multiple contracts to construct the improvements authorized by the formation of LID 8645. With three contracts the department took extraordinary care allocating costs to the responsible parties. The review of the records and payments could not have started until the contractor and the City confirmed and agreed on the quantities of materials used in the project. The review of the three contracts, the inspector's notes and the review by each utility took time not anticipated in 2005.

The overhead costs, specifically staff costs, allocated as part of the LID assessments are below what a typical project of this size would incur. The preliminary engineering costs of \$269,633.84 represent 6% of the construction costs being borne by the owners, typically the costs for this size of project would range between 8 to 12%. The construction management, inspection and construction surveying expenses of \$599,806 represent 13.6%, on a comparable project the costs would range between 12 to 15%. The LID staff expense of \$296,236 represents 6.6%. The other costs are unique to this LID.

- **Exhibit No. 59** – William Riley, Parcels 200406-006-0, 200406-007-0, 200705-014-0, 200706-001-6, 200706-003-0, 200706-004-0, 200706-006-0, 200706-009-0 and 200706-010-0

In response to the report by Barbara Montero, please see Valbridge Property Advisors response.

With respect to the additional water services, Mr. Riley had the option of paying for the water laterals directly to the Water utility or to defer the expense to have the cost included within the assessment for each parcel. Mr. Riley opted to have the lateral expenses included and part of the LID assessment. The amounts noted on the assessment roll include interim financing and the Consolidated Local Improvement District issuance costs. The water lateral laterals were for Parcels 200705-013-0, 200706-001-6, 200706-003-0, 200706-006-0 and 200706-010-0.

The other additional or extra work which specifically benefitted the Riley parcel 200706-001-6 was for repointing of the brick façade and the mortar was deteriorated and needed to be replaced. The cost for the additional or extra work noted on the assessment roll specifically benefit only the parcel and not the other parcels within the district.

During construction an underground storage tank that served parcel 200706-006-0 was discovered. Mr. Riley was notified of the existence of the underground storage tank with the requirement of its removal. Mr. Riley was provided with the cost of the removal of the tank. The removal of the tank specifically benefits only the Mr. Riley's parcel and not the other parcels within the district therefore the cost of the removal was assigned to that parcel.

On parcel 200706-009-0 Mr. Riley inquired about the cost to construct a ramp to serve his building. Staff met with Mr. Riley on a number of occasions. He requested that the City provide an ADA activated button for the entry doors, requiring an electrician to perform work on private property, which is out the scope of the LID. Mr. Riley declined to sign the form, but did email the City's construction manager to have the contractor perform the work. The cost for the additional or extra work noted on the assessment roll specifically benefit only this parcel and not the other parcels within the district.

The quantities for the improvements were agreed upon between the contractor (Wm Dickson) and the City on November 2012, with the retainage bond being released January 2013, the retainage bond for the structural walk (R.L. Alia) and portions of the LID abutting the structural walk was released July 2013, the retainage bond for the abated structural walk (Anthony Construction Co) and portions of the LID abutting was released January 2013. The final quantifies paid to the contractor were needed to determine the final project costs and could not have been completed prior to the releases (Attachments 21A thru 21N).

The creation of LID 8645 did accomplish transforming this section of the city into an Urban Village, with its full spectrum ornamental streetlighting, additional parking, safer sidewalks, street trees, new paving, new curbs, new gutters, new crosswalks and landscaping. The replacement of the existing utilities and extension of utilities beyond the paving of the street surfaces will support future development and increase the value of the properties within the district. The department went to great lengths to identify the expenses involved and to allocate them to the appropriate utility or in circumstances of specific improvements allocated them to the property specially benefitted. The department, as stated during the formation of the LID, hired an independent appraiser to determine the amount of special benefit, if any, the LID added to each parcel within the district. With a mix of development within a district the zone and termini method of assessment is limited to identify the amount of special benefit each parcels receives from the improvement. The Department recommends adoption of the assessment roll as presented.



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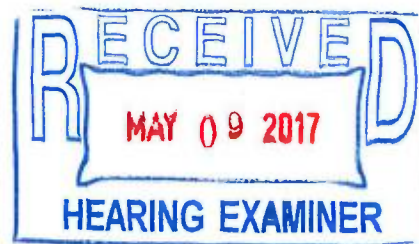
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valbridge.com

May 8, 2017

Mr. Ralph Rodriguez
City of Tacoma Public Works
747 Market Street, Rm 520
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RE: RILEY OBJECTION/MONTRO REVIEW

Dear Mr. Rodriguez:

Pursuant to request, I have reviewed the May 1, 2017 objection letter submitted with regard to the William and Ann Riley Broadway/LID Parcels. The objection relies primarily on a Review Appraisal Report prepared by Ms. Barbara Montro, MAI. Ms. Montro performed a driveby inspection of the after-project subject parcels and prepared the report on April 25, 2017. No indication is made that historic photographs representing the pre-project condition of the Riley parcels were reviewed.

Numerous misunderstandings and misrepresentations exist in the Montro review which require clarification. Most of Montro's review pertains to whether she considers the appraisal report to be technically USPAP compliant. My response in this letter will deal primarily with the valuation issues raised in the Montro review, not the technicalities of USPAP compliance. I stand by my appraisal and appraisal report with regards to USPAP, but do need to clarify the following:

1. The appraisal regarding the various subject parcels is my opinion of value. Based on my research and analysis performed over many months, an appraisal opinion was concluded for each project property both before and after (or more appropriately without and with) the Broadway LID improvements.
2. My conclusions and analyses were summarized for my client, the City of Tacoma, in a report dated January 20, 2017. My appraisal conclusions and analyses were further orally presented and explained in public hearings on March 29th and 30th of 2017. This included responding to questions from the various property owners and/or their attorneys regarding their properties, as well as responding to questions from the hearing examiner.

3. The Montro review is of my Restricted Appraisal Report¹ for which neither she nor Riley were the client. My appraisal report clearly states that:

The intended use is to allow the city to allocate the project cost to specially benefited project parcels based on concluded special benefits and individual property assessments set forth here-in. The depth of discussion contained in this report is specific to the needs of the client and for the intended use previously stated. Use of this report is limited to the client and the client is advised that the conclusions and analysis contained in this report may not be properly understood without additional information contained in the appraiser's work file. The appraiser is not responsible for unauthorized use of this report. Use of this report by a third party is not intended, including use by individual property owners within the proposed LID boundary. An individual property owner seeking to rely on or contest the conclusions contained in this report should seek the guidance of its own real estate professional(s).

4. Ms. Montro's review of my report is not a review of my appraisal and it does not consider the lengthy file documentation and research performed by the appraisers over many months, nor does it consider the oral presentation of my conclusion nor the responses given to the various questions explaining my conclusions presented in the public hearings of March 29th and 30th. The Montro review is solely of the data and conclusions as set forth and presented in the written appraisal document to my client.
5. No opinion of value is developed in the Montro review either before (without) or after (with) the LID improvement project regarding the Riley properties.
6. The objections presented both in the objection letter and in my reading of the Montro review are not that the before value conclusions are inaccurate. Rather, the objections relate to the property owner and Montro disagreeing whether sufficient market evidence exists in the report to demonstrate a benefit from the project. Indeed, in the objection letter, the before values are accepted, but lower after values are proposed.
7. Most of the Montro objections regarding benefit are based on a fundamental misunderstanding of my before and after analysis and the date of value for that analysis.

This last point regarding the appropriate date of valuation relates to most of the value objections presented in the Montro review [Montro Paragraphs 3, 8, 15, and 16]. The Montro review is based on a before project value date of October 1, 2008. This is fundamentally incorrect and is not the date of the before value in the appraisal report for which Montro claims to be reviewing [see page 1 and 2 of Montro's review regarding date of value for my report under review and her before date]. The before date of value utilized in my analysis is as of August 1, 2011, the date of substantial completion of the LID project. No explanation or clarification is given in the review as to why a different date of value is analyzed.

¹ *Ms. Montro is correct in stating that the Restricted Use Appraisal Report is no longer the correct term. Restricted Use Appraisal terminology has been revised to Restricted Appraisal in the current version of USPAP. The term Restricted Use was the proper terminology until USPAP 2014-2015 became effective.

The calculation of special benefits (as with the calculation of damages, in an eminent domain appraisal) is to be based on the same before and after valuation date.

Special benefit is the difference in the fair market value of the property without the improvement and the fair market value of the property with the improvement (commonly called "before and after," more properly called "without and with").; [Local and Road Improvement Districts Manual for Washington State, Sixth Edition, pg. 26.]

The LRID manual further explains that:

Two appraisals are made of each parcel or economic entity. One appraisal results in an opinion of market value of existing property rights without the influence, if any, of the LID-funded project. The second appraisal results in an opinion of market value of property rights adhering to the property with the project constructed or to be completed within a specific time period. Property characteristics, highest and best use and market value opinions in the without and with appraisals are considered as of the same date of valuation. (LRID Manual, page 55, emphasis mine)

The objections presented by Montro in her review paragraphs 3, 8, 15, and 16 are based on her incorrect before (or without) project enhancement date of value and are not relevant. The fact that some of the areas I studied illustrated decreasing rents and assessed values between 2008 and 2014 is not relevant nor is it the question being asked. As a general rule, most values decreased during the recession from the crash in 2008 until the recovery was well underway. The fact that an LID project was completed during this time period did not insulate the properties within the LID from normal market fluctuations. The special benefit question being asked is how much more; if any, were the properties worth on the date of substantial completion, in this case August 1, 2011, than they would have been on that date if the project had never been done.

This is the question I sought to answer in my appraisal analysis. Before values for the improved Riley properties were estimated based on my estimation of pre-project market rents and expenses generating a net income which was then capitalized into an overall before value conclusion. Multiple sales of improved properties (29 sales and listings presented in chart form in the addenda to the report) were also research in order to analyze what improved properties were indicating for value as of 2011. Based on the property owner's objection letter and Montro's review, the objection does not seem to be that my before values are incorrect, indeed they are accepted without objection but lower after-project values are proposed. Rather, the objections seem based on whether sufficient information was presented in the Restricted Appraisal Report (a summary of my report conclusions) to support project enhancement.

For example, Montro paragraphs 9 and 14 set fourth her review analysis essentially concluding my after-land value benefit of \$10 per square-foot for vacant land is not supported. Her paragraphs 10, 11, 12, 13, and 16 set fourth her objection that my 4% adjustment to improved office/retail properties is not supported. I shall address both points beginning with my land value conclusion first.

While I appreciate Ms. Montro's efforts at adjusting some of the land sales data and information supplied in my report, and I understand two appraisers can have a different opinion or interpretation of sales data and what it signifies, I believe her adjustments and conclusions are off base. In paragraph 9(b) and (c) she utilizes my land sales 1 and 3 to conclude these sales would indicate before values for the subject Riley lot at 440 Broadway to be \$45 to \$55 per square-foot. The Sales are two established surface parking lots, one down by the Tacoma Sounders Station, and one adjacent to an operating multilevel structured parking facility (Rhodes Center). Both have a highest and best use for continued parking use. In my analysis, the contribution of the surface lot improvements is deducted at \$20 per square-foot of area which is equivalent to approximately \$8,000 to \$10,000 per stall and is based on my experience with both appraising parking lots and working with parking lot development experts. The Marshalls cost as set forth by Montro grossly understates costs as it is based on a national average and understates the high stormwater requirements present in Washington. I have not utilized Marshalls for surface stall costs in my practice and do not consider it realistic that a well maintained 42 stall striped and asphalt paved surface lot, as reflected in Sale 1, with security gates, signage, and fencing would have a cost of only \$95,000 as estimated by Montro. I note this number to also be exclusive of profit which is a necessary component of cost, but not reflected in the Montro analysis. Regardless, a deduction for improvement cost for the two surface lots is necessary and I stand by my deduction.

My land analysis considered land sales 1, 4, 5, 6, and 7, three of which bracketed \$25 per square-foot and two of which bracketed a value of \$30 per square-foot. These sales all occurred in late 2009 thru late 2010, outside of the LID boundaries. Three sales from my chart occurred within the LID boundaries sales 2, 8, and 12. Sale 2 was the October 2009 purchase by the City of Tacoma of land adjacent to the Elks Temple. Originally planned for a public private development of a parking garage and hotel, those plans did not materialize due to the recession. The site then resold (sale 8) to McMenamins at \$39.87 per square-foot but also included the buyer's assumption of the project LID cost (at that point the property has a preliminary LID assessment of approximately \$138,000 which was approximately \$5.60 per square-foot). Similarly, the earlier sale of this site (Sale 2) in October 2009 at \$36.46 per square-foot was done with full knowledge and anticipation of the LID project which was well underway at the time of the sale and already preliminarily assessed at approximately \$138,000. As such, Sale 2, while pre-project completion, essentially is also reflective of an after-project condition sale. If anything, it could be argued that these sales suggest a higher after-value around \$40 per square-foot to \$45 per square-foot. Finally, Sale 12 was an after-project July 2014 sale within the LID for \$39.11 per square-foot. The site had been planned for development with a multi-family apartment project. Besides the purchase price, the buyer also assumed the future LID cost, then preliminarily estimates at approximately \$160,000 or an additional \$7.29 per square-foot.

Accordingly, the Montro analysis present in her paragraph 9(b), (c), and (d) is in error. It fails to properly deduct the full improvement contribution for sales 1 and 3, and fails to understand sales 2, 8, and 12 are within the LID and represent after project sales purchased with full understanding and/or anticipation of the project and purchased with knowledge and acceptance that additional cost would be due for the LID project.

As for the Montro objections made in paragraph 9 (e), (f), and (g), Montro dismisses my remaining land sales as not providing any relevance. I disagree and consider these helpful in illustrating the market and market participant's behavior with regard to the north CBD Tacoma land market.

With regard to Montro's paragraph 9(h), supplemental land sales are provided by Montro. Montro finds no north Tacoma CBD land sales of any relevance occurring during the year 2011. What is presented are five land sales in the south CBD market between 19th Street and 29th Street. Based on these sales Montro implies, and I disagree with her implication, that land values in the subject neighborhood had declined to \$5.38 per square-foot to \$16.67 per square-foot. That may be the case for these non-project enhanced south CBD neighborhood land sales, but they provide no relevance to the subject area in its after-project condition. Similarly, she provides 2011 listings of south CBD non-project enhanced properties listed mostly from \$18 per square-foot to \$24 per square-foot. After dismissing the listings I had in my land chart to be not relevant, it's a bit surprising she draws relevance from her listings but it's unclear to me what she believes they indicate for the after-project enhanced subject parcels.

The final objection Montro presents to my land analysis is stated in her paragraph 14 regarding the land residual analysis which I performed and which assisted in deriving the after-enhancement project land value conclusions. While Montro admits it is a recognized land valuation method, she disregarded it because "the report failed to deduct the increased property tax expense from the LID in the after condition." Once again, this objection utterly misses the point. An LID is a financing method for funding project improvements based on special benefits derived. The fact that the land value increases illustrated in the land residual analysis might partially be utilized to fund the LID has nothing to do with the land value increases resulting from project enhancements.

With regards to my land valuations, the Montro objections are without merit. My conclusion was based on numerous avenues of research as set forth in my appraisal analysis, including a review of numerous sales and listings of project-enhanced and non-enhanced comparable properties. It was also supported by a land residual analysis; consideration of enhancements to under capacity utility infrastructure; undergrounding of unsightly overhead powerlines, cost of frontage improvements made as part of the project LID which would otherwise have been required by any land developer; a review of before and after project photographs from the client as well as those readily available on Google Earth street view; published research; and enhancement conclusions indicated to the improved properties. While Montro may disagree with my analysis and conclusions, she presents no new research or analysis which would make me change my land value opinions.

With regards to the improved properties, my after-project conclusion is that the improved Riley parcels are benefited 4%. Montro paragraphs 10, 11, 12, and 13 seem to state her objection to the basis of my improved property analysis. (Paragraphs 15 and 16 also form some of the basis of her objection but were discussed previously and relate to her erroneous before project valuation date.)

Paragraph 10 objects that one of the 4 non-project enhanced comparable areas I studied, Area 3 (Stadium District), has an overstated vacancy due to the former Titus-Will/Stadium Thriftway building (now Rhein Haus Tacoma and Stadium Thriftway) being erroneously listed by CoStar as vacant with regards to the Titus-Will spaces. This building was purchased in June 2011 by a developer who planned to renovate the upper level Titus-Will space (24,736 square-feet) and the ground level Premier Collision auto shop space (7,379 square-feet) from industrial automotive to retail. Premier Collision moved to a different facility to the north on North "G" Street. Titus-Will relocated to the subject LID neighborhood at 616 Broadway after the building sale. The relocation was not immediate; however, and the new buyer worked with Titus-Will allowing it to remain in the building space until its retail redevelopment project got underway. The new owner; however, began listing the space for lease as available retail space in 2013. Accordingly, while the space was technically

occupied by Titus-Will short-term, it was new available retail space being offered for lease and seeking a tenant. (Rhein Haus Tacoma announced in 2015 that it would lease 13,000 square-feet of the former Titus-Will area but that building renovation would take a couple years to complete. Rhein Haus Tacoma opened in late 2016). Regardless of the treatment of this vacant space in test area 3, it was only one of four test areas studied and there appears to be no objection to the other test areas studied.

As for the other issues raised in Montro paragraph 10, she asserts that the Subject Area has an overstated 5-year average vacancy due to the LID project construction. It's an interesting argument and it's possible there may have been some tenants who were hesitant to locate to that area during the heavy construction phase. I have no first-hand evidence of this and some offering statements at the time talked of the benefit of the project. Never the less the 5-year average vacancy graph set forth in my report and reattached to this letter, shows vacancy dropping from a 2009 high at around 20% and proceeding quickly downwards beginning midyear 2010 and dropping down to around 10% as the project reached completion. Note also that even post-project completion the vacancy continues to drop and goes from around 10% down to 4.10% in 2014. I think it's hard to look at this data and not conclude something dramatic happened leading up to project completion that had a beneficial effect on vacancy. Both the change in the 5-year averages compared to competing test areas, as well as the post-project vacancy relative to these test areas, show the subject LID neighborhood generally operating more favorably than those areas where no project enhancement occurred.

In the remainder of paragraph 10, Montro dismissed the relevance of walkability scores relative to the test areas as relevant. I disagree and believe it to be another avenue of research supportive of project benefit. In paragraph 11, she dismissed relative vacancy as relevant, again I disagree. Vacancy is a key component of the income approach and all things being equal, a reduction in vacancy will result in higher income and thus values. In paragraph 17, the published research I cited by the New York City Department of Transportation is dismissed as not relevant. I disagree. It shows street improvement projects resulting in increased retail sales. Again, all things being equal, an area with stronger retail sales should translate into higher relative values due to either superior vacancy, higher rents, and/or lower capitalization rates.

Finally, paragraph 13 of Montro's Review points out a slight error between the LID boundary and the boundary of the CoStar study map. This is of little relevance as the building left out of the CoStar boundary is primarily a 37-unit apartment building (The Webster). Never the less it does have some ground level retail (5,200 square-feet) plus an adjoining sister building (Court C Building) with 6,750 square-feet of retail space. Both buildings were researched and analyzed as part of my appraisal of the LID properties. At the time of my research, the retail space in both buildings was occupied and would have only indicated stronger vacancy results for the subject area, if included.

In summary, regarding the Montro critique as to the 4% increase in retail/office values, I have seen no objections that would change my opinion or conclusions. The after-value adjustment is based on numerous avenues of data research, including vacancy studies of the subject and four test areas, a review of walkability scores compared to the test areas, published research primarily the NYCDOT study, consideration of enhancements indicated to the underlying land values associated with each improved property, a review of historic photographs for each property before and after project enhancement, and consideration of enhancements illustrated by other property types in the LID such as condos and multifamily properties. All appraisers make adjustments as part of the typical

appraisal practice, a neighborhood conditions adjustment being one of the more common. I concluded a 4% after condition adjustment as warranted for the retail and office properties within the LID. The support and basis for this adjustment has been set forth in my appraisal report and presented orally in the public hearings of March 29th and 30th, 2017. I respect Ms. Montro's opinion disagreeing with some of the interpretations derived in my analysis, but find no persuasive analysis or new research in the objections which would cause me to change my conclusions with regard to the Riley properties.

I hope this letter is of assistance.

Sincerely,

VALBRIDGE PROPERTY ADVISORS | ALLEN BRACKETT SHEDD | MACAULAY & ASSOCIATES

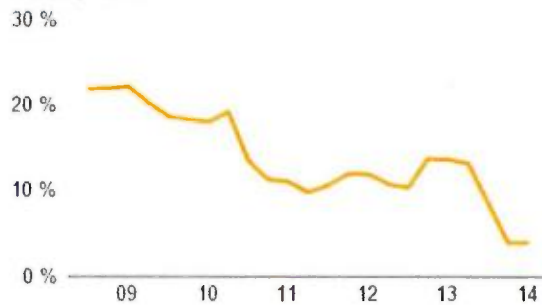
A handwritten signature in blue ink, reading "Darin A. Shedd". The signature is fluid and cursive, with the first name "Darin" being more prominent than the last name "Shedd".

Darin A. Shedd, MAI
AS

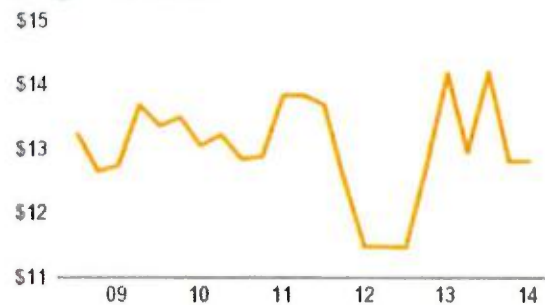
Availability	Survey	5-Year Avg	Inventory	Survey	5-Year Avg
Rent Per SF	\$12.82	\$13.05	Existing Buildings	32	32
Vacancy Rate	4.1%	13.7%	Existing SF	405,276	408,236
Vacant SF	16,500	55,806	12 Mo. Const. Starts	0	0
Availability Rate	9.1%	17.2%	Under Construction	0	0
Available SF	36,947	70,082	12 Mo. Deliveries	0	0
Sublet SF	0	600			
Months on Market	24.2	19.0			

Demand	Survey	5-Year Avg	Sales	Past Year	5-Year Avg
12 Mo. Absorption SF	39,511	13,389	Sale Price Per SF	-	\$141
12 Mo. Leasing SF	20,123	17,739	Asking Price Per SF	\$126	\$128
			Sales Volume (Mil.)	-	\$0.6
			Cap Rate	-	-

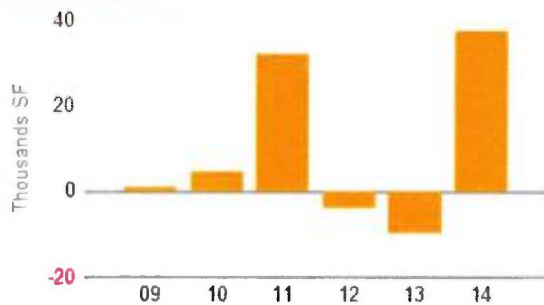
Vacancy Rate



Asking Rent Per SF



Net Absorption



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7/21/2014



Valbridge

PROPERTY ADVISORS

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425-688-1819 fax

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425-252-1210 fax

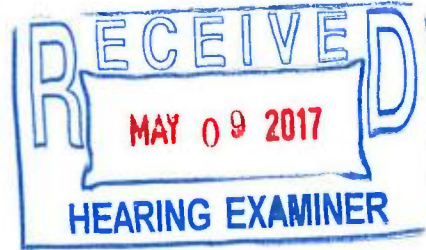
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253-274-0099 phone
425-688-1819 fax

valbridge.com

May 8, 2017

Mr. Ralph Rodriguez
City of Tacoma Public Works
747 Market Street, Rm 520
Tacoma, WA 98402



RE: WRITTEN PROTESTS; EXHIBITS 10, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 32, 34, 40, 52, AND 55.

Dear Mr. Rodriguez:

Pursuant to request, I have reviewed the written protests represented in the above referenced exhibits submitted as part of the public hearings on March 29th and 30th, 2017. Many, if not all of these objections were discussed in the public hearings on March 29th and 30th, including my response to direct questioning from the property owners and their attorneys and/or representatives.

Objections represented in exhibits 12, 13, 15, 19, 34, and 55, are based on assertions that values did not increase over a period of years, mostly citing market periods between 2006/07/08 through 2011/12/13/16 or 17. The comparisons primarily cite decreases in assessed value with the Exhibit 10 objector citing appraisals between 2007 and 2013.

While I recognize that market fluctuations have occurred over the past 10 years, with decreasing values generally occurring both nationally and locally from the downturn through to the current strong market, the valuation date is as of August 1, 2011 for both the pre-project value and the post-project value.

The calculation of special benefits is to be based on the same before and after valuation date.

Special benefit is the difference in the fair market value of the property without the improvement and the fair market value of the property with the improvement (commonly called "before and after," more properly called "without and with").; [Local and Road Improvement Districts Manual for Washington State, Sixth Edition, pg. 26.]

The LRID manual further explains that:

Two appraisals are made of each parcel or economic entity. One appraisal results in an opinion of market value of existing property rights without the influence, if any, of the LID-funded project. The second appraisal results in an opinion of market value of property rights adhering to the property with the project constructed or to be

completed within a specific time period. Property characteristics, highest and best use and market value opinions in the without and with appraisals are considered as of the same date of valuation. (LRID Manual, page 55, emphasis mine)

The objections presented are based on an incorrect before (or without) project enhancement date of value well preceding the August 1, 2011 date of value and are not relevant. The fact that some of the areas I studied illustrated decreasing assessed values or even appraised values between 2008 and the current date is not relevant nor is it the question being asked. As a general rule, most values decreased during the recession from the crash in 2008 until the recovery was well underway. The fact that an LID project was completed during this time period did not insulate the properties within the LID from normal market fluctuations. The special benefit question being asked is how much more; if any, were the properties worth on the date of substantial completion, in this case August 1, 2011, than they would have been on that date if the project had never been done.

The objections represented by exhibits 32 (201 Broadway condominium unit), 40 (Granville Condominiums), and 17/52 (Winthrop) object that any increase in value has occurred from the project, with the Winthrop objection based on the fact it is a low-income subsidized project and cannot raise rents. The objector of exhibit 21 (1300 USLLC-728 Broadway) objects that the value of this property is significantly less than the neighbor and thus should be assessed lower than its neighbor.

No supporting market evidence or data is presented in the objections raised in Exhibits 32 and 40. My valuation of these condominium units analyzed numerous sales and listings of condominium units in order to determine the before values for these units as well as looked at numerous after-project sales. Both these properties had the additional benefit of undergrounding of powerlines along their Broadway frontage. I stand by my analysis and valuations regarding these properties.

As for objections raised in exhibit 12, the main valuation objection raised is that this property (728 Broadway) is not as nice as abutting 732 Broadway but both are valued roughly the same. Both buildings are of similar age, building size, lot size, and both are condominiumized into 6 units each. Both were valued comparably using similar valuation inputs. I still believe the inputs to be the appropriate inputs for the subject. The argument to me is whether the sister building at 732 Broadway, which has sold its units out to various different owners, should be valued higher due to its elevator and claimed higher quality buildout.

With regard to the Winthrop objection represented in Exhibits 52 and 17, the main claim is that it is a low-income housing project, restricted to raising rents. The property was valued in my analysis with a before value of \$7,163,318 and an after value of \$7,387,536. The increase reflects a 3% increase to the residential portion of the property and a 4% increase to its street-level retail. The property was purchased by the current ownership for \$8,500,000 on May 5, 2015 with a preliminary assessment exclusive of supplemental work of approximately \$124,345. The prior owner of the property purchased it in January 2007 for \$6,100,000 and planned to remove the property from subsidized housing and convert the building back to a high-end hotel, its original use. The recession and financial troubles with the developer resulted in the property going back on the market with the current owners acquiring it in May, 2015.

Numerous HUD documents have been set forth in the objection, but it appears it was the owner's choice to continue in subsidized housing for the majority of the property's residential units. The retail portion of the building was not subsidized. Any low rate financing, tax credits and /or HUD rent reimbursements received by the owner must have offset the restrictions imposed by the HUD agreements regarding rents.

The property benefits in my analysis due to higher values on the retail space and lower vacancies on the residential space. My valuation and highest and best use for the subject was for a market rate facility. Continued non-market operation, after project completion on August 1, 2011, appears to be a property owner choice with full knowledge of the LID project, and the current owner purchased subject to the pending project assessments in 2015. This purchase must have considered that any HUD restrictions was offset by other economic considerations such as rent reimbursements, tax credits, and /or low interest rate financing. The special benefits to the property remain regardless.

Exhibit 14 reflects the objection that the property assessed is a paved parking lot and is not benefitted by the project. This property has a highest and best use for mixed use multi story redevelopment. The benefits to this property reflect benefits to the highest and best use of the property, regardless of how the property owner chooses to operate it in the interim.

Finally, objections from exhibit 16 and 20 reflect objections based on special benefits to 505 Broadway units 410 and 600. Objections were testified to by Mr. Larry Strege, a local appraiser. No new market data or evidence is or was provided to respond to, either in support of or refuting my value conclusions. As with the objections in exhibits 32 and 40, numerous sales and points of research were considered in this valuation. These units similarly benefitted from ungrounding of unsightly powerlines along Broadway, in addition to the other project frontage improvements.

I hope this letter is of assistance.

Sincerely,

VALBRIDGE PROPERTY ADVISORS | ALLEN BRACKETT SHEDD | MACAULAY & ASSOCIATES

A handwritten signature in blue ink, reading "Darin A. Shedd". The signature is fluid and cursive, with the first name "Darin" being more prominent than the last name "Shedd".

Darin A. Shedd, MAI
AS



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: JOSEPH A. ROBINETTE Phone: 253-272-0418

(Print)

Name:

Joseph A. Robinette

(Signature)

Parcel Number(s): 900525-018-1

Site Address(es) 744 MARKET ST.

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 09 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$5,761⁶¹

Attach-1

2

**CITY OF TACOMA LID PROPERTY
OWNER AGREEMENT - RW 131**

I/We, the legal owner(s) of the following described property, request the City of Tacoma to arrange for the following work to be performed based on the Engineer's estimated prices indicated below:

	QUANTITY	UNIT PRICE	ESTIMATE	OWNER'S INITIAL
A. SIDEWALK				
1. Remove existing sidewalk	N/A SY	15.00	0	
2. Construct new sidewalk	N/A SY	35.00	0	
B. STEPS				
1. Construct steps as required	N/A EA	125.00	0	
2. Install handrail, one side only	N/A LF	75.00	0	
C. DRIVEWAY				
1. Construct new cement concrete driveway, _____ feet (plus 8.08 SY for radii) (14 ft. minimum width per TMC10.14)	N/A SY	75.00	0	
2. Construct new asphalt driveway, _____ feet wide	N/A SY	50.00	0	

D. STRUCTURAL SIDEWALK COST ESTIMATE

1. Fill-in the vaulted space that extends into the City of Tacoma's right-of-way \$205,400.00

Notes: 1. Contractor project mobilization and management costs are not included.
2. Architectural and engineering system design and bid document fees are not included.
3. Government fees and taxes are not included.

* Actual construction costs will be determined at the time of restoration/repair.

All costs indicated above shall be added to the assessment costs for LID No. 8645, and levied against my/our property. In addition, 15% will be added for Engineering, Inspection and Contract Administration. It is understood and agreed that I/we shall be contacted and given the opportunity to further approve or reject any item which exceeds 10% of the estimated cost indicated above.

TEMPORARY CONSTRUCTION PERMIT

I/We hereby give the City of Tacoma and its contractor(s) permission to access and use portions of my/our property as reasonably required to perform the above described work, and LID project, and to slope and shape the property to match the new improvement.

PROPERTY SITE ADDRESS:

SIGNATURE OF OWNER(S):

Winthrop Hotel, LLC – RW 131

773 Broadway – APN 200705-015-0

Tacoma, WA 98402

TELEPHONE: 253.565.1418 Ext 215

DATE OF REQUEST: 4/30/2007

Attach 2

17



City of Tacoma
Public Works Department

December 11, 2006

Jesse M. Grisby
9818 Marine View Dr
Mukilteo, WA 98275-4110

Subject: Broadway Local Improvement District (LID) 8645
Structural Sidewalk Evaluation
Parcel No. 200706-013-0

Dear Property Owner:

The City of Tacoma is planning to improve portions of Market Street and St. Helens Avenue, between South 9th and South 7th Street, together with portions of Broadway from South 9th Street northerly towards South 2nd Street, collectively referred to as the *Broadway Local Improvement District (LID)*. In a letter sent previously, we made you aware that for those properties abutting structural sidewalks, the City would retain the services of a structural engineer to perform an evaluation of the vaulted sidewalks. Over the past several weeks, these evaluations were performed; a report and the structural engineer's findings specific to your property/parcel are included with this letter.

Generally, the evaluation involved contacting the property owner, or responsible person to gain access; jointly visit the space to determine how it is currently being used; performing a complete visual inspection of the area paying particularly close attention to the integrity of the retaining walls, structural sidewalk, deteriorating conditions, and safety hazards that may be present. The attached report compiles our findings and provides the engineer's professional determination relative to the condition of the space and includes a preliminary cost estimate to perform the necessary repairs so that the vaulted space is consistent with current code and rid the deteriorating conditions.

As you may know, the sidewalks abutting your property/parcel were constructed in the early 1900s and the current affects of deterioration and the unknown original load rating for the sidewalk combine to impact the long-range design intent of the LID. Based on these factors and the engineer's evaluation, it is our opinion that structural repairs are long over due and necessary at this time. As the property owner, you are responsible for affecting the necessary repairs to the structural sidewalk space(s) abutting your property. While these costs are not included in your individual property assessment for this LID, you will have the option to finance these costs over the life of the Local Improvement District with no upfront expense.

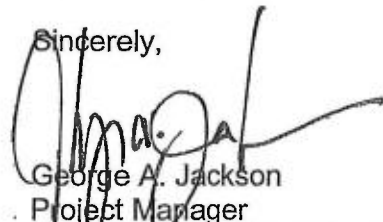
The new work that will be installed under the LID intends to provide long-term solutions that achieve the following: a unified visual consistency for the neighborhood; eliminate existing deterioration; protect the structure from water deterioration; correct unevenness in the sidewalks, cracks, variable odd slope conditions, trip hazards and surface irregularities; eliminate non standard surface types; a modern load rating standard; and provide long-term

durable surfaces with conventional broom finished concrete that require at least a 50 year maintenance cycle.

Please review the engineer's findings and the cost estimate carefully over the next two weeks. Subject to your availability and convenience, I intend to schedule a personal meeting to discuss your options and the '*next step*' in the process.

If you have questions or need additional information, please contact me at 253.591.5789

Sincerely,



George A. Jackson
Project Manager
Broadway Local Improvement District

ENCLOSURE:
Structural Evaluation

Cc: LID 8645 File
Parcel File

STRUCTURAL EVALUATION OF VAULTED SIDEWALKS

**GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

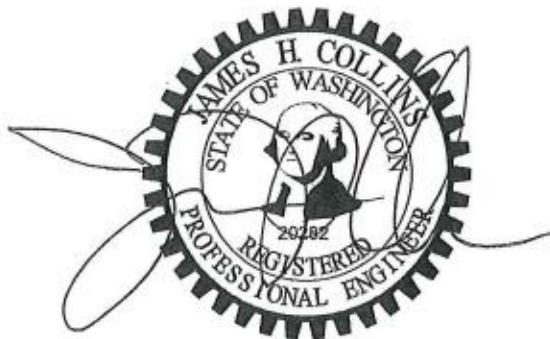
(DOES NOT ADDRESS ON-GRADE SIDEWALKS)

FOR

**BROADWAY LID 8645
CITY OF TACOMA PUBLIC WORKS**

PREPARED BY

PCS STRUCTURAL SOLUTIONS



EXPIRES: 11/05/07

**NOVEMBER 15, 2006
06-522**

STRUCTURAL EVALUATION

GRIGSBY BUILDING **754 BROADWAY, TACOMA** **SIDEWALKS ALONG ST. HELEN'S AVENUE**



The sidewalk along the St. Helens Avenue side of this building is what is commonly referred to as "vaulted sidewalk" because it has accessible room space below. This sidewalk is an elevated structural slab and is the roof of the spaces below. Unlike on-grade sidewalks within the L.I.D. project, renovation of this sidewalk requires considerations for structural stability and impact on the occupied spaces below. The sidewalk on the Broadway side is conventional on-grade construction.

A. GENERAL DESCRIPTION

The St. Helen's Avenue sidewalk is inclined moderately. Vaulted room space under the sidewalk occurs full length of the building. The height within the room space decreases from north to south with the sidewalk grade with an average clear height of about 13'. The space is partitioned for retail storage space on the southern half and Tacoma Power on the northern half.

The vaulted space floor is closely at the Broadway floor elevations for the building. The west wall of the building continues to the foundation, therefore the vaulted space is separated, all though there are doorway accesses through the wall. The south space has a framed water protected room built within most of it, otherwise the original structure is exposed. The north space is not finished and the original structure is exposed. It appears that water seepage through the sidewalk has been a long standing problem.

**STRUCTURAL EVALUATION FOR
GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

B. TYPE OF CONSTRUCTION AND STRUCTURAL SYSTEMS

The sidewalk is also a concrete structural slab spanning between the walls and beams. There are steel beams at about 8' on center that are embedded in the slab and span between the basement wall and the building wall. The sidewalk construction integrates with the building wall and retaining wall, and are of the same period. The slab and walls should not be modified or the slab burdened with more weight without considering the load spanning function of the sidewalk. The original construction is mostly intact and has not been noticeably modified. Because of the period of construction, lack of as-built information, and observations of deterioration, the load rating of the sidewalk cannot be determined.

The exterior west basement wall is a mortared rock gravity retaining wall. This wall has a slopping battered interior face, and is considered a self-supporting retaining wall holding the street's earth backfill pressure. Measurements indicate that the retaining wall is east of the current curb line, but likely under the original curb, and we assume that the sidewalk was widened nearly 2' in the past. The building wall is an unreinforced multi-wythe brick masonry wall.

With the original sidewalk also the structural slab, any weatherproofing and structure protection from water was originally handled by the mass of the slab. Several years ago, the sidewalk was completely covered with a thin asphalt overlayment. This was likely done as an effort to seal the slab from water penetration. Water damage deterioration to the steel beams and slab is extensive throughout. Heavy rain occurred the day of our visit and water was observed seeping quickly through the sidewalk slab. Moisture was observed in the rock retaining wall.

C. REPAIR RESTORATION

The concrete sidewalk structural slab, the slab reinforcing steel, and the steel beams are in various states of condition with notable deterioration. The deterioration may present a public hazard for sidewalk usage and occupancy in the basement spaces, and there should be concern for these conditions. There appears to have been no effort to make maintenance repairs.

- The exposed bottom flanges of the steel beams have corrosion at all locations observed, and some sections there is considerable steel de-lamination, pitting, and missing steel. It is assumed that there is also hidden corrosion in the beams where embedded in concrete. Refer to photos 1 and 2.
- The bottom side of the sidewalk slab has concrete cracks, spalling and de-lamination. Where the concrete has dislodged, the reinforcing steel is exposed and generally extensively corroded. Refer to photo 3.

**STRUCTURAL EVALUATION FOR
GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

- The building line brick masonry wall is constructed with mortars of a high lime and low cement content. All though some of this wall is covered, where it could be observed, the mortars have deteriorated from water seepage on the wall. This affects the structural integrity of the wall. Refer to photo 4.
- Moisture, mortar washout and water softened mortar was found in the rock wall. Refer to photo 5.

The effects of deterioration and the unknown original load rating for the sidewalk combine to impact the long-range concept of the L.I.D. renovation. It is our opinion that structural repairs are long over due and should be done. Long-term solutions that provide reliable load carrying capacity for the sidewalk and unification of the L.I.D. would necessitate a rebuilding of the sidewalk. Short-range maintenance solutions with thin overlays and repairs do not provide this.

1. Rebuilding the sidewalk in a matter consistent with the L.I.D. would incorporate a 4" thick non-structural sidewalk slab, rather than a structural slab functioning as the sidewalk also. This would allow the sidewalk construction to be the same as the on-grade sidewalks. With this concept, a sand bed and sheet membrane can be placed under the sidewalk slab, with the intent to protect the structure below and provide weather sealing for the occupied spaces under the sidewalk. The existing sidewalk structure would be removed and a new structure installed at a lower elevation that accounts for the thickness of the sidewalk, sand bed and membrane.
2. The building brick masonry needs mortar re-pointing, which removes deteriorated mortar about 1" deep and replaced with new mortar. Any deteriorated bricks would be replaced and any loose bricks reset during the re-pointing.
3. It will be very difficult to bear the new structural slab on the existing brick masonry walls. Bearing for the new slab would need to be done with a new wall, or a beam and column line next to the brick wall.
4. In conjunction with the street work for the L.I.D., the basement wall could be excavated and exterior waterproofing applied. Potential ground water seepage through existing mortar joints would be addressed, but also general capillary moisture migration through the natural porosity of the walls. However, in order to remove the sidewalk, at least one third of the wall height will need to be excavated in order to reduce the lateral load from the earth backfills.

**STRUCTURAL EVALUATION FOR
GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

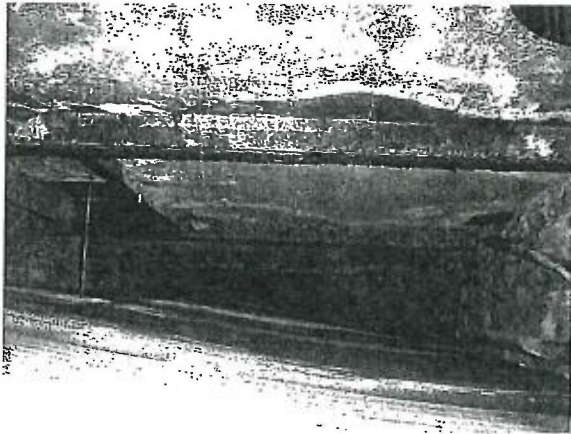


Photo 1 - Corroded Steel Beams

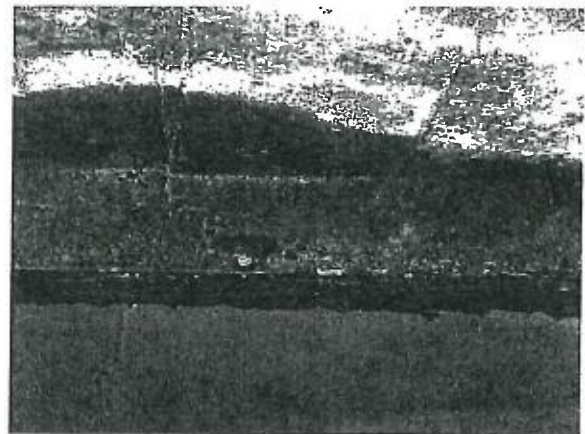


Photo 2 - Corroded Steel Beams

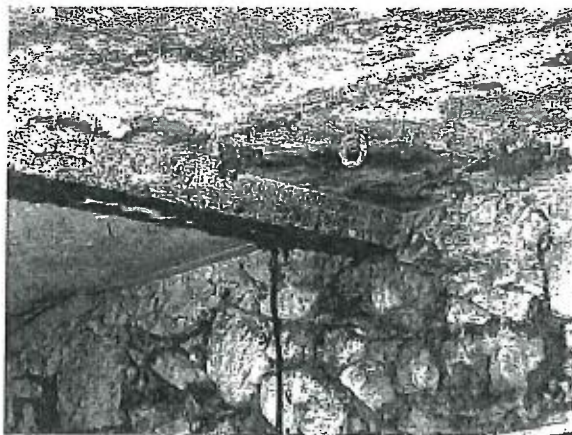


Photo 3 - Moisture Deterioration

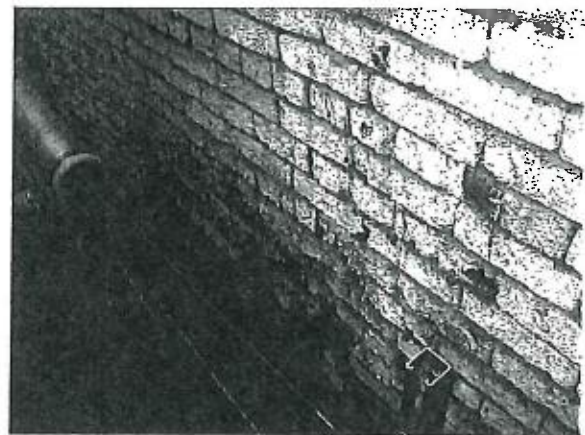


Photo 4 - Corroded Steel Beams

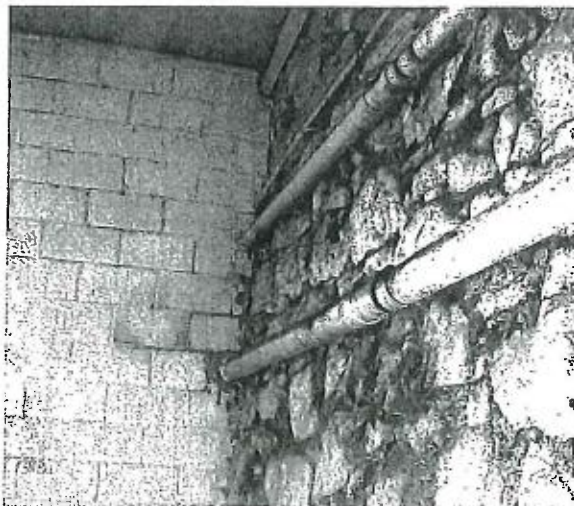


Photo 5 - Rock Retaining Wall

**STRUCTURAL EVALUATION FOR
GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

D. SIDEWALK IMPROVEMENTS COST ESTIMATE

Item	Value	System Components	Cost Calculation	Cost
1	Aesthetics, Waterproofing & Structural Replacement	<u>Rebuilding The Sidewalk</u>		
		Remove existing slab	700 SF at \$6/SF	\$4,200
		Remove interior finishes, partitions, and woodwork		\$5,000
		New sidewalk concrete slab	700 SF at \$5/SF	\$3,500
		New sand bed and membrane	700 SF at \$4/SF	\$2,800
		New structural slab	700 SF at \$20/SF	\$14,000
		Re-due connections for utilities and minimal finishes		\$10,000
		Impact on space usage and street protection measures		\$5,000
		Total		\$44,500
2	Restoration	Repoint brick wall	700 SF at \$20/SF	\$14,000
3	Structural Replacement	Add new bearing wall or beam and column line along the brick wall	50 LF at \$250/LF	\$12,500
4	Waterproofing	<u>Membrane On Basement Walls</u>		
		Full exterior earth side membrane on walls	750 SF at \$10/SF	\$7,500
		Earth excavations and backfill	400 CY at \$25/CY	\$10,000

Notes:

1. Contractor project mobilization and management costs are not included.
2. Architectural and engineering system design and bid document fees are not included.
3. Government fees and taxes are not included.

**STRUCTURAL EVALUATION FOR
GRIGSBY BUILDING
754 BROADWAY, TACOMA
SIDEWALKS ALONG ST. HELEN'S AVENUE**

E. CONCLUSION

This evaluation and renovation solutions are for planning purposes. This schematic information requires complete specifications in order to address all details of construction. Cost estimations for this type of work are best confirmed by contractor bids.



Tacoma

City of Tacoma

Public Works Department

September 23, 2008

Mr. Jesse Grigsby
9819 Marine View Drive
Mukilteo, WA 98275-4110

Subject: Broadway Local Improvement District (BLID) 8645
Structural Sidewalk Report
Parcel No. 200706-013-0

Dear Mr. Grigsby:

The City, in a letter dated, December 11, 2006 notified you that the structural sidewalk abutting your properties at 754 to 756 Broadway on Saint Helens Avenue are in an unfit or unsafe condition and would have to be removed and replaced.

The City would like to meet with you and discuss your options regarding the reconstruction of the structural sidewalk. Accompanying this letter please find a structural sidewalk packet that includes the following:

- An estimated cost to reconstruct the structural sidewalk at these properties to current code eliminating the deteriorating conditions and improving safety of the sidewalk. The estimated cost includes the cost of design, BLID administration, construction costs by the City's contractor (Wm. Dickson Co.) and construction management.
- A report entitled, 'Structural Evaluation of Vaulted Sidewalk' prepared by the City's structural consultant relative to the condition of the structural sidewalk.
- An environmental report by Construction Management Services of Washington, Inc., identifying various hazardous health compounds requiring work safety precautions.
- A draft "Notice of Unfit or Unsafe Sidewalk" letter.

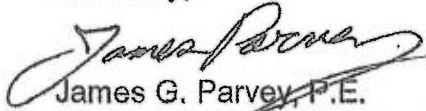
During the meeting we will review the structural sidewalk packet with you and discuss the following options available to you as the property owner:

1. Hire your own structural engineer to perform an independent evaluation of the condition of the structural sidewalk.
2. Reconstruct the sidewalk using your own contractor and the City's design or your structural engineer's design.
3. Agree to have the City reconstruct the sidewalk using the BLID contractor and have the cost financed through the BLID.
4. Agree to have the City reconstruct the sidewalk using a competitive bid process and have the cost financed through the BLID
5. Reconstruct the structural sidewalk through the City's abatement process.

Mr. Grigsby
September 23, 2008
Page 2 of 2

Please contact Donna at 253-591-5082 to schedule a follow-up meeting. If you have any questions regarding this letter or the structural sidewalk packet please call me at 253-591-5525.

Sincerely,

A handwritten signature in black ink, appearing to read "James Parvey", written over the printed name.

James G. Parvey, P.E.
Interim City Engineer / Asst. P.W. Director
Public Works Department

Enclosure: Structural Sidewalk Packet

cc: File



Tacoma

City of Tacoma
Public Works Department

May 29, 2009

Jesse M Grigsby
9818 Marine View Dr
Mukilteo, WA 98275

Dear Jesse M Grigsby

The Public Works Department is sorry you were unable to attend the open house held on Tuesday this week for the structural sidewalks component of the BLID. At the open house, we presented the schedule for both the ongoing street improvements and the structural sidewalk project, as well as answered questions from property owners about the project.

Enclosed is a portion of the construction drawing set going out to bid next week (June 2) that shows the improvements to the structural sidewalks abutting your property. We have also enclosed a copy of the preliminary schedule for the project which will be revised once we have a contractor on board. One date that is not on the schedule is the site visit on June 11, 2009. As indicated in our May 15, 2009 letter to you, the contractors bidding on the project will be visiting all structural sidewalk sites on June 11 to inspect the project to help develop their bids. We are requesting that you provide us with contact information in order to schedule the site visits.

We will be scheduling a meeting with you after we open and evaluate the bids to present the project costs and discuss the options available for the replacement or repair of the structural sidewalks. After meeting with all affected property owners, we will recommend the City Council award the contract to the lowest responsible bidder.

Please contact me at 253-591-5767 or by email at trutherford@cityoftacoma.org with your contact information, or should you have any questions.

Sincerely,

Tom Rutherford, P.E.
Project Manager
Public Works Department, Engineering Division

TR:szs

Cc: James G. Parvey, P.E. Asst Public Works Director/ City Engineer
Rae Bailey, Construction Division Manager
Mark Henry, Construction Manager, Construction Division
Chris Storey, P.E., Design Engineer, Engineering Division, Special Projects
Ralph K. Rodriguez, LID Administrator, Construction Division

Enclosures



City of Tacoma
Public Works Department

September 22, 2009

Jesse M & Norma R Grigsby
9818 Marine View Dr
Mukilteo WA 98275-4110

CERTIFIED MAIL

Attn: Jessie & Norma Grigsby

Subject: Broadway Local Improvement District (BLID) 8645
Structural Sidewalk Estimated Cost
Parcel No. 200706-013-0

Dear Jessie & Norma Grigsby

Following previous conversations and our most recent correspondence sent in May 2009, the City advertised for bid the structural sidewalk reconstruction. On September 15, 2009 the City Council awarded the contract to R. L. Alia Co., the low bidder. We have included for your consideration an estimated cost to reconstruct the structural sidewalk at this property to current code, eliminating the deteriorating conditions and improving safety of the sidewalk. The estimated cost includes the cost of design, administration, construction costs by the City's contractor, and construction management. We have reserved a conference room on September 30, 2009 and on October 1, 2009 to discuss the contractor's bid and assessment costs, and to review the construction drawings. Please contact Tom Rutherford at (253) 591-5767, or by e-mail at trutherford@cityoftacoma.org, if you want to set up a time to discuss your sidewalk. If you wish to have the work performed as part of this LID, please sign at the bottom right of the Property Owner Agreement form and return it using the self addressed stamped envelope.

With the formation of the Broadway Local Improvement District (BLID) the structural sidewalk reconstruction was not included in your individual property assessment. Should you elect to have the structural sidewalk work performed at this time, the costs would be included in your BLID assessment and financed over 30-years, with the first annual payment due in 2012.

According to State Law (R.C.W. 35.69) and the Tacoma Municipal Code (TMC 9.17 and TMC 10.18), the property owner has the responsibility, at his or her own cost, to remove and replace the sidewalk once it has been identified as unfit or unsafe. If you are interested in replacing the unfit or unsafe sidewalk and having these costs added to your BLID assessment, please return the enclosed self addressed response form, or sign the property owner agreement within 15 days of the date of this letter.

If you do not contact the City within the allotted 15 days, we will take this as an indication that you do not want to take advantage of the BLID financing to reconstruct the structural sidewalk. Even if you choose not to take advantage of the BLID financing, please be advised that the structural sidewalk remains your responsibility.

Jesse M & Norma R Grigsby
September 22, 2009
Page 2 of 2

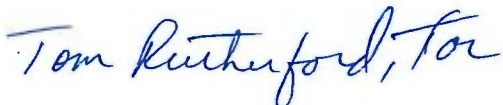
As the property owner, you also have the option of hiring your own contractor and financing the reconstruction of the structural sidewalk privately. If you choose to reconstruct the structural sidewalk and to finance the work privately, all work, including the top four inches of concrete to meet the grade of the adjacent sidewalk, must be completed prior to the City's contractor constructing the adjacent parking area. If this work is not completed before the parking area is reconstructed, you will be responsible for the costs associated with the restoration of the parking area.

If you choose not to select either of the aforementioned options, the City, in accordance with State law, may remove and replace the identified sidewalk and assess you with the full construction costs. Since the abatement process is outside of the parameters of the BLID, financing through the BLID would not be available.

Once the sidewalk has been removed and replaced, the user of the space will also be required to obtain a Street Occupancy Permit. Applications for the permit are available through our Real Estate Services section of the Public Works Department and can be reached at 253-591-5260.

Thank you for your consideration and cooperation. If you have any questions regarding this letter please call me at 253-591-5525 or send an email to me at BroadwayLID@cityoftacoma.org.

Sincerely,

A handwritten signature in blue ink that reads "Tom Rutherford, Tor".

James G Parvey, P.E.
Asst. P.W. Director / City Engineer

Reference: Tacoma Municipal Code 9.17, 10.1 Revised Code of Washington 35.69

Enclosures: Property Owner Agreement form
Response form

cc Tom Rutherford, P.E. Project Manager, Engineering Division
Rae Bailey, Construction Division Manager
Mark Henry, Construction Manager, Construction Division
Chris Storey, P.E., Design Engineer, Engineering Division, Special Projects
Ralph K. Rodriguez, LID Administrator, Construction Division

FILE: LID 8645

Response Form

Project- L.I.D. 8645 - Structural Sidewalk

PLEASE CHECK ONE BOX AND RETURN THE FORM NO LATER THAN
SEPTEMBER 29, 2009. (self addressed stamped envelope provided)

☐

YES

I approve of including the structural sidewalk reconstruction costs into the L.I.D. I have signed the L.I.D. Property Owner Agreement and am forwarding the agreement to proceed with the reconstruction.

☐

YES

I approve of including the structural sidewalk reconstruction costs into the L.I.D. I am requesting to meet to discuss the project before signing the L.I.D. Property Owner Agreement. The dates available are September 30th _____ or October 1st _____, please indicate the time next to the date you are available.

☐

NO

I do not approve of having the work performed by the L.I.D. contractor, and will contract the work privately.

☐

NO

I do not approve of having the work performed by the L.I.D. contractor. A structural engineer has prepared a report that the structural sidewalk meets current standards.

Name _____
Signature

Site Address _____

Phone _____

Parcel Number _____

CITY OF TACOMA
LID PROPERTY OWNER AGREEMENT
FOR THE GRIGSBY PROPERTY

I/We, the legal owner(s) of the following described property, request the City of Tacoma to arrange for the following work to be performed based on the bid received from R.L. Alia Company

A. STRUCTURAL SIDEWALK

Environmental Survey	
Existing Debris Removal and Disposal	
Interior Wall and Ceiling Removal and Disposal	
Brick Wall Re-Pointing	
Accessibility Work Plan	
Maintain Required Access	
Security & Weather Protection Work Plan	
Security and Weather Protection	
Existing Utility Support, Adjustments, and Protection	
Structural Walk Construction	
Building Interior Restoration	
Building Exterior Repair & Repair	
Sales Tax	
Sub-total	\$ 128,517.00
Contingency (incl sales tax)	\$ 20,018.30
Design, Inspection, Contract Administration and Interim Financing	\$ 30,255.83
Total	\$ 178,791.12

All costs indicated above shall be added to the assessment costs for LID No. 8645, and levied against my/our property. It is understood and agreed that I/we shall be contacted should, during construction unforeseen events would result in a 10% increase of the estimated total cost as indicated above.

TEMPORARY CONSTRUCTION PERMIT

I/We hereby give the City of Tacoma and its contractor(s) permission to access and use portions of my/our property as reasonably required to perform the above described work and LID project.

PROPERTY ADDRESS:

751-753 St Helens
Tacoma, WA 98402 ----- (phone 425-745-9818)

MAILING ADDRESS:

9818 Marine View Drive
Mukilteo, WA 98275-4110

SIGNATURE OF OWNER(S):

Jesse & Norma Grigsby

X

Response Form

Project- L.I.D. 8645 - Structural Sidewalk

PLEASE CHECK ONE BOX AND RETURN THE FORM NO LATER THAN
SEPTEMBER 29, 2009. (self addressed stamped envelope provided)

☐

YES

I approve of including the structural sidewalk reconstruction costs into the L.I.D. I have signed the L.I.D. Property Owner Agreement and am forwarding the agreement to proceed with the reconstruction.

☒

YES

I approve of including the structural sidewalk reconstruction costs into the L.I.D. I am requesting to meet to discuss the project before signing the L.I.D. Property Owner Agreement. The dates available are September 30th _____ or October 1st 4:00, please indicate the time next to the date you are available.

☐

NO

I do not approve of having the work performed by the L.I.D. contractor, and will contract the work privately.

☐

NO

I do not approve of having the work performed by the L.I.D. contractor. A structural engineer has prepared a report that the structural sidewalk meets current standards.

Name

James M. Augaly

Signature

Site Address

751-753 St. Helens

Phone

425-745-9818

Parcel Number

200706-013-0

RECEIVED

SEP 28 2009

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Attach. 7 18



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☐ Yes

☒ No

Name: NEVELE V LOVELY Phone: 253 627-1540
(Print)

Name: *Nevele V*
(Signature)

Parcel Number(s): 237200-027-0

Site Address(es) 525 BROADWAY #309

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 09 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

4,793²⁸

Attache. B m



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☐ Yes

☒ No

Name: Madelynn J Lytson Phone: 253-531-9559
(Print)

Name: Madelynn J Lytson
(Signature)

Parcel Number(s): 237200-002-0

Site Address(es) 525 Broadway #102 Tacoma WA
98402

Please return postmarked or hand-delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 08 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$3,959.42

Attach. 9

m/



City of Tacoma
Local Improvement District 8645

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☐ Yes

☒ No

NO!!

Name:

Robert Jensen

Phone:

253-759-4199

(Print)

Name:

Robert Jensen

(Signature)

Parcel Number(s): 237200-003-0

Site Address(es)

525 Broadway Unit 103

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 08 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$3,954 42

Attach. 10

33



Detach and return

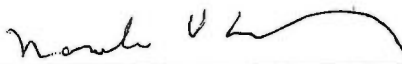
City of Tacoma
Local Improvement District 8645

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☐ Yes

☒ No

Name: NEVILLE V LOVELY Phone: 627-1590
(Print)

Name: 
(Signature)

Parcel Number(s): 237200-028-0

Site Address(es) 525 BROADWAY # 401

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 09 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$5,268⁷⁰

Attach. 11

3/5

From: Wheeler, Liz
Sent: Thursday, March 01, 2012 4:23 PM
To: Yvonne Guerrero
Cc: Simpson, Sue
Subject: RE: prelim ULID & any other assessments request

Hi Karen –

The LID on parcel 9005500240 is still in Preliminary status. The Estimated Assessment amount on LID 8645 Assessment 39 is \$2,608.90. We can accept no payment until the final assessment roll is confirmed by City Council. Preliminary assessments are carried as liens, in accordance with RCW 35.50.010, primarily to alert prospective participants in any transaction involving the property of the pending assessment. Preliminary estimated assessments may change based on additional work requested by the property owner. If you need to confirm if supplemental work was requested, which may add to this estimated assessment amount, or have other specific questions concerning the construction schedule or a timeframe when the LID will become collectible, please call Sue Simpson at (253) 591-5529.

When collectible, the property owner will have the option of paying in full or paying the assessment in annual installments over a period of 30 years. If you are required to hold back some amount in escrow to clear the lien when it becomes collectible, it is imperative that you contact us so we can ensure you receive an Interest Free Period Statement when the assessment roll is confirmed by City Council. Otherwise, it is quite possible the account could accrue additional interest and penalties.

Parcel # 9005500240

LID #	8645
LID Assessment #	39
Contract Account #	600402846
Name (BP)	DR JOHN D MCDOWALL
Property Address	235 BROADWAY TACOMA WA 98402-4006
Type of Improvement	Paving
Status of LID	Preliminary
# of Installments	30
Original Assessment Amount	\$2608.90
Interest Rate	
Current Amount Owning	\$0.00
Payment in Full Amount	\$0.00
# of Unpaid Principle Installments	0
Date Last Payment Received	00/00/0000
Interest Free Period (IFP) End Date	00/00/0000
Delinquent?	No

DISCLAIMER

If date of inquiry is near the Month/Day indicated in the IFP End Date, there may be additional interest and penalties pending. Please verify payoff amount if closing will occur after current year due date.

03/01/2012 16:20:15

Attach. 12

25

Liz Wheeler
City Treasurer's Office
(253) 591-5832

Confidential pursuant to Identity Theft prevention Rules or "Red Flag" Rules [§114 and §315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003, and 16 CFR Part 681].

From: Yvonne Guerrero [<mailto:Yvonne@a-title.com>]
Sent: Thursday, March 01, 2012 4:20 PM
To: Wheeler, Liz
Cc: Simpson, Sue
Subject: prelim ULID & any other assessments request

Hi Liz and Sue,

Please check parcel 900550-024-0 for McDowall which is 235 Broadway, Unit 560, Tacoma

Condominium is Sky Terrace

My file TC1-33694-OR

Thank you ☺

Karen K. DeFilippis
Title Examiner
Attorney's Title of Washington, Inc.



City of Tacoma
Public Works Department

March 15, 2012

Attorney's Title Company
3903 South 74th Street
Tacoma, Washington 98409
Phone 284-4440/Fax 284-3841

Attn: Karen

File #TC1-33694-OR

Subject: Local Improvement District 8645

Preliminary assessment for Unit 560, SKY TERRACE CONDOMINIUM, tog/w 2.9% int in common areas & limited common areas, in NE of SE 32-21-03E.


The property, located at 235 Broadway, Tacoma, WA 98402 is within the boundaries of Local Improvement District (L.I.D.) 8645. The formation of the Local Improvement District was adopted by the Tacoma City Council on April 18, 2006 by Ordinance No. 27475, which in part directs the Public Works Department to prepare plans and specifications for permanent pavement; reconstruction, repair and renewal of sidewalks and landscaping; and the construction of surface water, wastewater and water main utility replacement together with limited maintenance of the landscaping on Broadway from South 2nd Street to South 9th Street. Construction of the roadway and structural sidewalk at multiple locations is complete, except for structural sidewalk at one location. Pursuant to R.C.W. 35.50.005, the Public Works Department, on April 21st, 2006, filed the preliminary assessment maps and preliminary assessment roll with the City Treasurer's office.

The estimated total cost of the improvements authorized by Ordinance No. 27475 is \$15,048,087. The parcels within the assessment district are responsible for \$5,513,804. The preliminary estimated amount for 235 Broadway Unit 560 is \$2,612.29. At this time, the City cannot accept payment.

Upon completion of the project, a hearing to confirm project costs and the property assessments must be conducted. The final assessments will be based on final project costs. We anticipate the hearing to be scheduled in 2012, with the City Council confirming the project costs and the assessment roll by Ordinance. In accordance with RCW 35.50.010, owners are provided 30 days to pay all or a portion of their property assessment and will save a \$180.00 collection fee and 2.5% discount. Should they elect to pay their assessments over a period of time, a lien will be placed on their property until such time as the assessment is paid in full.

Should you have any further questions, please call me at 253-591-5522.

Sincerely,



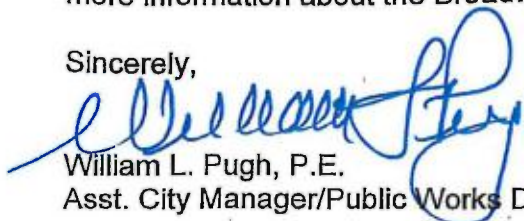
Ralph K Rodriguez
L.I.D. Administrator

file: L.I.D. 8645

LID 8645
August 1, 2007

Thank you in advance for your help. We hope you are able to attend the meeting. For more information about the Broadway LID visit www.cityoftacoma.org/BroadwayLID.

Sincerely,


William L. Pugh, P.E.
Asst. City Manager/Public Works Director



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: BRIAN HICKS
(Print)

Phone: 530-275-3000

Name: Brian W. Hicks
(Signature)

Parcel Number(s): 900669-003-0

Site Address(es) _____

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 17 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Attach 14

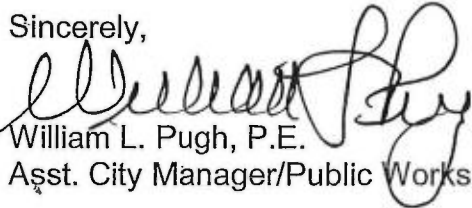
40

8,587 34

LID 8645
August 1, 2007

Thank you in advance for your help. We hope you are able to attend the meeting. For more information about the Broadway LID visit www.cityoftacoma.org/BroadwayLID.

Sincerely,



William L. Pugh, P.E.
Asst. City Manager/Public Works Director



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: Granville A. Brinkman Phone: 253-905-7361
(Print)

Name: [Signature]
(Signature)

Parcel Number(s): 900546-001-0 (900669-005-0) ^{PER} Per Fee Calc Rec'd 8-16-07 - from Highway

Site Address(es) 207 Broadway Unit ~~5~~ 600 AKN

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 17 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

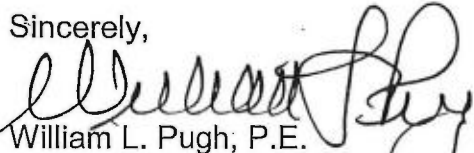
Attach. 15

\$8,604⁰⁴
11

LID 8645
August 1, 2007

Thank you in advance for your help. We hope you are able to attend the meeting. For more information about the Broadway LID visit www.cityoftacoma.org/BroadwayLID.

Sincerely,



William L. Pugh, P.E.
Asst. City Manager/Public Works Director



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: Granville A Brinkman Phone: 253-905-7361
(Print)

Name: [Signature] same
(Signature)

Parcel Number(s): 900546-001-0 0100669-001-0 RHK Ren Tac Call 8-16-07 from Midwest

Site Address(es) 201 Broadway Unit ~~114~~ 200 214

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED
AUG 17 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Attach. 16

07-64



Detach and return

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: John Almond Phone: 253-952-5555
(Print)

Name: John Almond
(Signature)

Parcel Number(s): 900669-002-0

Site Address(es) 202 Broadway Suite 300

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 08 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$7,479⁹¹

Attach 17

50



Detach and return:

**City of Tacoma
Local Improvement District 8645**

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☒ Yes

☐ No

Name: JOHN ALMOND Phone: 253-576-2100
(Print)

Name: [Signature]
(Signature)

Parcel Number(s): 900669-006-0

Site Address(es) 207 BROADWAY SUITE 700

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

RECEIVED

AUG 08 2007

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

\$8,604⁶⁴

Attach. 18

2



Detach and return

City of Tacoma
Local Improvement District 8645

OWES
1.410
1 2007
98402

I am in favor of proceeding with Broadway LID 8645 and understand that my assessment(s) will reflect an increase due to the recent bid opening.

☐ Yes

☒ No

Name: ANN H. MARINKOVICH
(Print)

Phone: (253) 272-6977

Name: *Ann H. Marinkovich*
(Signature)

Parcel Number(s): 237200-014-0

RECEIVED
AUG 14 2007
CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Site Address(es) 525 Broadway - Unit 205

Please return postmarked or hand delivered no later than August 17, 2007 to:

City of Tacoma
Public Works Department
Construction Division, LID Section
747 Market Street, Suite 620
Tacoma, WA 98402-3769

Attach. 19

4,019 16

July 24, 2015

Rainier Title
841 Central Avenue North, Suite C-105
Kent, WA 98032

Attn: Erika Rood

RE: Escrow No. 686841RT

Subject: Local Improvement District 8645

Preliminary assessment for Unit 109, **BAYVIEW CONDOMINIUM**, tog/w 2.9507% interest in common areas & limited common areas, in SE of SE 32-21-03E.

The property, located at 525 Broadway, Tacoma, WA 98402 is within the boundaries of Local Improvement District (L.I.D.) 8645. The formation of the Local Improvement District was adopted by the Tacoma City Council on April 18, 2006 by Ordinance No. 27475, which in part directs the Public Works Department to prepare plans and specifications for permanent pavement; reconstruction, repair and renewal of sidewalks and landscaping; and the construction of surface water, wastewater and water main utility replacement together with limited maintenance of the landscaping on; Broadway from South 2nd Street to South 9th Street; St. Helens Avenue from South 7th Street to South 9th Street; Market Street from St. Helens Avenue to South 9th Street; South 4th Street from Stadium Way to Broadway; South 7th Street from Broadway to St. Helens Avenue. Construction of the roadway and structural sidewalk at multiple locations is complete.

The estimated total cost of the improvements authorized by Ordinance No. 27475 is \$15,048,087. The parcels within the assessment district are responsible for \$5,513,804. The preliminary estimated amount for 525 Broadway, Unit 109 is \$4,500.03. The final LID assessment will be based on final project costs and a special benefit analysis conducted by an appraiser.

A hearing to confirm project costs and the property assessments must be conducted. We anticipate the hearing to be scheduled in 2015, with hearing notices mailed to the property owner of record. Following the final hearing and adoption of the assessment roll by the Tacoma City Council, property owners will be given following the payment options:

- Pay in full and receive a 2 ½% discount, plus \$168.00 Collection Fee.
- Pay a portion of total amount, with the balance divided into twenty eight annual payments with interest calculated on the unpaid, declining balance.

Attach. 20

57

Rainier Title letter
July 24, 2015
Page Two

- Finance the entire amount over twenty eight years with the first installment due one year after confirmation of the assessment roll. Should a property owner elect to pay over time, a lien shall attach to the property until the assessment is paid in full. (Per R.C.W. 35.50.010 in part states that "the assessment lien shall be paramount and superior to any other lien or encumbrance theretofore or thereafter created except a lien for general taxes")

The City cannot accept payment until after the final hearing has been held and the assessment roll is adopted by the Tacoma City Council. Please contact our office if a financial arrangement other than the property owner at the time of collection will be responsible for the LID assessment. Should you have any further questions, please contact me at either 253-591-5522 or at rrodrig1@cityoftacoma.org.

Sincerely,

Ralph K Rodriguez
L.I.D. Administrator

file: L.I.D. 8645

Rodriguez, Ralph

From: Sue Loken <sloken@wmriley.com>
Sent: Monday, August 17, 2009 9:34 AM
To: Rodriguez, Ralph
Subject: Wm Riley

Mr. Riley would like to discuss both matters, 738 Broadway handicap ramp and 705 Court "C" garage entrance tomorrow.

Thanks

Susan Loken
Wm. Riley & Company
738 Broadway #201
Tacoma, WA 98402
253-383-3990
253-383-3393 Fax

Rodriguez, Ralph

From: Sue Loken <sloken@wmriley.com>
Sent: Monday, November 02, 2009 4:11 PM
To: Rodriguez, Ralph
Subject: Mr Riley

Sir,

Can I change the meeting to Thursday Morning at 10:00 a.m. Mr. Riley has a doctors appointment on Wednesday Morning

Susan Loken
Wm. Riley & Company
738 Broadway #201
Tacoma, WA 98402
253-383-3990
253-383-3393 Fax

Rodriguez, Ralph

From: Sue Loken <sloken@wmriley.com>
Sent: Monday, November 02, 2009 4:17 PM
To: Rodriguez, Ralph
Subject: RE: Mr Riley

Thanks have a great week

Sue

From: Rodriguez, Ralph [<mailto:RRODRIG1@ci.tacoma.wa.us>]
Sent: Monday, November 02, 2009 4:13 PM
To: Sue Loken
Subject: RE: Mr Riley

Ms Loken,
Yes my Thursday is also available, I'll change the meeting to Thursday. Thank you and Mr. Riley for the quick response.

Ralph H. Rodriguez

LID Administrator
City of Tacoma
Public Works, Construction Division

P: 253-591-5522
F: 253-594-7966
C: 253-606-6853
E: rrodrig1@cityoftacoma.org

From: Sue Loken [<mailto:sloken@wmriley.com>]
Sent: Monday, November 02, 2009 4:11 PM
To: Rodriguez, Ralph
Subject: Mr Riley

Sir,

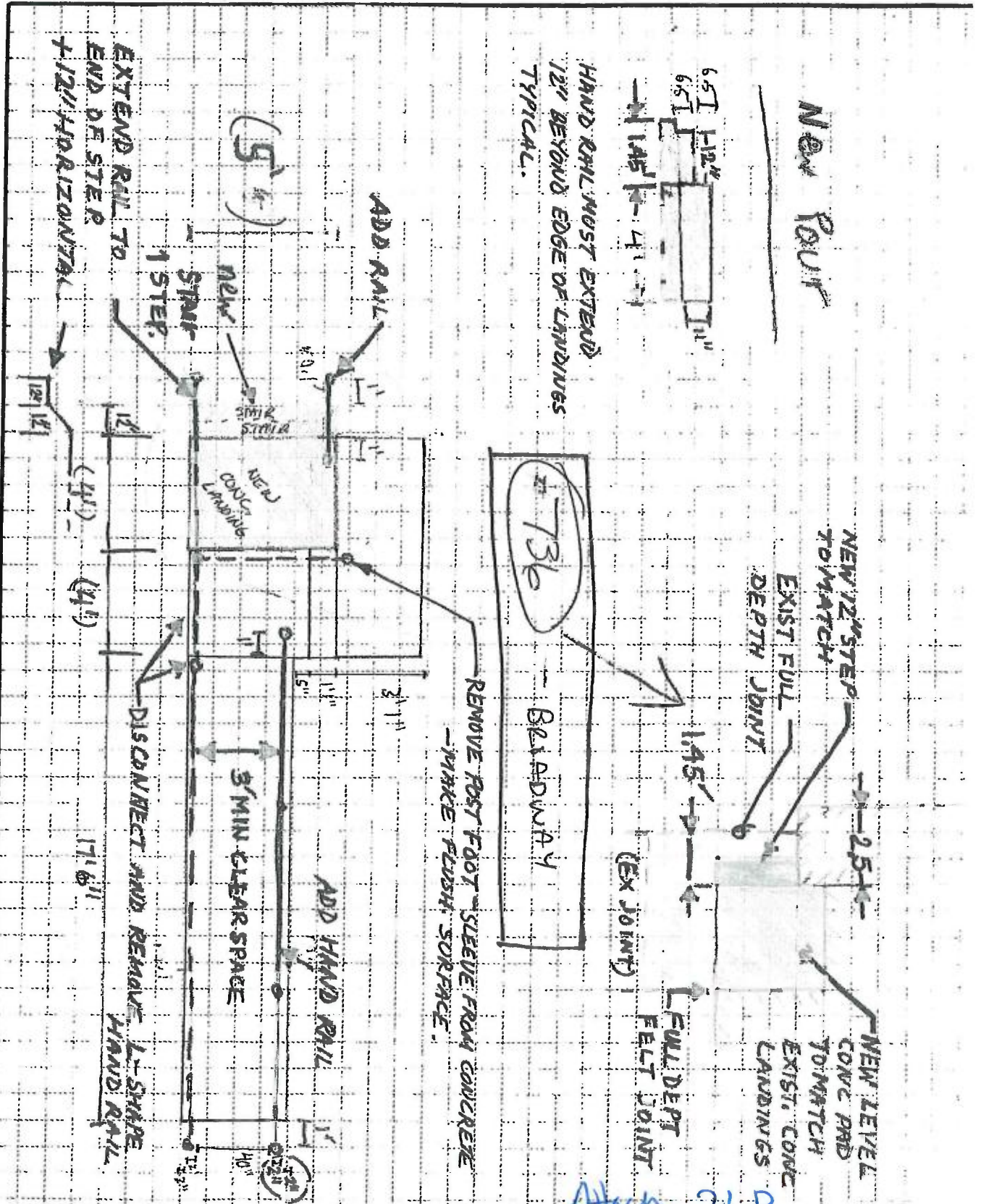
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Susan Loken
Wm. Riley & Company
738 Broadway #201
Tacoma, WA 98402
253-383-3990
253-383-3393 Fax

CITY OF TACOMA
PUBLIC WORKS DEPARTMENT

BOOK _____
PAGE _____
SHEET _____ OF _____

PROJECT _____ SUBJECT _____
COMPUTATION _____
COMPUTED BY _____ DATE _____ CHECKED BY _____ DATE _____



THIS RAMP IS NOT ADA COMPLIANT IT NEEDS TO HAVE A 5'x5' LANDING AND HANDRAIL BOTH SIDES

Rodriguez, Ralph

From: Beggin, Beverly
Sent: Friday, November 06, 2009 3:12 PM
To: Rodriguez, Ralph
Cc: Henry, Mark
Subject: RE: Meeting with Wm Riley

Any results?

From: Rodriguez, Ralph
Sent: Monday, November 02, 2009 3:57 PM
To: Henry, Mark; Beggin, Beverly
Subject: Meeting with Wm Riley

Mark I have a meeting tentatively scheduled with Mr. Wm. Riley on Wednesday at 10:00 A.M.

Ralph H. Rodriguez

LID Administrator
City of Tacoma
Public Works, Construction Division

P: 253-591-5522
F: 253-594-7966
C: 253-606-6853
E: rrodrigl@cityoftacoma.org

Rodriguez, Ralph

From: Rodriguez, Ralph
Sent: Tuesday, December 01, 2009 2:36 PM
To: wmriley@wmriley.com
Cc: Sue Loken; Henry, Mark
Subject: Estimated assessments for the Riley properties
Attachments: Riley assessments.pdf

Mr. Riley,

Attached is the requested LID cost information for the parcels under your ownership and / or management. I trust that I have included all of the parcels, if not please contact me and I will provide the additional parcel LID assessment costs. Please note that the costs are still estimates and are based on our estimated quantities and actual unit bid costs. The final LID assessment costs will be based on the unit bid prices, actual project quantities and actual city staff costs.

We still have one outstanding matter, which concerns the ramp serving 738 Broadway. My recollection of our last conversation was that you were interested in increasing the size of the landing and moving the return rail to the increased landing, thereby placing a rail around the perimeter of the ramp. If you are in agreement please let us know, so that we can provide the information to the contractor. The other option discussed was the removal of the ramp with the original steps serving the property.

The other part of the discussion that I recall was to include the installation of a power assisted door opener as part of the project. After conferring with our legal department staff the City will be unable to include that requested body of work as part of this project. I would be willing to have the electrical contractor contact you directly, if you are interested.

Ralph K. Rodriguez

LID Administrator

City of Tacoma

Public Works, Construction Division

P: 253-591-5522

F: 253-594-7966

C: 253-606-6853

E: rrodrig1@cityoftacoma.org

WM RILEY & COMPANY

CELL 431-2418

January 29, 2009

City of Tacoma
Construction Division
Mr. Mark Henry
747 Market Street #620
Tacoma, WA 98402

Dear Mr. Henry,

I am writing to request several items regarding work done during Broadway L.I.D. construction:

1. Remove the entry stairs (3) and replace with a ramp allowing handicapped access to 738 Broadway.
2. Allow landscape design in sidewalk for future drive way access to 738 Broadway and 740 Broadway.
3. Install water service (lines) to allow for future expanded service and sprinkler systems at the following locations:
 - a. 306 South 7th
 - b. 712 Broadway
 - c. 722 Broadway
 - d. 740 Broadway
 - e. 747 Broadway

RECEIVED
JAN 29 2009
CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Please advise me how to proceed with these requests.

Cordially,

Wm. Riley
William M. Riley
President

WMR:sdl

Attach. 21G



PW08-0188F
RFL NO. 078

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

July 28, 2009

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

Mr. William Riley
WM Riley & Company
738 Broadway STE 201
Tacoma WA 98402-3777

RECEIVED
AUG 03 2009
CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Dear Mr. Riley:

Re: Requirements for Reporting Environmental Conditions at Leaking Underground
Storage Tank Contaminated Sites

The Department of Ecology (Ecology) has received a report that petroleum contamination related to an underground storage tank (UST) system has been discovered at the following location: 722 Broadway, Tacoma, Pierce County, Washington. The reporting of petroleum contamination from UST systems to Ecology is required by the Model Toxics Control Act cleanup regulation, Chapter 173-340 Washington Administrative Code (WAC).


The documents enclosed with this letter outline the remaining requirements with which you must comply in order to be in compliance with Chapter 173-340 WAC. Enclosed are a copy of WAC 173-340-450, Releases from Underground Storage Tanks, and a summary of reporting and sampling requirements for your use.

This petroleum release will be recorded on the leaking underground storage tank database and the confirmed and suspected site list that are maintained by Ecology.

If you would like a formal review of the release information and/or technical assistance with the cleanup of this release, Ecology has a fee-based service called the Voluntary Cleanup Program (VCP). Upon entering the VCP, a site manager will be assigned by Ecology. The ultimate goal of this review and assistance is a "No Further Action" letter that is issued through the VCP when the site meets applicable cleanup requirements. Information on the VCP and forms for applying are located at <http://www.ecy.wa.gov/programs/tcp/vcp/Vcpmain.htm>. If the website is not accessible, please call (360) 407-6240 and forms will be sent through the US Postal Service.

Please direct all reports and questions about this site to me. I may be reached at (360) 407-6263 or cjoh461@ecy.wa.gov. The address is: Department of Ecology, P.O. Box 47775, Olympia, Washington 98504-7775.

Sincerely,


Carol A. Johnston
Site Manager
Toxics Cleanup Program

CAJ/ksc:Riley release letter

Enclosures

cc: William Dickson Co
Mark Henry, City of Tacoma Public Works
Rob Olsen, TPCHD
Robert F. Simons, CMSI

CC: File
LID
Doug M. - Legal
Jim P.
Rae B.
Leigh S.

Attach. 21 H

By certified mail: (7006 2450 0001 6754 3957)



Rodriguez, Ralph

From: Rodriguez, Ralph
Sent: Tuesday, December 01, 2009 2:36 PM
To: 'wmriley@wmriley.com'
Cc: 'Sue Loken'; Henry, Mark
Subject: Estimated assessments for the Riley properties
Attachments: Riley assessments.pdf

Mr. Riley,

Attached is the requested LID cost information for the parcels under your ownership and / or management. I trust that I have included all of the parcels, if not please contact me and I will provide the additional parcel LID assessment costs. Please note that the costs are still estimates and are based on our estimated quantities and actual unit bid costs. The final LID assessment costs will be based on the unit bid prices, actual project quantities and actual city staff costs.

We still have one outstanding matter, which concerns the ramp serving 738 Broadway. My recollection of our last conversation was that you were interested in increasing the size of the landing and moving the return rail to the increased landing, thereby placing a rail around the perimeter of the ramp. If you are in agreement please let us know, so that we can provide the information to the contractor. The other option discussed was the removal of the ramp with the original steps serving the property.

The other part of the discussion that I recall was to include the installation of a power assisted door opener as part of the project. After conferring with our legal department staff the City will be unable to include that requested body of work as part of this project. I would be willing to have the electrical contractor contact you directly, if you are interested.

Ralph K. Rodriguez

LID Administrator

City of Tacoma

Public Works, Construction Division

P: 253-591-5522

F: 253-594-7966

C: 253-606-6853

E: rrodrig1@cityoftacoma.org

12/1/2009

Attach. 21 I

Parcel No.	Site Address	Updated Est Assmt.
200406-006-0	454 Broadway Tacoma, WA 98402 BLUS address 440 Broadway Tacoma, WA 98402	\$71,378.56
200406-007-0	455 Broadway Tacoma, WA 98402 BLUS address 454 Broadway Tacoma, WA 98402	\$95,667.44
200705-013-0	747-53 Broadway Tacoma, WA 98402	\$48,572.63
200706-001-4	702 Broadway Tacoma, WA 98402	\$51,812.53
200706-003-0	712 Broadway Tacoma, WA 98402 BLUS address 712 / 714 Broadway Tacoma, WA 98402	\$44,567.74
200706-004-0	718 Broadway Tacoma, WA 98402 BLUS address 718 / 720 Broadway Tacoma, WA 98402	\$33,567.74
200706-006-0	722 Broadway Tacoma, WA 98402	\$78,639.75
200706-009-0	736 Broadway Tacoma, WA 98402 BLUS address 738 Broadway Tacoma, WA 98402	\$38,825.88
200706-010-0	740 Broadway Tacoma, WA 98402 BLUS address 740 / 744 Broadway Tacoma, WA 98402	\$50,428.89
200708-007-0	748 Market St Tacoma, WA 98402 BLUS address 748 / 750 Broadway Tacoma, WA 98402	\$25,224.22
200708-008-0	748 Market St Tacoma, WA 98402 BLUS address 752 Broadway Tacoma, WA 98402	\$32,925.52

Attach. 21 I



City of Tacoma
Public Works Department

RECEIVED

APR 07 2009

CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

April 2, 2009

William M. Riley
William M. Riley & Company
738 Broadway, Suite 201
Tacoma, WA 98402

RE: Underground Storage Tank Removal
722 Broadway

Dear Mr. Riley:

This letter is a follow-up to the previous notification you received from the City of Tacoma ("City")¹ regarding the discovery of two underground storage tanks in the right-of-way adjacent to 722 Broadway.² The tanks were discovered on February 4, 2009 when the City's Broadway L.I.D. contractor, Wm. Dickson & Company, ("the City's Contractor") was replacing a side sewer to 722 Broadway. Each tank had an approximate volume of 550 gallons. You were notified because public records indicate you are the owner of this property.

It appears the tanks had been in place since 1933, when the City issued a permit to Mueller-Hawkins for their installation. (See, Attachment A.) A drawing included with the permit shows that the tanks were part of an integrated system that piped product from the tanks to a dispensing island located within your building at 722 Broadway. Piping associated with the tanks was observed during excavation. (See, Attachment B.)

The Tacoma Pierce-County Health Department ("TPCHD") was also notified and they required the City's Contractor to remove the tanks, and collect and test samples of surrounding soils for contamination.³ The tanks were removed on February 6, 2009. Laboratory tests of surrounding soils detected petroleum contamination above the Model Toxics Control Act ("MTCA") Method A cleanup level. (See, Attachment C.)⁴

Once the City received these sampling results, and under the regulatory direction of the TPCHD, the City's Contractor "over-excavated" the soils that surrounded the in-ground tanks. This work did not include excavating soils beyond the right-of-way. Approximately 30 cubic yards (amounting to approximately 100 tons) of excavated contaminated soil was hauled to the 304th Street Landfill in Graham for disposal.

¹ Mark Henry (Public Works Department) contacted you by phone on February 13, 2009.

² Broadway is dedicated as a public right-of-way for street purposes.

³ A TPCHD permit is required for underground storage tank removal under TMC 5.47.030. TPCHD requires soil sampling under TMC 5.47.050.C.

⁴ Once removed, the tanks were triple rinsed and taken to Schnitzer Steel in Tacoma for disposal and/or recycling.

Attach. 2JS

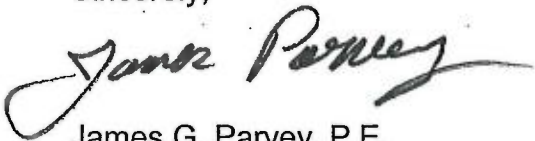
Subject to TPCHD's review, preliminary indications are that the over-excavation work was successful, and that any remaining petroleum contamination in soils within the public right-of-way is below applicable MTCA levels.

The City believes you are legally responsible to pay your equitable share of the necessary costs associated with the removal and disposal of the tanks because you are: (i) the owner of the property served by the two leaking underground storage tanks; (ii) the owner of the underlying fee where the tanks were located;⁵ and (iii) a successor-in-interest to the original owner of the tanks, Mueller-Hawkins.

Prior to finalizing your assessment for the Broadway L.I.D., which will be done at project completion, the City will contact you and arrange a meeting to discuss an equitable allocation of the costs for removing the tanks and associated work. These costs can be included in the final L.I.D. assessment for your property, and you will have an option to finance these costs over time.

In the meantime, if you have any questions regarding the contents of this letter, you can contact Ralph Rodriguez at 591-5522.

Sincerely,



James G. Parvey, P.E.
Asst. P.W. Director/City Engineer

Attachments

cc: Doug Mosich, Tacoma City Attorney's Office
Rob Olsen, TPCHD
Ralph Rodriguez, Public Works Construction Division

⁵ The City enjoys an easement interest for street purposes on Broadway. When easements are granted for street purposes, the underlying fee rests with the abutting property owner, not the holder of the easement. *Christian v. Purdy*, 60 Wn. App. 798, 801 (1991).

CITY OF TACOMA

OFFICE OF CITY ENGINEER

No 122

OIL AND GASOLINE TANK CLEARANCE

Date Jan 23 1937

This certifies that

Wm. C. Harkins

Has this date filed in this office plans for 7 50 Gal tank and appurtenances

to be located at

712 Broadway - Pioneer Building

Bond not required



Bond filed



Approved as to location

C. J. Thompson

City Engineer by

C. J. Thompson

Approved as to Fire Regulation

Fire Chief by

NOTE—Exempt from Ordinance No. 10627—"No work shall be commenced on said tank until after a permit shall have been issued. Said permit shall, in the case of tanks located on private property, be issued by the Building Inspector of the City of Tacoma, and in the case of tanks located on any street, alley or other public place, by the Commissioner of Public Works, only upon presentation of permit issued by Fire Marshal."

PW08-0188F
RFL NO. 078

Mueller-Harkins
722 Bdway

2-1 1/2" Black Pumps

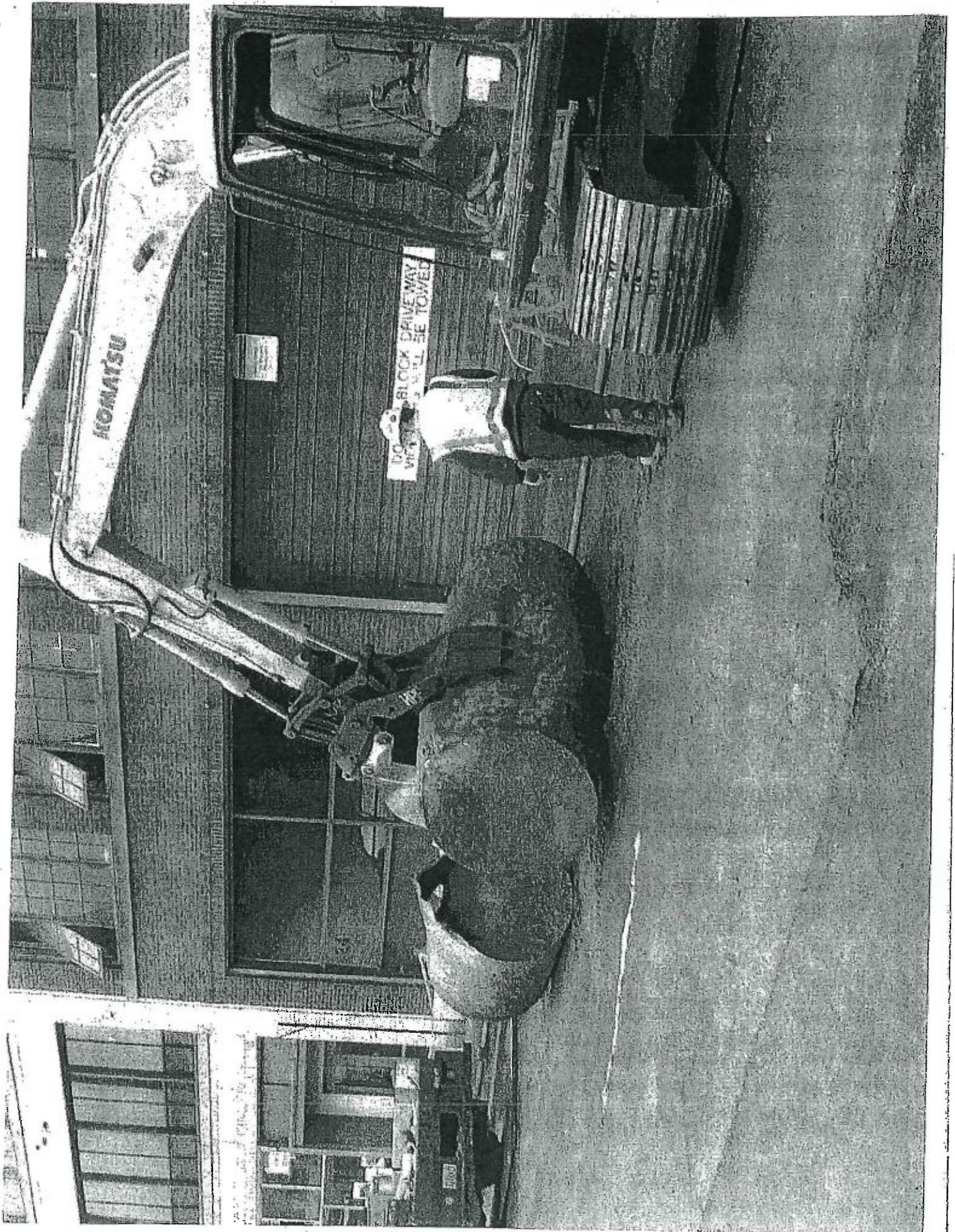
5806 5806

← Sidewalk →

2-550 Gal Tanks 48" x 96"
Jan. 23 1933

CC: File
Dev. B

ATTACHMENT B











Environmental Specialties

Construction Management Services of Washington, Inc.

4227 S Meridian, STE C, #625 • Puyallup, WA 98373 • (253) 683-1144

February 19, 2009

Steve Nichols
William Dickson Co.
3315 S Pine Street
Tacoma, WA 98409-5793

Subject: Site Assessment – Removal of One Oil and One Gasoline Tank
722 Broadway, Tacoma WA

Laboratory Confirmation of Petroleum Soil Contamination

Dear Mr. Nichols:

Petroleum contaminated soil was discovered after the two tanks were removed on February 5, 2009 at the 722 Broadway site. Visual, olfactory and laboratory analysis suggested petroleum contamination above MTCA (Model Toxic Control Act) A levels. The attached laboratory report confirms the suspect soil in the bottom of the tank excavation contains petroleum above MTCA A. Contaminates are gasoline and motor oil. Analysis for MTCA 5 metals indicated no metals above MTCA A in the two most contaminated samples (#2 – bottom samples).

These tanks are part of an old system with the pump island still visible inside the adjacent parking garage. While the island is visible there is no indication where the piping trench is located. Connection piping on the tanks was removed long ago.

Soil at the site is dense. There is no indication that a contamination plume intrudes into the street more than the estimated eight feet to the new sewer trench. No excavation has been done on the other three sidewalls or below seven feet.

Workspace at the site is tight but some excavation is possible. Since the contamination is in an active work zone it is recommended to excavate as much of the contaminated soil as is possible.

Sincerely,

Robert F. Simons
Site Assessor

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

James E. Bruya, Ph.D.
Charlene Morrow, M.S.
Yelena Aravkina, M.S.
Bradley T. Benson, B.S.
Kurt Johnson, B.S.

3012 16th Avenue West
Seattle, WA 98119-2029
TEL: (206) 285-8282
FAX: (206) 283-5044
e-mail: fbi@isomedia.com

February 18, 2009

Bob Simons, Project Manager
CMSI
4227 S Meridian, Ste C, No. 625
Puyallup, WA 98373

Dear Mr. Simons:

Included are the results from the testing of material submitted on February 6, 2009 from the 722 Broadway Tacoma, WA , F&BI 902066 project. There are 12 pages included in this report. Any samples that may remain are currently scheduled for disposal in 30 days. If you would like us to return your samples or arrange for long term storage at our offices, please contact us as soon as possible.

We appreciate this opportunity to be of service to you and hope you will call if you should have any questions.

Sincerely,

FRIEDMAN & BRUYA, INC.



Michael Erdahl
Project Manager

Enclosures
CMS0218R.DOC

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

CASE NARRATIVE

This case narrative encompasses samples received on February 6, 2009 by Friedman & Bruya, Inc. from the CMSI 722 Broadway Tacoma, WA , F&BI 902066 project. Samples were logged in under the laboratory ID's listed below.

<u>Laboratory ID</u>	<u>CMSI</u>
902066-01	01
902066-02	02
902066-03	03
902066-04	04
902066-05	05
902066-06	06
902066-07	07

All quality control requirements were acceptable.

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

Date Extracted: 02/09/09

Date Analyzed: 02/09/09 and 02/10/09

**RESULTS FROM THE ANALYSIS OF THE SOIL SAMPLES
FOR BENZENE, TOLUENE, ETHYLBENZENE,
XYLENES AND TPH AS GASOLINE
USING EPA METHOD 8021B AND NWTPH-Gx**

Results Reported on a Dry Weight Basis

Results Reported as mg/kg (ppm)

<u>Sample ID</u> Laboratory ID	<u>Benzene</u>	<u>Toluene</u>	<u>Ethyl Benzene</u>	<u>Total Xylenes</u>	<u>Gasoline Range</u>	<u>Surrogate (% Recovery)</u> (Limit 50-132)
01 902066-01	<0.02	<0.02	<0.02	<0.06	<2	99
02 902066-02	<0.02	<0.02	0.07	0.15	18	97
03 902066-03	<0.02	<0.02	<0.02	<0.06	<2	99
04 902066-04	<0.02	<0.02	<0.02	<0.06	<2	97
05 902066-05	<0.02	0.30	1.9	1.9	110	ip
06 902066-06	<0.02	<0.02	<0.02	<0.06	<2	98
07 902066-07	<0.02	<0.02	<0.02	<0.06	<2	95
Method Blank	<0.02	<0.02	<0.02	<0.06	<2	103

Note: The samples were received in non-method approved containers. The values reported should be considered estimates.

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

Date Extracted: 02/09/09

Date Analyzed: 02/09/09 and 02/10/09

**RESULTS FROM THE ANALYSIS OF THE SOIL SAMPLES
FOR TOTAL PETROLEUM HYDROCARBONS AS
DIESEL AND MOTOR OIL
USING METHOD NWTPH-Dx**

Results Reported on a Dry Weight Basis

Results Reported as mg/kg (ppm)

<u>Sample ID</u> Laboratory ID	<u>Diesel Range</u> (C ₁₀ -C ₂₅)	<u>Motor Oil Range</u> (C ₂₅ -C ₃₆)	<u>Surrogate</u> (% Recovery) (Limit 50-150)
01 902066-01	<50	<250	95
02 902066-02	1,100 x	5,400	86
03 902066-03	<50	300	84
04 902066-04	59 x	360	86
05 902066-05	710 x	3,100	80
06 902066-06	<50	<250	91
07 902066-07	<50	<250	94
Method Blank	<50	<250	82

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Total Metals By EPA Method 200.8

Client ID:	02	Client:	CMSI
Date Received:	02/06/09	Project:	722 Broadway Tacoma, F&BI 902066
Date Extracted:	02/09/09	Lab ID:	902066-02
Date Analyzed:	02/09/09	Data File:	902066-02.096
Matrix:	Soil	Instrument:	ICPMS1
Units:	mg/kg (ppm)	Operator:	hr

Internal Standard:	% Recovery:	Lower Limit:	Upper Limit:
Germanium	87	60	125
Indium	89	60	125
Holmium	106	60	125

Analyte:	Concentration mg/kg (ppm)
Chromium	18.3
Arsenic	2.10
Cadmium	<1
Lead	153

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Total Metals By EPA Method 200.8

Client ID:	05	Client:	CMSI
Date Received:	02/06/09	Project:	722 Broadway Tacoma, F&BI 902066
Date Extracted:	02/09/09	Lab ID:	902066-05
Date Analyzed:	02/09/09	Data File:	902066-05.097
Matrix:	Soil	Instrument:	ICPMS1
Units:	mg/kg (ppm)	Operator:	hr

Internal Standard:	% Recovery:	Lower Limit:	Upper Limit:
Germanium	87	60	125
Indium	87	60	125
Holmium	105	60	125

Analyte:	Concentration mg/kg (ppm)
Chromium	17.8
Arsenic	1.73
Cadmium	<1
Lead	11.7

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Analysis For Total Metals By EPA Method 200.8

Client ID:	Method Blank	Client:	CMSI
Date Received:	Not Applicable	Project:	722 Broadway Tacoma, F&BI 902066
Date Extracted:	02/09/09	Lab ID:	I9-057 mb
Date Analyzed:	02/09/09	Data File:	I9-057 mb.093
Matrix:	Soil	Instrument:	ICPMS1
Units:	mg/kg (ppm)	Operator:	hr

Internal Standard:	% Recovery:	Lower Limit:	Upper Limit:
Germanium	78	60	125
Indium	85	60	125
Holmium	99	60	125

Analyte:	Concentration mg/kg (ppm)
Chromium	<1
Arsenic	<1
Cadmium	<1
Lead	<1

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

Date Extracted: 02/09/09

Date Analyzed: 02/10/09

**RESULTS FROM THE ANALYSIS OF THE SOIL SAMPLES
FOR TOTAL MERCURY
USING EPA METHOD 1631E**

Results Reported on a Dry Weight Basis

Results Reported as mg/kg (ppm)

<u>Sample ID</u> Laboratory ID	<u>Total Mercury</u>
02 902066-02	<0.2
05 902066-05	<0.2
Method Blank	<0.2

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

**QUALITY ASSURANCE RESULTS FOR THE ANALYSIS OF SOIL SAMPLES
FOR BENZENE, TOLUENE, ETHYLBENZENE,
XYLENES, AND TPH AS GASOLINE
USING EPA METHOD 8021B AND NWTPH-Gx**

Laboratory Code: 902066-01 (Duplicate)

Analyte	Reporting Units	Sample Result	Duplicate Result	Relative Percent Difference (Limit 20)
Benzene	mg/kg (ppm)	<0.02	<0.02	nm
Toluene	mg/kg (ppm)	<0.02	<0.02	nm
Ethylbenzene	mg/kg (ppm)	<0.02	<0.02	nm
Xylenes	mg/kg (ppm)	<0.06	<0.06	nm
Gasoline	mg/kg (ppm)	<2	<2	nm

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Acceptance Criteria
Benzene	mg/kg (ppm)	0.5	82	66-121
Toluene	mg/kg (ppm)	0.5	92	72-128
Ethylbenzene	mg/kg (ppm)	0.5	92	69-132
Xylenes	mg/kg (ppm)	1.5	93	69-131
Gasoline	mg/kg (ppm)	20	103	61-153

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

**QUALITY ASSURANCE RESULTS FROM THE ANALYSIS OF SOIL SAMPLES
FOR TOTAL PETROLEUM HYDROCARBONS AS
DIESEL EXTENDED USING METHOD NWTPH-Dx**

Laboratory Code: 902066-06 (Matrix Spike)

Analyte	Reporting Units	Spike Level	Sample Result (Wet wt)	Percent Recovery MS	Percent Recovery MSD	Acceptance Criteria	RPD , (Limit 20)
Diesel Extended	mg/kg (ppm)	5,000	<50	108	110	63-146	2

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Acceptance Criteria
Diesel Extended	mg/kg (ppm)	5,000	105	79-144

FRIEDMAN & BRUYA, INC.**ENVIRONMENTAL CHEMISTS**

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

**QUALITY ASSURANCE RESULTS
FOR THE ANALYSIS OF SOIL SAMPLES
FOR TOTAL METALS USING EPA METHOD 200.8**

Laboratory Code: 902066-05 (Duplicate)

Analyte	Reporting Units	Sample Result	Duplicate Result	Relative Percent Difference	Acceptance Criteria
Chromium	mg/kg (ppm)	17.8	17.4	2	0-20
Arsenic	mg/kg (ppm)	1.73	1.60	8	0-20
Cadmium	mg/kg (ppm)	<1	<1	nm	0-20
Lead	mg/kg (ppm)	11.7	11.1	5	0-20

Laboratory Code: 902066-05 (Matrix Spike)

Analyte	Reporting Units	Spike Level	Sample Result	Percent Recovery MS	Acceptance Criteria
Chromium	mg/kg (ppm)	50	17.8	88 b	50-150
Arsenic	mg/kg (ppm)	10	1.73	91	50-150
Cadmium	mg/kg (ppm)	5	<1	102	50-150
Lead	mg/kg (ppm)	50	11.7	99 b	50-150

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Acceptance Criteria
Chromium	mg/kg (ppm)	50	95	70-130
Arsenic	mg/kg (ppm)	10	91	70-130
Cadmium	mg/kg (ppm)	5	100	70-130
Lead	mg/kg (ppm)	50	106	70-130

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Date of Report: 02/18/09

Date Received: 02/06/09

Project: 722 Broadway Tacoma, WA , F&BI 902066

**QUALITY ASSURANCE RESULTS
FOR THE ANALYSIS OF SOIL SAMPLES FOR
TOTAL MERCURY
USING EPA METHOD 1631E**

Laboratory Code: 902072-05 (Matrix Spike)

Analyte	Reporting Units	Spike Level	Sample Result	Percent Recovery MS	Percent Recovery MSD	Acceptance Criteria	RPD (Limit 20)
Mercury	mg/kg (ppm)	0.125	<0.2	93	85	50-150	9

Laboratory Code: Laboratory Control Sample

Analyte	Reporting Units	Spike Level	Percent Recovery LCS	Acceptance Criteria
Mercury	mg/kg (ppm)	0.125	101	70-130

FRIEDMAN & BRUYA, INC.

ENVIRONMENTAL CHEMISTS

Data Qualifiers & Definitions

a - The analyte was detected at a level less than five times the reporting limit. The RPD results may not provide reliable information on the variability of the analysis.

A1 - More than one compound of similar molecule structure was identified with equal probability.

b - The analyte was spiked at a level that was less than five times that present in the sample. Matrix spike recoveries may not be meaningful.

ca - The calibration results for this range fell outside of acceptance criteria. The value reported is an estimate.

c - The presence of the analyte indicated may be due to carryover from previous sample injections.

d - The sample was diluted. Detection limits may be raised due to dilution.

ds - The sample was diluted. Detection limits are raised due to dilution and surrogate recoveries may not be meaningful.

dv - Insufficient sample was available to achieve normal reporting limits and limits are raised accordingly.

fb - The analyte indicated was found in the method blank. The result should be considered an estimate.

fc - The compound is a common laboratory and field contaminant.

hr - The sample and duplicate were reextracted and reanalyzed. RPD results were still outside of control limits. The variability is attributed to sample inhomogeneity.

ht - The sample was extracted outside of holding time. Results should be considered estimates.

ip - Recovery fell outside of normal control limits. Compounds in the sample matrix interfered with the quantitation of the analyte.

j - The result is below normal reporting limits. The value reported is an estimate.

J - The internal standard associated with the analyte is out of control limits. The reported concentration is an estimate.

jl - The analyte result in the laboratory control sample is out of control limits. The reported concentration should be considered an estimate.

jr - The rpd result in laboratory control sample associated with the analyte is out of control limits. The reported concentration should be considered an estimate.

js - The surrogate associated with the analyte is out of control limits. The reported concentration should be considered an estimate.

lc - The presence of the compound indicated is likely due to laboratory contamination.

L - The reported concentration was generated from a library search.

nm - The analyte was not detected in one or more of the duplicate analyses. Therefore, calculation of the RPD is not applicable.

pc - The sample was received in a container not approved by the method. The value reported should be considered an estimate.

pr - The sample was received with incorrect preservation. The value reported should be considered an estimate.

ve - The value reported exceeded the calibration range established for the analyte. The reported concentration should be considered an estimate.

vo - The value reported fell outside the control limits established for this analyte.

x - The pattern of peaks present is not indicative of diesel.

y - The pattern of peaks present is not indicative of motor oil.

WM RILEY & COMPANY

December 19, 2006

City of Tacoma
Public Works Department
Mr. George Jackson
Broadway LID Project Manager
747 Market Street Room 620
Tacoma, WA 98402-3769

RECEIVED
DEC 21 2006
CITY OF TACOMA
PUBLIC WORKS DEPT.
CONSTRUCTION DIV.

Dear Mr. Jackson,

On September 13, 2006, I sent a letter requesting certain information regarding the L.I.D. #8645 and its proposed schedule.

On September 21, 2006, you responded to that letter and answered some questions, but left a number of them unanswered. In the meeting I recently attended with you, and others, some of those questions were still not answered. I would like to have those answers as soon as possible. As I mentioned in the meeting, my tenants and I are mightily concerned about the impact on our businesses for whatever occurs and whenever it occurs.

Some specific items discussed were:

1. New sidewalk at 306 South 7th. There is a light well between the building and the sidewalk that will be replaced as part of the L.I.D. Please let me know how the light well is going to be handled.
2. At 454 Broadway, we discussed the height limit for new construction. One of your staff was to let me know that limit.

Additionally, at the meeting, I requested the ability to make a curb cut for future parking on the first floors of two separate but adjacent buildings. The addresses of those building are 738 Broadway and 740 Broadway. Please consider this letter a formal request for those curb cuts. If there is more that I need to do to document this request, please let me know.

R/W 143

R/W
108

Cordially,

Wm. Riley

William M. Riley
President

WMR: sdl

Attach. 21 K

Subject: RE: Riley parcels
From: "Jackson, George" <GJACKSO2@ci.tacoma.wa.us>
Date: Tue, 19 Dec 2006 09:03:26 -0800
To: "Linda Drum" <ldrum@oz.net>

Linda,

I was out of the office yesterday. They drive ways are shown accurately on the plans. Because he has no specific development needs at the moment we agreed to install a sanitary sewer stub at the low end of his property at 6th at Broadway. All of the other properties Riley owns or manages can be finalized from my understanding.

George Jackson

Project Manager
City of Tacoma Public Works Department
747 Market Street, Suite 620
Tacoma, WA 98402
T: 253.591.5789
F: 253.594.7966
C: 253.255.7623
E: gjackso2@ci.tacoma.wa.us

From: Linda Drum [mailto:ldrum@oz.net]
Sent: Friday, December 15, 2006 11:35 PM
To: Jackson, George
Cc: Letterman, David; Price, Richard; RICK ANNE SMITH
Subject: Re: Riley parcels

Are these driveway cuts all shown on the plans? Did you only discuss his property (108 & 109), or did you discuss some of the other parcels he owns and/ or manages?

Did you want me to try to obtain the temp. permit on 108 and 109 or did you already obtain this?

Linda

Jackson, George wrote:

Linda,

I made no specific concessions with Bill Riley; he will get the same amount of driveway cuts he currently has and in there present locations. He doesn't have structural walk and is not requiring anything special. Note: he is not a supporter of the LID and will try to confuse you with other unrelated old issues he has with the city. Thanks,

George Jackson

Project Manager
City of Tacoma Public Works Department
747 Market Street, Suite 620
Tacoma, WA 98402
T: 253.591.5789
F: 253.594.7966
C: 253.255.7623
E: gjackso2@ci.tacoma.wa.us

p-1 of 2 Attach. 212

Subject: RE: Riley parcels

From: "Jackson, George" <GJACKSO2@ci.tacoma.wa.us>

Date: Fri, 15 Dec 2006 09:36:32 -0800

To: "Linda Drum" <ldrum@oz.net>

CC: "Letterman, David" <DLetterm@ci.tacoma.wa.us>, "Price, Richard" <RPRICE@ci.tacoma.wa.us>, "RICK ANNE SMITH" <ams_oakley@msn.com>

Linda,

I made no specific concessions with Bill Riley; he will get the same amount of driveway cuts he currently has and in there present locations. He doesn't have structural walk and is not requiring anything special. Note: he is not a supporter of the LID and will try to confuse you with other unrelated old issues he has with the city. Thanks,

George Jackson

Project Manager

City of Tacoma Public Works Department

747 Market Street, Suite 620

Tacoma, WA 98402

T: 253.591.5789

F: 253.594.7966

C: 253.255.7623

E: gjackso2@ci.tacoma.wa.us

From: Linda Drum [mailto:ldrum@oz.net]

Sent: Thursday, December 14, 2006 12:27 PM

To: Jackson, George

Cc: Letterman, David; Price, Richard; RICK ANNE SMITH

Subject: Riley parcels

George,

During our Tuesday meeting, you mentioned certain driveway concessions you made to Riley. Can you please outline all that you have agreed to do for him and for the corresponding parcel/s. I'd like to address this on either the TCP or the construction agreement.

It would also be helpful to know anything that he could possibly bring up when we meet with him.

I also need all of the Riley files, including those that he is acting property manager.

Thanks,

Linda Drum SR/WA

Right of Way Consultant

360 620-0243

p. 2 of 2

Attach. 212

LID 8645**PROPERTY OWNER CONTACTS**

Location/Address: 454 Broadway		ROW #: 108
Property Owner: William M & Ann Riley		
Telephone No. 253-383-3990 Ex 16	Assessment #: 108	Parcel #: 200406-006-0
Other: Bill Riley E-mail: wmriley@wmriley.com. Fax: 253-383-3393		
DATE	ACTIVITY	
11/27/06	Stopped at William Riley's place of business but he wasn't there and the secretary said that he made his own appointments.	
12/12/06	Spoke to Mr. Riley. He is against the project and doesn't want to sign anything. I asked him to look at the TCP before refusing to sign it because it only allows the City access onto his property for constructing the LID. If the City doesn't have access the project will still be done, it just might not look as nice in front of his property. The City wouldn't be able to slope and match into any property that doesn't have a signed TCP. I said I would email him the TCP's for the people that he represents so he could look at the document and then get back to me. He agreed.	
12/12/06	Sent copy of general TCP.	
12/18/06	Sent TCP for 747 to 753 Broadway. Ownership says William Riley and Dale Carlisle, et ux. I asked if this was the correct ownership. No reply.	
12/22/06	Left message to call.	
12/28/06	Left message to call.	
12/29/06	<p>Spoke to Mr. Riley and he said he wouldn't sign anything from the City because he doesn't trust them. I explained that I added a statement in the TCP that said that signing this did not necessarily mean that they agreed with the LID and wouldn't preclude them from taking steps to fight it. I told him that I only sent him the ones to the properties that he manages since he has to forward them to the owners. This way he can read it and change it if necessary. I told him that if he had drive ways that the City will not be able to connect them because they will not be able to step onto his property. This will result in a less then smooth drive approach. This would mean that he would have to take care of it himself. I explained that it didn't preclude him from continuing to fight the LID but in the event that he isn't able to stop it, this would at least assure that his property/driveways etc could not be done in the best possible way.</p> <p>I asked him to review the document and if he still feels he can't sign it or it can't be modified to his satisfaction that he needs to let me know and I will close the file on his properties.</p>	
1/4/07	Left message to call. Sent email with specific TCP of R/W 108 & 109.	
1/7/06	No response from any of my emails. Requested that the City approve letter to be sent to one of the owners of the property he manages.	
1/8/07	I referenced letter received by Mr. Riley from George Jackson and suggested we sit down and meet. I explained that if I was the contracted to provide construction agreements to him if had an agreement to alter the existing preliminary plans. See email for details. Mr. Riley was asking for a sanitary sewer stub for future	

Attach. 21M



City of Tacoma
Public Works Department

April 30, 2009

William M. Riley -
William M. Riley & Company
738 Broadway, Suite 201
Tacoma, WA 98402

RE: Re-pointing of brick facing at 702 Broadway

Dear Mr. Riley;

The City has requested a bid from Wm. Dickson Company to re-point a portion of the exterior of the north wall at 702 Broadway. The proposal is to repair an area approximately 3 feet by 20 feet, which is at and below the grade of the sidewalk.


The mortar in this area is severely eroded, so much so that in places the mortar has totally disintegrated. The re-pointing of the area below the sidewalk prior to the sidewalk being reconstructed makes the most financial sense.

By signing the enclosed agreement, the work would be added to your assessment, which would provide you the opportunity to pay for this work over time. You also have the option of having the work performed privately.

Again we strongly suggest that the work be performed prior to the sidewalk reconstruction.

If you have any questions or concerns regarding this issue, please give either me a call at 591-5522, or Mark Henry at 591-5771.

Sincerely,


Ralph K. Rodriguez
L.I.D. Administrator

cc: Jim Parvey, P.E. City Engineer and Assistant Director, Public Works
Mark Henry, Public Works, Construction Division
Rae Bailey, Public Works, Construction Division Manager

Dickson Contract

RFC 102 - \$3,920

Not Signed

747 Market Street, Room 620 ■ Tacoma, Washington 98402-3769

www.cityoftacoma.org

Attach. 21 N

Riley

Parvey 200706-001-6

Assmt 131

**CITY OF TACOMA
LID PROPERTY OWNER AGREEMENT**

I/We, the legal owner(s) of the following described property, request the City of Tacoma to arrange for the following work to be performed based on the unit prices from the Contractor, Wm. Dickson Co. indicated below:

	QUANTITY	UNIT PRICE	ESTIMATE	OWNER'S INITIALS
A. SIDEWALK				
1. Construct new city sidewalk	_____ LF	\$23.67	_____ N/A	_____
B. DRIVEWAY				
1. Remove existing pavement	_____ SY	\$7.00	_____ N/A	_____
2. Construct new cement concrete driveway (Plus 4.44 SY for "wing" panels at each Sta.)	_____ SY	\$48.30	_____ N/A	_____
3. Construct cement concrete (tie-in) from new cement concrete driveway approach to existing parking area _____ X _____	_____ SY	\$48.30	_____ N/A	_____
4. Construct cement concrete driveway behind new cement concrete driveway approach to garage _____ wide X _____ deep	_____ SY	\$48.30	_____ N/A	_____
C. OTHER:				
1. Repoint the north exterior of the masonry wall at 702 Broadway below the grade of the sidewalk. Approximate area is 3' x 20'	_____ 1	LS \$3,920.00	\$ 3,920.00	_____ X
			Subtotal = \$	3,920.00
18% for Inspection, Contract Administration and Interim Financing			= \$	705.60
			Estimate total = \$	<u>4,625.60</u>

All costs indicated above shall be added to the assessment costs for LID No. 8645, and levied against my/our property.

TEMPORARY CONSTRUCTION PERMIT

I/We hereby give the City of Tacoma and its contractor(s) permission to access and use portions of my/our property as reasonably required to perform the above described work and LID project, and to slope and shape the property to match the new improvement.

PROPERTY ADDRESS:

702 Broadway
(Lots 1 & 2, Block. 706, NEW TACOMA ADDITION)
Tacoma, WA 98402 phone (253) 383-3990

SIGNATURE OF OWNER(S):

_____ X
William M. Riley
Wm Riley & Company

WM. DICKSON CO.

3315 South Pine Street • (253) 472-4489 FAX (253) 472-4521 • Tacoma, WA 98409-5793
General Contractors • Reg. # WMDICC*108J7

April 17, 2009

Sent Via E-Mail

Mr. Mark Henry
City of Tacoma, Construction Division
747 Market Street—Room 620
Tacoma, WA 98402

Subject: Broadway LID—Specification No. PW08-0188F
Brick Re-Pointing—WM Riley Building—702 Broadway

Dear Mr. Henry,

As requested, the WM Dickson Company is pleased to provide all cost associated with the re-pointing an area of the exterior brick wall on the north side of the building approximately 20 feet in length and 3 feet in height. Please see our attached quote from Cascade Masonry Restoration.

1. Cascade Masonry Re-Pointing-----\$3,500.00 Ls.
2. General Contractor Markup @ 12%-----\$420.00 Ls.

Total-----\$3,920.00 Ls.

Attachment: Cascade Masonry Quote

Respectfully,
Wm. Dickson Company



Steve Nichols
Project Manager
Phone- -472-4489
Cell—405-9711
E-mail—snichols@wmdickson.net



"An Equal Opportunity Employer"

Steve Nichols

From: Wm. Dickson Co. [wmdickson@comcast.net]
Sent: Thursday, April 16, 2009 9:40 AM
To: snichols@wmdickson.net
Subject: FW: 634 Broadway building

This message came to our general e-mail.

-----Original Message-----

From: Stan Phair [mailto:Stan@cmriwa.com]
Sent: Thursday, April 16, 2009 9:15 AM
To: wmdickson@comcast.net
Subject: 634 Broadway building

Steve Nichols

Steve we will rout out and repoint the exterior masonry that is below grade on the north elevation of the 634 Broadway building. This is a 20'x3' area of work.

The excavation in this area will be performed by others. Our price is \$3,500.00

Stan G. Phair
CASCADE MASONRY RESTORATION
1929 Tacoma AVE. So.
Tacoma, WA. 98402
Ph: 253-274-1972
Cell: 253-302-1426



MASONRY ADVISORY COUNCIL

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Repointing (Tuckpointing)

Brick Masonry

Introduction

The terms pointing, repointing and tuckpointing are often used interchangeably, which has led to confusion within the masonry industry. For years, the Brick Industry Association has discussed what they termed "tuck-pointing" methods in Technical Notes 7F as one form of maintenance of brick masonry. However, the meaning of tuckpointing in one area of the country may be slightly different from that in another area, leading to conflicts regarding job specifications and expected repairs. Consequently, the following definitions of these terms have been developed.

- **Point** - to place plastic mortar into joints to correct defects or to completely fill joints in newly laid masonry.
- **Repoint** - to place plastic mortar into cut or raked joints to correct defective mortar joints in masonry.
- **Tuckpoint** - (1) to point masonry with a flush mortar joint that approximates the color of the masonry units and a mortar of contrasting color that is shaped into a thin strip. (2) see repoint.

The term repoint is used throughout. The slightly different procedures involved with the first definition of tuckpoint, the more traditional definition of this term, are not discussed here.

Why Repoint?

A common maintenance task for brick masonry is repair of mortar joints. The longevity of mortar joints will vary with the exposure conditions and the mortar materials used, but a lifespan of more than 25 years is typical. The longevity of brick, however, may well exceed 100 years. Consequently, occasional repair of the mortar joints is expected over the life of the brick masonry. It is our observation that the most common reason for repointing brick masonry is to improve water penetration resistance. Repointing deteriorated

mortar joints is one of the most effective and permanent ways of decreasing water entry into brickwork. This is because the most common means of water entry into a brick masonry wall is through debonded, cracked or deteriorated mortar joints.

Finding a Good Repointer

An important step toward a successful repointing job is to secure a qualified and experienced repointing craftsman. An individual who is an excellent mason/bricklayer may not be a good repointer. It is suggested that skills be substantiated by prior repointing projects or by prequalifying. One method of evaluating craftsmanship is to designate an inconspicuous section of the brick masonry and permit candidates to place a sample of their work on that section of the masonry. The skills in question are: (1) cutting out the mortar joints to the proper depth and profile with minimal damage to adjacent brick units (2) proper preparation of the mortar for repointing, (3) proper placement of mortar by layering, compacting and tooling, and (4) accurate color matching to adjacent, original mortar joints. Cleanliness of the repointing operation is also important, so that extensive cleaning of the finished wall is not necessary.

What to Repoint

A critical step in the repointing operation is to identify wall areas which require repointing. This step is critical because only defective joints require repair, repointing is very labor-intensive work, and original mortar joints in good condition are preferred over repointed mortar joints. Conditions which may require repointing include: (1) mortar erosion more than 6 mm, (2) crumbling mortar, (3) hairline cracks in the mortar, and (4) cracks between the brick and mortar. Visual observation in combination with light scraping with a metal tool can detect cracked, spalled and crumbly mortar joints. This is the most common means of determining areas to be repointed. On older buildings, "cleaning" by low or moderate pressure water wash (not grit or chemical wash) may be required to evaluate the condition of mortar joints. Consult Technical Notes 20 for proper water washing techniques. It must be emphasized that, in this case, the purpose of cleaning is not to get a new looking building.

Repointing Mortar

To avoid irreparable brick damage, the compressive strength of the repointing mortar should be similar to or weaker than the compressive strength of the original mortar. Under load, a stronger repointing mortar will deform less than a weaker original mortar, causing the load to be concentrated on the thin strip of stronger repointing mortar. This stress concentration can lead to spalling of the brick face. The brick masonry is loaded by its self-weight and any externally applied loads present. In addition, the brick masonry is subjected to internal loads due to its thermal expansions and contractions and the shrinkage of the repointing mortar.



Differential expansion and contraction rates have this portland-rich mortar popping out-damaging the brick in the process.

Matching compressive strengths of the original and the repointing mortar may be done by matching mortar material proportions. By petrographic or chemical analysis, it is possible to analyze a sample of the original mortar and determine match proportions of materials. However, such testing is an added cost, typically only appropriate for historic structure repointing projects which are required to closely match existing conditions. Rather than extensive testing, simply considering the age of the building will give a strong indication of the main contents of the original mortar. For example, it wasn't until after the turn of the twentieth century that portland cement started to be combined with common lime and sand, as is done so typically in today's mortars. Until that time, a common lime and sand mortar in one to three proportions was clearly the most frequently used brick masonry mortar.

Typically, the repointing mortar will be a Type N, O or K mortar. The proportions of portland cement and lime for Types N and O mortars should be in accordance with ASTM C 270 Standard Specification for Mortar for Unit Masonry or BIA MI-88 (see Technical Notes 8A). Type K mortar proportions are no longer included in the body of ASTM C 270, but are given in an appendix on repointing. Mortar specifications permit a range of proportions of materials for each type of mortar. However, typical proportions by volume are the following: Type N -1 part portland cement, 1 part hydrated lime, and 6 parts sand; Type O -1 part portland cement, 2 parts hydrated lime, and 9 parts sand; Type K - 1 part portland cement, 4 parts hydrated lime and 15 parts sand.

In some cases, it may be necessary to match sand gradation with the original mortar. For example, gauged brick masonry with thin mortar joints may require sand with finer maximum particle size than permitted by ASTM C 144 Standard Specification for Aggregate for Masonry Mortar. A matching sand gradation may be determined by analysis of the original mortar. Water for repointing mortar should be clean and potable and should be free of deleterious amounts of acids, alkalies or organic materials.

Additives

In general, the use of chemical additives in the repointing mortar mix should be avoided. However, in many older buildings, the original mortar may contain additional materials such as oyster shells and horsehair. If duplication of the original mortar is required, the repointing mortar should contain these materials in matching quantities. Oyster shells~ if required, should be thoroughly washed and rinsed with clear water to remove all traces of salt and biological growth. The oyster shells should be crushed to a size matching that in the original mortar. To avoid detriment to the repointing mortar performance, the quantity of oyster shells should not exceed 2 parts by volume of the mix.

Coloring of the mortar may be required to match the original mortar color. Pigments should be metallic oxides and not organic chemicals. Coloring additives may be added to the mix in quantities not to exceed ~ percent by weight of the cement in the mix.

Mortar preparation and placement

The repointing mortar should be prepared and placed in accordance with the procedures given in Technical Notes 7F and the repointing appendix of ASTM C 270. Prehydration of the repointing mortar is a very important step in the process, as prehydration helps avoid excessive shrinkage of the repointing mortar. Removal of defective mortar and cleaning of the joint prior to repointing are necessary for successful performance of the repointing mortar. The depth of mortar removal should equal or exceed two times the mortar joint thickness. Proper layering and compaction of the repointing mortar helps develop bond with the adjacent brick and mortar.

Summary

This information on repointing brick masonry is based on the research and experience of the technical staff of the Brick Institute of America. Recommendations are necessarily general in nature to address the many scenarios for which repointing may be required. The application of these recommendations should be done with skill and engineering judgment. Where repointing work on structures of artistic, architectural, cultural or historical significance is being considered, guidance from a preservation specialist should be sought.



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