



Legislation Passed January 16, 2007

The Tacoma City Council, at its regular City Council meeting of January 16, 2007, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Purchase Resolution No. 37076

Awarding contracts to:

1. Crisis Management Consulting, Inc., in the amount of \$64,400.30, plus sales tax, budgeted from the Fire Department Miscellaneous Special Revenue Fund, for installation, testing, and training in the use of emergency operations computer software – Specification No. FD06-0893F;
2. Western Peterbilt, Inc., in the amount of \$560,698.15, including sales tax, budgeted from the Public Works/Solid Waste Operations Fund, for two refuse trucks – Specification No. PW06-0876F;
3. Western Peterbilt, Inc., in the amount of \$89,100.00, plus sales tax, budgeted from the General Fund, for the rental of three dump trucks for Streets and Grounds until new trucks are received – Specification No. GF06-1024;
4. Balfour Beatty Rail, in the amount of \$2,777,752.33, including sales tax, budgeted from the Public Works Mountain Division Fund, for rail replacement, new ties, and new ballast along the Tacoma Rail Mountain Division line – Specification No. PW06 0773F;
5. Cascadia International, LLC, in the amount of \$530,000.00, plus sales tax, budgeted from the Equipment Rental Capital Outlay Fund, for seven dump truck cabs and chassis for the Streets and Grounds Division – Washington State Contract No. 07503;
- *6. St. Joseph Hospital, in the amount of \$265,000.00, including sales tax, budgeted from the EMS Special Revenue Fund, to provide medical supplies and federally regulated drugs for the Fire Department through 2008 – Sole Source; (*This item was continued to the meeting of January 16, 2007.)
7. Bosnick Roofing, Inc., in the amount of \$85,838.00, plus sales tax, budgeted from the General Fund, for the replacement of Fire Station No. 2's roof – Emergency Contract;
8. Northend Truck Equipment, Inc., in the amount of \$430,000.00, plus sales tax, budgeted from the Equipment Rental Capital Outlay Fund, for a cumulative total of \$630,000.00, to renew, increase, and extend its contract to furnish truck bodies and attachments, through December 14, 2008 – State of Washington Contract No. 12304; and
9. Wade Perrow Construction, LLC, in the amount of \$1,598,000.00, plus sales tax, budgeted from the Capital Projects Fund, for improvements to Cheney Stadium – Specification No. PW06-1019F.

Resolution No. 37081

Appointing individuals to the Audit Advisory Board.

Resolution No. 37082

Authorizing the execution of contract agreements with various community services agencies to implement human services projects, in the amount of \$1,503,930, budgeted from the General Fund.

Resolution No. 37083

Authorizing the execution of an agreement with Parametrix, in the amount of \$225,000, budgeted from the General and the Special Revenue Economic Development Funds, to develop an Open Space Habitat Plan.

Resolution No. 37084

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption agreement with Andrea Goncalves and Eric Franks, to construct four apartment units at 4713 South Puget Sound in the Tacoma Mall Mixed-Use Center.

Amended Resolution No. 37085

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption agreement with Anthony Peschek, to construct 24 townhomes at 2121 through 2127 South I Street in the Downtown Mixed-Use Center.

Resolution No. 37086

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption agreement with Trillium Development Group, LLC, to construct 11 townhomes at 612 through 616 North Oakes Street in the 6th Avenue Mixed-Use Center.

Resolution No. 37087

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption agreement with Juanita Young-Harrison and Eric Franks, to construct six to eight townhomes at 4027 South Junett in the Tacoma Mall Mixed-Use Center.

Resolution No. 37088

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption agreement with John Bays, to construct four townhomes at 4525 South Junett in the Tacoma Mall Mixed-Use Center.

Ordinance No. 27582

Amending Chapter 1.30 of the Municipal Code, relating to retirement and pensions, to provide language that would clarify the original intent of the Retirement Board, retroactive to November 5, 2001.



RESOLUTION NO. 37076

1 WHEREAS the City has complied with all applicable laws governing the
2 acquisition of those supplies, and/or the procurement of those services,
3 inclusive of public works, set forth in the attached Exhibit "A," which Exhibit is
4 incorporated herein as though fully set forth, and

5
6 WHEREAS the Board of Contracts and Awards has reviewed the
7 proposals and bids received by the City, and the Board has made its
8 recommendation as set forth in Exhibit "A," and

9 WHEREAS the Board of Contracts and Awards has also made its
10 recommendations as to entering into purchasing agreements with those
11 governmental entities identified in Exhibit "A"; Now, Therefore,

12
13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 That the Council of the City of Tacoma does hereby concur in the
15 findings and recommendations of the Board of Contracts and Awards set forth
16 in the attached Exhibit "A," and does hereby approve and authorize the:

17 (X) A. Procurement of those supplies, services, and public works
18 recommended for acceptance in the attached Exhibit "A";

19 () B. Rejection of those bids and/or proposals that are recommended
20 for rejection in the attached Exhibit "A";

21 () C. Entry into the proposed purchasing agreement with those
22 governmental entities identified in the attached Exhibit "A," which proposed
23 agreement is on file in the office of the City Clerk;
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(X) D. Waiver of competitive bidding procedures in those instances, as set forth in Exhibit "A," in which it is impracticable to obtain supplies or public works improvements by competitive bid, or in those instances in which supplies and/or public works are available from a single source.

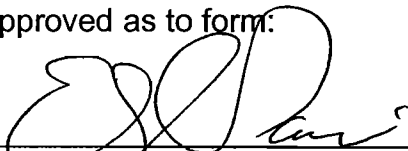
Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:



City Attorney



City of Tacoma
Fire Department

EXHIBIT "A"
RESOLUTION NO.: 37076
ITEM NO.: 1
MEETING DATE: JANUARY 16, 2007

DATE: December 21, 2006

TO: Board of Contracts and Awards

SUBJECT: FIRE DEPARTMENT MEDICAL SUPPLIES CONTRACT

RECOMMENDATION: The Fire Department requests a waiver of formal competitive bidding and recommends award of a sole source contract, to **St. Joseph Hospital**, Tacoma, Washington, in the amount of **\$265,000.00** including tax and shipping, to provide medical supplies and federally regulated drugs for the Fire Department for 2007-2008.

EXPLANATION: St. Joseph Hospital was established as a supplier of drugs and medical supplies for the Fire Department many years ago as a support to the Department's developing emergency medical response program. Through the contract with St. Joseph Hospital, the Department essentially functions as an internal department within the Franciscan system allowing us access to the significant pricing discount provided to Chi-West (Franciscan Purchasing) based upon their national purchasing power.

Analyses conducted in 2006 by the Administrative Paramedic Supervisor and then reviewed by the Assistant Chief of the Emergency Medical Services Division estimated the Department would purchase medical supplies costing about \$117,600 for the year from St. Joseph Hospital. If we had used the Department's competitively bid medical supplies contract to furnish those items, the Department would have spent about 16.9% (\$19,875) more. Contract ordering and pick-up are local and turnaround times are very quick.

We also purchase controlled substances from the St. Joseph Hospital pharmacy. Through the contract arrangement with St. Joseph Hospital, the Department receives very good pricing, reprovisioning is locally convenient (units can resupply while at the hospital) and we can minimize our inventory of these highly regulated substances and avoid most of the headaches and expense associated with ordering, maintaining and reporting inventories of these items. With this immediate restocking ability, the Department's Medic units are able to return to service quicker, serve the public better and the Department avoids most of the Federally mandated burdens and responsibilities usually associated with storing and accounting for these substances when larger amounts are purchased.

Throughout our history together, the purchasing arrangement has been, at times, a burden to the Hospital and they have considered ending their practice. St. Joseph Hospital prefers not to publicize its arrangement with the Tacoma Fire Department and was unwilling to expand the service to support other fire departments. If required to formally bid to continue the purchase relationship, it is unlikely the Hospital would choose to do so.

FUND NUMBER & NAME: 1155 EMS Special Revenue Fund.

Funding to support the proposed purchase will be available in the 2007-2008 EMS Special Revenue Fund budget (1155-609100/5210300 and 5210400).

ESSENTIAL NATURE OF EXPENDITURE: Drugs and medical supplies are essential components of the inventories carried by the Department's paramedic staffed Medic Rescue units that perform advanced life support and critical care services for patients in Tacoma, Fife, Fircrest and Pierce County Fire District 10.

LEGAL STATEMENT: N/A

HUB/LEAP COMPLIANCE: N/A

QUALIFICATIONS OF RECOMMENDED BIDDER: St. Joseph Hospital is an established local hospital that has previously done good service with the Fire Department for many years.

PROJECT COORDINATOR: Assistant Chief James P. Duggan, Fire Department, Emergency Medical Services Division, (253) 591-5065.

Very truly yours,



RONALD W. STEPHENS
Fire Chief

RWS:MF:js

RESOLUTION NO. 37081

BY REQUEST OF MAYOR BAARSMA

A RESOLUTION relating to government performance, and appointing individuals to the Audit Advisory Board.

WHEREAS Resolution No. 36620, adopted August 16, 2005, established a seven-member advisory board to be known as the Audit Advisory Board, to consist of each member then sitting on the Government Performance and Finance Committee, two members of the Public Utilities Board, and one citizen member knowledgeable in government performance and financial auditing, public administration, and government financial and fiscal practices, and

WHEREAS the persons named on Exhibit A, attached hereto, have been nominated to serve on the Audit Advisory Board; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That those nominees to Audit Advisory Board, listed on Exhibit A attached hereto, be and the same are hereby confirmed and the same shall be and they are hereby appointed as members of the Audit Advisory Board.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

EXHIBIT A

AUDIT ADVISORY BOARD

Appointing the Government Performance and Finance Committee members (“Committee Members”) **Mike Loneran, Julie Anderson, Jake Fey, and Mayor Bill Baarsma**; two members of the Tacoma Public Utilities Board (“TPU Board Members”) **Bill LaBorde and David Curry** – previously approved by the TPU Board; and **David Layden** (“Citizen Member”) to the Audit Advisory Board.

RESOLUTION NO. 37082

WHEREAS, in fall 2006, the Human Services Commission (“HSC”) reviewed applications from human services organizations for funding under the City’s General Fund for community services programs, and

WHEREAS HSC reviewed the programs and recommended to the City Council the funding of high-quality programs for up to two years, and

WHEREAS, in November 2006, HSC presented its recommendations to the Public Safety and Human Services Committee, and

WHEREAS, on December 5, 2006, the City Council held a public hearing on HSC’s recommendations, and

WHEREAS contracts to fund recommended community service programs and projects have been developed in accordance with the intent of the City Council, as expressed in the 2007-2008 Biennial Budget Ordinance, and are listed by name and funding levels, attached hereto as Exhibit “A,” and

WHEREAS those agencies with contract budgets that total over \$50,000 are effectively a part of this resolution, and

WHEREAS the remainder of the programs with contracts under \$50,000 are contracted administratively pursuant to the authority provided by TMC 1.06.261; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute those agreements identified in the attached Exhibit “A” in the amounts also set

forth in Exhibit "A," provided that such agreements shall be substantially in the form of the proposed agreements on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37083

WHEREAS, in the 1970s, the City established the Open Space Fund to protect, acquire, and develop open space property throughout the City, and

WHEREAS, since the inception of the Open Space Fund, the City and its partnering agencies have acquired hundreds of acres of natural open space areas within the City, and

WHEREAS these public open spaces and natural areas contribute to a high quality of life and provide numerous economic, social, and ecological benefits, and

WHEREAS, without a concerted management and restoration effort, the City's natural areas will lose significant forested canopy and biodiversity within the next 20 years, and

WHEREAS the City supports, and will work to advance, the efforts of the Green Tacoma Partnership to restore Tacoma's open space habitat lands, and

WHEREAS the Green Tacoma Partnership is a coordinated partnership among City departments, Metro Parks, the Cascade Land Conservancy, the Tahoma Audubon Society, local businesses, community groups, and the citizens of Tacoma, and

WHEREAS the Green Tacoma Partnership will work with the City to develop and implement a 20-year Open Space Habitat Management Plan ("Plan") to manage natural area and open space acquisition, restoration, and maintenance and to promote community-based stewardship, and

WHEREAS the Plan will set forth goals, policies, and implementation strategies for Tacoma municipal open spaces and natural areas that will be reviewed and adopted by the City Council through the annual update of the City of Tacoma's Comprehensive Plan, and

WHEREAS consultant services are required to perform a review of the City's open space management efforts to date and to assist the City and its partners in the development of the 20-year Plan, and

WHEREAS a Request for Proposal ("RFP") was solicited through the Tacoma Daily Index and the City's Purchasing Division website, and

WHEREAS a deliberation process was followed in evaluating the three responsive proposals, and a six-member Selection Advisory Committee comprised of representatives of City departments, Metropolitan Parks, the Tahoma Audubon Society, and the Cascade Land Conservancy individually reviewed the proposals, jointly interviewed each firm, and completed an evaluation form rating 13 criteria that were included in the RFP, and

WHEREAS the evaluation forms, presentations, and interviews were used to rank the consultants, and the rating by the committee members indicated that Parametrix was best qualified to perform the services; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a professional services agreement with Parametrix, in the amount of \$225,000, to be budgeted from the General Fund and the Special Revenue Economic Development Fund, for the purposes hereinabove enumerated, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37084

WHEREAS the City has, pursuant to Chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS Andrea Goncalves and Eric Frank, the owners of certain real property situated at 4713 South Puget Sound Avenue (referred to hereafter as the "Owners"), propose to construct four new apartment units on said property, and

WHEREAS the new units will be approximately 1,050 square feet each and consist of three bedrooms with two and one-half bathrooms, with parking for one car, and rent for \$1,000 each per month, and

WHEREAS the cost of construction will be approximately \$500,000, and

WHEREAS the project will provide short-term employment for 15 to 20 construction tradespeople, and

WHEREAS these units will provide housing for individuals and small families, and

WHEREAS the property taxes to be exempted are estimated at \$7,500 per year, representing approximately \$1,500 in tax revenue to the City; an

existing improvement will be removed from the site, reducing the current taxes by approximately \$2,170 of which \$435 would be the City's portion, and

WHEREAS the Owner has applied to the City to receive a limited property tax exemption for the proposed project, and

WHEREAS the Community and Economic Development Department has determined that the project, if developed as proposed, will meet the requirements for the exemption, and

WHEREAS the City's tax exemption program requires the Owner to enter into an agreement with the City regarding the terms and conditions of the project; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Multi-Family Housing Limited Property Tax Exemption Agreement with Andrea Goncalves and Eric Frank, substantially in the form of the document on file in the office of the City Clerk, which agreement shall provide for the development of the above-described project in accord with certain terms and conditions, in

consideration for which the property related to the new multi-family housing will be certified by the City as qualifying for a ten-year property tax exemption.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37085

WHEREAS the City has, pursuant to Chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS Anthony Peschek, the owner of certain real property located at 2121 through 2127 South "I" Street (referred to hereafter as the "Owner"), proposes to construct 16 new town homes on said property, and

WHEREAS the new units will be 1,800 square feet each, consisting of three bedrooms with two and one-half bathrooms, all with two-car garages, and will sell for approximately \$360,000 each, and

WHEREAS the cost of construction will be approximately \$2,600,000, and

WHEREAS the project will provide short-term employment for 35 to 40 construction tradespeople, and

WHEREAS these units will provide housing for individuals and small families, and

WHEREAS the property taxes to be exempted are estimated at \$39,000 per year, representing \$8,200 in tax revenue to the City; existing structures on

the property will be removed, reducing the current taxes paid by approximately \$2,700, of which \$560 would be tax revenues to the City, and

WHEREAS the Owner has applied to the City to receive a limited property tax exemption for the proposed project, and

WHEREAS the Community and Economic Development Department has determined that the project, if developed as proposed, will meet the requirements for the exemption, and

WHEREAS the City's tax exemption program requires the Owner to enter into an agreement with the City regarding the terms and conditions of the project; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Multi-Family Housing Limited Property Tax Exemption Agreement with Anthony Peschek, substantially in the form of the proposed document on file in the office of the City Clerk, which agreement shall provide for the development

of the above-described project in accord with certain terms and conditions, in consideration for which the property related to the new multi-family housing will be certified by the City as qualifying for a ten-year property tax exemption.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37086

WHEREAS the City has, pursuant to Chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS Trillium Development Group, L.L.C., the owner of certain real property located at 612 through 616 North Oakes Street (referred to hereafter as the "Owner"), proposes to construct 11 new town homes on said property, and

WHEREAS the new units will be between 1,432 square feet and 1,850 square feet each, consisting of one loft, two bedrooms, two bathrooms, plus one powder room, all with two-car garages, and will sell between \$320,000 to \$415,000 each, and

WHEREAS the cost of construction will be approximately \$1,800,000, and

WHEREAS the project will provide short-term employment for 25 to 30 construction tradespeople, and

WHEREAS these units will provide housing for individuals and small families, and

WHEREAS the property taxes to be exempted are estimated at \$27,000 per year, representing \$5,600 in tax revenue to the City; an existing structure on the property will be removed, reducing the current taxes paid by approximately \$4,200, of which \$840 would be tax revenues to the City, and

WHEREAS the Owner has applied to the City to receive a limited property tax exemption for the proposed project, and

WHEREAS the Community and Economic Development Department has determined that the project, if developed as proposed, will meet the requirements for the exemption, and

WHEREAS the City's tax exemption program requires the Owner to enter into an agreement with the City regarding the terms and conditions of the project; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Multi-Family Housing Limited Property Tax Exemption Agreement with Trillium Development Group, L.L.C., substantially in the form of the proposed document on file in the office of the City Clerk, which agreement shall provide for the development of the above-described project in accord with certain terms

and conditions, in consideration for which the property related to the new multi-family housing will be certified by the City as qualifying for a ten-year property tax exemption.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37087

WHEREAS the City has, pursuant to Chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS Juanita Young-Harrison and Eric Frank, the owners of certain real property located at 4027 South Junett Street (referred to hereafter as the "Owners"), propose to construct six to eight new town homes on said property, and

WHEREAS the new units will be between 1,200 square feet and 1,500 square feet each, consisting of one loft, two bedrooms, two bathrooms, plus one powder room, all with two-car garages, and will sell between \$225,000 to \$250,000 each, and

WHEREAS the cost of construction will be approximately \$1,000,000, and

WHEREAS the project will provide short-term employment for 15 to 20 construction tradespeople, and

WHEREAS these units will provide housing for individuals and small families, and

WHEREAS the property taxes to be exempted are estimated at \$15,000 per year, representing \$3,200 in tax revenue to the City; an existing structure on the property will be removed, reducing the current taxes paid by approximately \$1,600, of which \$325 would be tax revenues to the City, and

WHEREAS the Owner has applied to the City to receive a limited property tax exemption for the proposed project, and

WHEREAS the Community and Economic Development Department has determined that the project, if developed as proposed, will meet the requirements for the exemption, and

WHEREAS the City's tax exemption program requires the Owners to enter into an agreement with the City regarding the terms and conditions of the project; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Multi-Family Housing Limited Property Tax Exemption Agreement with Juanita Young-Harrison and Eric Frank, substantially in the form of the proposed document on file in the office of the City Clerk, which agreement shall provide for the development of the above-described project in accord with

certain terms and conditions, in consideration for which the property related to the new multi-family housing will be certified by the City as qualifying for a ten-year property tax exemption.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37088

WHEREAS the City has, pursuant to Chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS John Bays, the owner of certain real property situated at 4525 South Junett Street (referred to hereafter as the "Owner"), proposes to construct four new town homes on said property, and

WHEREAS the new units will be approximately 900 square feet each and consist of two bedrooms with one bathroom, on-site parking, and will rent for approximately \$950 each, per month, and

WHEREAS the cost of construction will be approximately \$350,000, and

WHEREAS the project will provide short-term employment for 15 to 20 construction tradespeople, and

WHEREAS these units will provide housing for individuals and small families, and

WHEREAS the property taxes to be exempted are estimated at \$5,250 per year, representing approximately \$1,050 in tax revenue to the City; an existing improvement will be removed from the site, reducing the current taxes by approximately \$1,950 of which \$390 would be the City's portion, and

WHEREAS the Owner has applied to the City to receive a limited property tax exemption for the proposed project, and

WHEREAS the Community and Economic Development Department has determined that the project, if developed as proposed, will meet the requirements for the exemption, and

WHEREAS the City's tax exemption program requires the Owner to enter into an agreement with the City regarding the terms and conditions of the project; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Multi-Family Housing Limited Property Tax Exemption Agreement with John Bays, substantially in the form of the document on file in the office of the City Clerk, which agreement shall provide for the development of the above-described project in accord with certain terms and conditions, in

consideration for which the property related to the new multi-family housing will be certified by the City as qualifying for a ten-year property tax exemption.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

ORDINANCE NO. 27582

AN ORDINANCE relating to retirement and pensions, and amending Chapter 1.30 of the Tacoma Municipal Code by amending Section 1.30.670 thereof.

WHEREAS the Board of Administration of the City of Tacoma Employees' Retirement System has determined that it is reasonable and appropriate to amend provisions of the Retirement Code to clarify the administrative process for payment of benefits to a member's spouse due to the death of the member; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.30.670 of the Tacoma Municipal Code is hereby amended, retroactive to November 5, 2001, to read as follows:

1.30.670 Death of member – Effect.

A. Upon the death of any member who has not been retired, pursuant to the provisions of this chapter, there shall be paid to his or her estate, or to such person as he or she shall have nominated by written designation duly executed and filed with the Board, his or her accumulated contributions and his or her accumulated additional contributions, less any payments therefrom already made to him or her, if any. Such payments may be made in one lump sum or may be paid in installments over a period of not to exceed five years, as may be designated by the beneficiary, in accordance with such rules as may be established by the Board of Administration, and with such rate of interest applicable as may be determined by the Board of Administration.

B. Upon the death of any member who has not retired but who, as of the date of death, was eligible for service retirement in accordance with subsection B

of Section 1.30.570 of this chapter, and who has named a beneficiary, the beneficiary may elect to receive one of the following death benefits:

1. the benefit provided in subsection A above;
2. a retirement allowance payable only for the remainder of his or her life and equal to that which would have been received had the deceased member retired on the date of death having elected a lesser retirement allowance payable to the member for life and continuing for the life of the named beneficiary, provided that effective January 1, 2000, any non-spouse beneficiary electing hereunder must be over the age of 18 years; or
3. a lump sum cash payment not to exceed one-half of the deceased member's accumulated contributions and accumulated additional contributions and a retirement allowance payable only for the remainder of his or her life and equal to that which would have been received had the deceased member retired on the date of death having elected a lesser retirement allowance payable to the member for life and continuing for the life of the named beneficiary, but reduced proportionately by the lump sum cash payment provided that effective January 1, 2000, any non-spouse beneficiary electing hereunder must be over the age of 18 years.

C. Upon the death of any member who has not retired but who, as of the date of his or her death, had five years' creditable service, the beneficiary may elect to receive the death benefit provided in subsection A above or, in lieu thereof, may elect to receive a monthly retirement allowance payable for ten years in an amount having the same value as normal contributions and interest matched by

the City. The member's contributions and interest on overtime, if any, shall be paid to the beneficiary in accordance with Section 1.30.550.

D. Upon the death of any member who has not retired but who, as of the date of his or her death, had five years' creditable service, in lieu of the death benefit provided under subsection C, the spouse may elect to defer payment of a death benefit, leaving the member's accumulated contributions with interest, not including contributions on overtime with interest, in the Retirement Fund until a deferral date. A deferral date is any date following the date when the member could have elected to start receiving a retirement allowance under Section 1.30.570 based on the member's date of birth and years of service at the time of death; provided, however, that if the spouse is older than the member, the spouse's age and date of birth may be used in lieu of the member's age for purposes of determining eligibility to start receiving a benefit under Section 1.30.570. Such contributions shall be credited with regular interest and shall be payable in accordance with subsection C, above, upon written request at any time prior to the deferral date. The value of the deferred death benefit payable under this section at the deferral date shall be twice the value of the member's normal contributions plus interest earned to the deferral date, excluding contributions on overtime and interest thereon which are payable in accordance with Section 1.30.550 at the member's death. The form of the benefit payable under this section at the deferral date shall be a monthly retirement allowance converted on an actuarial equivalent basis to a life annuity for the life of the spouse.

If the spouse should die before the commencement of the deferred death benefit, then a death benefit will be payable to the spouse's estate in a lump sum equal to the value of the benefit under subsection C, above, with the member's normal contributions accruing interest to the date of the spouse's death.

If the spouse should die after the commencement of the deferred death benefit, then a death benefit may be payable to the spouse's estate in a lump sum equal to twice the value of the member's normal contributions, plus interest earned to the date the deferred death benefit payments to the spouse began (excluding contributions on overtime and interest thereon), less any payments already made to the spouse.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney