



Legislation Passed August 19, 2008

The Tacoma City Council, at its regular City Council meeting of August 19, 2008, 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.

Resolution No. 37568

Authorizing the execution of a grant agreement with the Washington State Military Department, in the amount of \$93,958; accepting and depositing said sum into the Fire Miscellaneous Revenue Fund for additional emergency management planning and training activities in 2008 and 2009.

Purchase Resolution No. 37569

Awarding contracts to:

1. Tire Distribution Systems, Inc., on its bid of \$1,598,665.95, plus sales tax, budgeted from various departmental funds, for the supply of recapped tires, new tires, and tire services, for three years with the option to renew for two additional one-year periods – Specification No. GF08-0071F;
2. Grover Dykes Auto Group, Inc., d.b.a. Legacy Ford Pasco, on its bid of \$59,971.50, plus sales tax, budgeted from the Fleet Equipment Rental Capital Outlay Fund, for two 2009 Ford F550 cab and chassis – Specification No. GF08-0571F;
3. Valley Truck Repair, Inc., in the amount of \$100,134.40, plus sales tax, budgeted from the Fleet Equipment Rental Capital Outlay Fund, for two canopy utility bodies and equipment – City of Everett Contract No. 2006-878; and
4. Dimension Data of North America, Inc., in the amount of \$168,869.45, plus sales tax, for a cumulative total of \$368,986.06, budgeted from the Information Services Fund, to increase the contract for maintenance support of the Cisco computer data network hardware and software through August 10, 2009 – State of Washington Contract No. T06-MST-001.

Resolution No. 37570

Authorizing the execution of two agreements with Pacific Plaza Development, LLC, including Amendment No. 1 to the Development Agreement, in the amount of \$3,004,000, budgeted from the Parking Garage Capital Projects Fund, and a purchase and sale agreement for the adjacent Hillclimb Property.

Resolution No. 37571

Authorizing the execution of an agreement with Barney & Worth, Inc., in the amount of \$98,000, budgeted from the General Fund, to provide analysis and planning for the Tacoma Downtown Parking Implementation Program.

Resolution No. 37572

Approving the Neighborhood Council project recommendations for the 2008 Innovative Grant Program; and authorizing the allocation and expenditure of \$151,791, budgeted from the Community Development Block Grant Fund and the General Fund, for these neighborhood improvement projects.

Resolution No. 37573

Designating the following properties as historic landmarks and placing said properties on the Tacoma Register of Historic Places:

- Park Universalist Church, located at 206 North J Street,
- Saint Luke's Memorial Episcopal Church, located at 3615 North Gove Street;
- Frisko Freeze, located at 1201 Division Avenue; and
- Dorothy Apartments, located at 301 Tacoma Avenue North.

Resolution No. 37574

Approving the issuance of tax-exempt nonrecourse revenue bonds by the Washington Economic Development Finance Authority for the benefit of Belina Interiors, Inc., in an amount not to exceed \$1,540,000, to finance the expansion of certain components of its business.

Substitute Resolution No. 37575

Approving the sale of Solid Waste Revenue Refunding Bonds to Piper Jaffray & Co., in an amount not to exceed \$14,000,000, to provide the funds necessary to refund certain outstanding Solid Waste Revenue Refunding Bonds.

Resolution No. 37576

Authorizing the execution of Amendment No. 2 to the agreement with McGavick Graves, P.S., in the amount of \$50,000, for a cumulative total of \$77,500, budgeted from the General Fund, to provide continued and expanded legal representation regarding the Prologis, Inc./Burlington Northern Santa Fe Railroad Company property conveyance.

Ordinance No. 27610

Vacating the remaining portion of South 62nd Street, west of the Burlington Northern Santa Fe Railroad Line, between 6037 and 6201 South Adams Street, to combine the right-of-way of South Adams Street with the abutting property for a gated entryway and private driveway. (Mark Andrews, Addison Construction Supply, Inc.; File No. 124.1277).

Amended Ordinance No. 27737

Amending Title 1 of the Municipal Code by adding Chapter 1.47 entitled "Neighborhood Business District Program" to establish the roles, responsibilities, and procedures governing the Neighborhood Business District Program.

Ordinance No. 27738

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for approximately 58 full-time budgeted positions represented by the United Transportation Union, Switch Crew Unit, to provide a 3.0 percent pay increase retroactive to July 1, 2008; and to implement rates of pay and compensation for the classifications of Municipal Court Judge and Court Commissioner, to provide a 2.0 percent pay increase and a 3.5 percent catch-up adjustment, based on the salary schedule provided by the Washington Citizens' Commission on Salaries for Elected Officials, effective September 1, 2008.

Amended Ordinance No. 27739

Authorizing an interest-bearing interfund loan, in an amount not to exceed \$1,847,000, from the General Fund to the Parking Garage Capital Facilities Fund, and appropriating said sum to provide financing for general contract changes and LEED enhancements to the South Park Plaza Garage rehabilitation project, with repayment due no later than December 31, 2011.

RESOLUTION NO. 37568

A RESOLUTION relating to emergency management planning and training; authorizing a grant agreement with the Washington State Military Department, in the amount of \$93,958, for additional emergency management planning and training activities for the years 2008 and 2009.

WHEREAS the Washington State Military Department has provided the City an Emergency Management Performance Grant, in the amount of \$93,958, to assist the City in conducting emergency management planning and training; 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 grant agreement with the Washington State Military Department, in the amount of \$93,958, for additional emergency management planning and training activities for the years 2008 and 2009, said document to be substantially in the form of the proposed grant agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



RESOLUTION NO. 37569

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the appropriate City officials to
3 enter into contracts and, where specified, waiving competitive bidding
4 requirements, authorizing sales of surplus property, or increasing or
5 extending existing agreements.

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

10 WHEREAS the Board of Contracts and Awards has reviewed the
11 proposals and bids received by the City, and the Board has made its
12 recommendation as set forth in Exhibit "A," and

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

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

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

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

22 () B. Rejection of those bids and/or proposals that are recommended
23 for rejection in the attached Exhibit "A";
24
25
26



1 () C. Entry into the proposed purchasing agreement with those
2 governmental entities identified in the attached Exhibit "A," which proposed
3 agreement is on file in the office of the City Clerk;

4 () D. Waiver of competitive bidding procedures in those instances, as
5 set forth in Exhibit "A," in which it is impracticable to obtain supplies or public
6 works improvements by competitive bid, or in those instances in which supplies
7 and/or public works are available from a single source.
8

9 Adopted _____
10
11

12 _____
13 Mayor

14 Attest:
15

16 _____
17 City Clerk

18 Approved as to form:
19

20 Debra E. Caspi
21 Assistant City Attorney
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City of Tacoma
Public Works Department
July 23, 2008

EXHIBIT "A"

RESOLUTION NO.: 37569

ITEM NO.: 1

MEETING DATE: AUGUST 19, 2008

DATE: July 23, 2008

TO: Board of Contracts and Awards

SUBJECT: Purchase Recapped Tires, New Tires, and Tire Services
Budgeted from Various Individual Department Funds
Bid Specification GF08-0071F

Recommendation: Public Works – Fleet Services recommends that a contract in the amount of **\$1,598,665.95**, plus applicable sales tax, be awarded to low bidder **Tire Distribution Systems, Inc., Fife, WA**, for the supply of recapped tires, new tires, and tire services on an as-needed basis for three years with the option to renew for two additional one-year periods upon mutual agreement, per bid specification GF08-0071F.

Explanation: This contract will provide recapped tires, new tires (except police pursuit tires), shop and roadside tire repairs, scrap tire disposal, and fleet tire inspections as needed by PW/Fleet Services and the Fire Garage. This request is based on past usage for general government needs only.

Competitive Bidding: Citywide bid specification GF08-0071F opened July 15, 2008. Thirteen vendors were notified of the opportunity to bid and three bids were received. The bidders quoted prices for a sample list of goods and services for all City shops.

Bidders	Location	General Government Estimated Three-Year Total
Tire Distribution Systems, Inc.	Fife, WA	\$1,598,665.95
Wingfoot Commercial Tire Systems, LLC	Fife, WA	\$1,690,414.92
Alpine Commercial Tires & Retreaders	Woodinville, WA	\$1,953,181.03
	Pre-bid Estimate	\$1,465,913.00

The recommended award is 9.2% above the pre-bid estimate.

Contract History: New contract.

Funding: Funds for this contract are budgeted from various individual department funds.

HUB/LEAP Compliance: Not applicable.

Project Engineer/Coordinator: Fred Chun, Fleet Services Manager, 591-5553.


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

cc: Jeffrey Jenkins, PW/Facilities
Director's Intern, Public Works
Sheri Hayes, TPU/Accounting Services
Jayne McCartney, TPU/Purchasing
Fleet Operations



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37569

ITEM NO.: 2

MEETING DATE: AUGUST 19, 2008

DATE: July 25, 2008

TO: Board of Contracts and Awards

SUBJECT: Purchase Two (2) - 2009 Ford F550 Cab and Chassis
Budgeted from PW Fleet Equipment Rental Capital Outlay Fund 5400-CAPTL
Specification GF08-0571F

Recommendation: Public Works – Fleet Services recommends that a contract in the amount of \$59,971.50, plus applicable sales tax, be awarded to the low bidder, **Grover Dykes Auto Group, Inc., dba Legacy Ford Pasco, Pasco, WA**, for the purchase of two - 2009 Ford F550 cab and chassis.

Explanation: These vehicles will have canopy utility bodies installed after delivery based on a City of Everett contract and will be used as work trucks for Wastewater maintenance. They replace two 1996 Chevrolet one-ton walk-in vans that are no longer cost effective to maintain and keep in service.

Competitive Bidding: Bid specification GF08-0571F opened July 22, 2008. 20 vendors were notified of the opportunity to bid and four bids were received.

Bidders	Location	Bid Amount Plus Tax
Legacy Ford Pasco	Pasco, WA	\$59,971.50
Northside Trucks & Equipment, Inc.	Portland, OR	\$60,826.00
Gresham Ford	Gresham, OR	\$62,446.12
Titus-Will Ford	Tacoma, WA	\$62,969.84
	Pre-bid Estimate	\$60,000.00

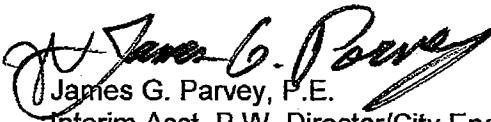
The recommended award meets the pre-bid estimate.

Contract History: New contract.

Funding: Funds are available in the PW Fleet Equipment Rental Capital Outlay Fund 5400-CAPTL.

HUB/LEAP Compliance: Not applicable.

Project Engineer/Coordinator: Fred Chun, Fleet Services Manager, 591-5553.


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

cc: Jeffrey Jenkins, PW/Facilities
Director's Intern, Public Works
John O'Loughlin, PW/Science & Engineering
Sheri Hayes, TPU/Accounting Services
Jayne McCartney, TPU/Purchasing
Fleet Operations

Fleet Services Division ■ 3639 South Pine Street ■ Tacoma, WA 98409-5734 ■ (253) 591-5550 ■ FAX (253) 591-5635



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37569

ITEM NO.: 3

MEETING DATE: AUGUST 19, 2008

DATE: July 25, 2008

TO: Board of Contracts and Awards

SUBJECT: Purchase Canopy Utility Truck Bodies and Equipment
Budgeted from PW Fleet Equipment Rental Capital Outlay Fund 5400-CAPTL
City of Everett Contract #2006-878

Recommendation: Public Works – Fleet Services recommends that a contract in the amount of **\$100,134.40**, plus applicable sales tax, be awarded to **Valley Truck Repair, Inc., Sunnyside, WA**, for the purchase of two canopy utility bodies and equipment per City of Everett contract 2006-878.

Explanation: The bodies and equipment will be mounted on two 2009 Ford F550 cab and chassis furnished by the City and will be used as work trucks for Wastewater maintenance. They replace two 1996 Chevrolet one-ton walk-in vans that are no longer cost effective to maintain and keep in service.

Competitive Bidding: City of Everett contract 2006-878 is a competitively bid contract currently in effect which includes the canopy utility bodies and equipment to be purchased. Through an interlocal cooperative purchasing agreement, the City of Tacoma purchases will be at City of Everett prices, terms, and meet competitive bidding requirements.

Contract History: New contract.

Funding: Funds are available in the PW Fleet Equipment Rental Capital Outlay Fund 5400-CAPTL.

HUB/LEAP Compliance: Not applicable.

Project Engineer/Coordinator: Fred Chun, Fleet Services Manager, 591-5553.

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

cc: Jeffrey Jenkins, PW/Facilities
Director's Intern, Public Works
John O'Loughlin, PW/Science & Engineering
Sheri Hayes, TPU/Accounting Services
Jayne McCartney, TPU/Purchasing
Fleet Operations



City of Tacoma
Information Technology

EXHIBIT "A"

RESOLUTION NO.: 37569

ITEM NO.: 4

MEETING DATE: AUGUST 19, 2008

DATE: August 6, 2008

TO: Board of Contracts and Awards

SUBJECT: Purchase Cisco Network Hardware and Software Maintenance
Budgeted from the Information Services Fund 5800
State of Washington Department of Information Services Contract T06-MST-001
Purchase Order Number 4500136146 and 4500172715

Recommendation: The Information Technology Department, Infrastructure Services Division, recommends that an amendment to the existing contract awarded to **Dimension Data of North America, Inc., Bellevue, WA** be increased in the amount of \$168,869.45, plus applicable sales tax, for a revised contract total of \$368,986.06, plus applicable sales tax, for the purchase of maintenance support of the Cisco computer data network hardware and software (SMARTnet (8x5xNBD); SMARTnet Premium (24x7x4); IPS Svc, (AR, NBD); Software Application Support) through August 10, 2009.

Explanation: This renewal period does not exceed the current State of Washington contract number T06-MST-001 expiration date of August 11, 2009 and provides continued maintenance support of the Cisco computer data network.

Competitive Bidding: State of Washington, Department of Information Services (DIS) Contract T06-MST-001 is an competitively bid contract valid until August 11, 2009, and includes the network hardware and software support. Through an interlocal cooperative purchasing agreement, the City of Tacoma purchase will be at the State of Washington DIS contract prices, terms, and conditions, and meets competitive bidding requirements.

Contract History: The original contract of \$112,195.30, plus sales tax, was approved by City Council Resolution 37124 on March 20, 2007. A second increase of \$87,921.31 was approved by City Council Resolution # 37404 on February 26, 2008. This increase of \$168,869.45 will bring the cumulative contract total to \$368,986.06.

Funding: Funds for this purchase are available in the 2008 Information Services Fund 5800, cost center 596000.

HUB/LEAP Compliance: Not applicable.

Legal Review: Not applicable.

Project Engineer/Coordinator: Bill Bogue, IT Infrastructure Services Manager, 573-2358.

Michelle Lewis-Hodges
Interim Information Technology Director

cc: Bill Bogue, IT Infrastructure Services Manager
Amy Palmer, Finance/Budget & Research
Chuck Blankenship, TPU/Purchasing
Dong-jun Chou, Financial Services
Percy Jones, Finance, HUB
Peter Guzman, Finance, LEAP
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733 Market Street, Third Floor ■ Tacoma, WA 98402-3773 ■ FAX (253) 502-2222

RESOLUTION NO. 37570

A RESOLUTION relating to capital facilities; authorizing the execution of two agreements with Pacific Plaza Development, LLC, for the rehabilitation of the South Park Plaza garage, to wit, Amendment No. 1 to the Development Agreement, in the amount of \$3,004,000, budgeted from the Parking Garage Capital Projects Fund, and a purchase and sale agreement for the adjacent Hillclimb property.

WHEREAS, in May 2005, a Request for Proposals (“RFP”) was advertised for the rehabilitation of the North and South Park Plaza garages, including a private development, which will provide an additional 67,000 square feet of new Class A office space, 36,000 square feet of high-end retail space, and 102 additional parking stalls, and

WHEREAS, on April 3, 2007, the City Council adopted Resolution No. 37147, authorizing agreements for the public/private partnership between the City and Pacific Plaza Development, LLC (“Developer”), and

WHEREAS this resolution will provide for general contract changes during construction, such as escalation costs due to extended schedule of property assembly, environmental cleanup due to underground storage tanks, code-required changes not in the original RFP, operational enhancements, and LEED enhancements, and

WHEREAS the LEED enhancements will provide for a green roof, irrigation cistern, and energy-efficient garage lighting and control system, and

WHEREAS the original development agreement contemplated the City’s transfer of a parcel of property just north of the South Park Plaza garage, commonly referred to as the Hillclimb property, which was inadvertently left out of

the original purchase and sale agreement, but compensation already received by the City included full payment for the Hillclimb property, and staff recommends transfer of that property as contemplated; 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 two agreements with Pacific Plaza Development, LLC, for the rehabilitation of the South Park Plaza garage, to wit, Amendment No. 1 to the Development Agreement, in the amount of \$3,004,000, budgeted from the Parking Garage Capital Projects Fund, and a purchase and sale agreement for the adjacent Hillclimb property, with no additional compensation to the City than that already received, said documents to 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. 37571

A RESOLUTION relating to downtown parking; authorizing an agreement with Barney & Worth, Inc., in the amount of \$98,000, to provide analysis and planning for the Tacoma Downtown Parking Implementation Program.

WHEREAS the City advertised a competitive Request for Proposal (“RFP”) soliciting consultants to provide analysis and planning for the Tacoma Downtown Parking Implementation Program, and

WHEREAS a selection advisory committee selected Barney & Worth, Inc., to take on the primary responsibility for planning paid on-street parking and the installation of electronic pay stations in the downtown area; 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 an agreement with Barney & Worth, Inc., in the amount of \$98,000, to provide analysis and planning for the Tacoma Downtown Parking Implementation Program, 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. 37572

A RESOLUTION relating to community and economic development; approving the recommendations of the Neighborhood Council for the 2008 Innovative Grant Program; and authorizing the allocation and expenditure of \$151,791 for neighborhood improvement projects.

WHEREAS, for the year 2008, the Neighborhood Council Program received \$151,791 to be used for the Innovative Grant Program, and

WHEREAS a portion of the funding is derived from Community Development Block Grant ("CDBG") funds for eligible projects and supplemented by the General Fund for those projects that are not CDBG eligible, and

WHEREAS the innovative grant projects eligible for funding recommendations by the eight Neighborhood Councils include projects such as street- and sidewalk-related improvements, removal of blight, and traffic-calming, and

WHEREAS the boards for each of the Neighborhood Councils have reviewed all applications received and have submitted to the City Council their recommendations for the projects set forth in Exhibit "A," attached hereto and made a part hereof, and

WHEREAS the City Council hereby expresses its intent to adopt the recommendations of the Neighborhood Council for allocation of funding for such projects from CDBG funds and other funding, subject to eligibility requirements of the other funding to be utilized; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to approve the 2008 Innovative Grant Program project recommendations, as set forth in the attached Exhibit "A," to be paid from the General Fund and the Community Economic Development Special Revenue Fund.

Section 2. That the various programs and projects referred to in the attached Exhibit "A" shall not be implemented or carried into effect until such time as the same have been further reviewed by the appropriate officers and employees of the City, with reference to the legality thereof, and the making of such technical adjustments as may be required to carry out such programs and projects.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

EXHIBIT "A"

**2008 FINAL INNOVATIVE GRANT RECOMMENDATIONS
BY NEIGHBORHOOD COUNCILS**

South Tacoma 2008 Innovative Grants

Edison Avenue Historic Signage \$5,000.00

Produce 50 Historic Edison Avenue signs to be installed in the South Tacoma Way (Edison Neighborhood) South 48th Street to 56th Street in order to promote the history of the area.

**Hanging Basket Security \$1,800.00
Part #1 – 47th Street to 58th Street, South Tacoma Way**

Purchase materials to manufacture 130 rebar hangers to secure hanging flower baskets to prevent future theft of the baskets and to enhance the streetscape on South Tacoma Way from 47th Street to 58th Street.

**Hanging Basket Security \$1,200.00
Part #2 – 47th Street to 58th street, South Tacoma Way**

Purchase and install 130 brass padlocks with stainless steel shackles to secure hanging flower baskets to prevent future theft of the baskets and to enhance the streetscape on South Tacoma Way from 47th Street to 58th Street.

**Beautification of Roundabout & Diverters \$1,836.00
Edison Neighborhood**

This project is intended to purchase planting materials and supplies to remove blighted condition and beautification roundabouts and diverters in the Edison Neighborhood.

Central 2008 Innovative Grants

ADA Curb Ramps (West Side- South 14th & Cushman) \$5,000.00

Install ADA Curb Ramps on the West Side of South 14th and Cushman Streets for safe and easy travel for individuals with limited mobility and wheelchair access.

ADA Curb Ramps (East Side- South 14th & Sheridan) \$5,000.00

Install ADA Curb Ramps on the East Side of South 14th and Sheridan Streets for safe and easy travel for individuals with limited mobility and wheelchair access.

South Grant Beautification Project \$3,056.00

Improve the appearance and safety of the neighborhood through landscaping and planting. The project will reclaim the planting strip right-of-way area adjacent to South Grant on the 1400 Block through the installation of landscape blocks where a curb would typically be located.

Tool Lending Library Addition, HAC \$3,475.07

Purchase additional items/equipment (a field and brush mower and loading ramps) to be included in the Tool Lending Library currently administered through the Hilltop Action Coalition ("HAC"). Tools are loaned to residents of the community for use to assist them in doing neighborhood cleanups.

Welcome To Hilltop \$1,595.94

Purchase a trio concrete planter with an aggregate finish--one large planter and two small planters to be placed in the shape of an inverted triangle on the public right-of-way on the southwest corner of South 19th and Martin Luther King Jr. Way.

St. Joseph Zina Project, McCarver Playfield \$ 5,000.00

This project is requesting Innovative Grant moneys to assist in the various art projects that will be installed at McCarver Playfield.

South End 2008 Innovative Grant

Install Donated Gate at Entrance, Blueberry Park \$2,000.00

Remove donated gates and mounting post from the 73rd and Alaska Shopping Center and install it as a handicap accessible entrance on the right-of-way side of East "D" Street (73rd) as entrance to Blueberry Park.

**Install Handicap Accessible Tables & Benches \$3,500.00
Gas Station Park**

Purchase and install two handicap accessible tables and two benches in the Gas Station Park.

Signage, Lincoln South Neighborhood \$ 755.00

This project is to have 20-25 signs produced and placed at each intersection bordering the entrance to the Lincoln Neighborhood (South 32nd to South 38th

Streets and from Pacific Avenue to “G” Street as a streetscape and neighborhood beautification. Additionally, they are requesting funds to provide plants and soil for use in the new roundabout located at the intersection of South 37th and Fawcett Streets.

Speed Hump, South 90th to 91st Streets **\$3,855.00**
Tacoma Ave, Project Speed Control

Install a speed hump on Tacoma Avenue between South 90th and 91st Streets to reduce speed and enhance safety in the area.

Fern Hill Ornamental Light Pole Banners **\$1,300.00**

Purchase and install 20 ornamental lighting banners in the Fern Hill Historic Business District as a continuation of the Master Plan for Neighborhood Business improvements.

Fallen Riders Outdoor Memorial **\$3,500.00**
South 46th & Yakima Streets

Project will install a handicap accessible ramp to the “Fallen Riders Outdoor Memorial” on the triangle open space located South 46th & Yakima/Thompson Streets to improve the streetscape and as an effort to removed blighted conditions.

Neighborhood Identifying Banner
46th Street to 56th and Pacific Avenue **\$5,000.00**

To make streetscape improvement by purchasing and installing neighborhood identification banners along Pacific Avenue from 46th Street to 56th Street to instill a positive image of the area and enhance the visibility.

Residential Street Safety and Access **\$90.00**
Area of 40th & “D” Street

This project is intended to produce and install three watch signs for residential street safety and access, to clean and replant the roundabout at South 40th and “D” Streets to help reduce traffic in residential streets, and to remove blighted conditions in the neighborhood.

West End 2008 Innovative Grants

Banner/Flower Poles, Narrows Business District **\$3,000.00**

Purchase and install brackets on existing poles in the Narrows Business District to hang banners and flowers as a streetscape and beautification project.

Street and Sidewalk Accessibility for Residents with Disabilities **\$10,000.00**

Funds will be used to improve accessibility for residents of the West End neighborhoods where streets, sidewalks, and wheelchair (curb cuts) need to be installed and/or improved. The effort is to make the residential neighborhood, barrier free.

North End 2008 Innovative Grants

Salmon Archway Statue **\$5,000.00**

Produce and install an artistic statue of a salmon as the archway to Puget Creek Restoration Area. This will hopefully help citizens and students to better understand its connection to the environment. The archway will be an entranceway for citizens to enjoy the area and direct them to the wonders of urban habitat.

Tahoma Salt Marsh Enhancement **\$4,500.00**

Develop streetscape, signage, and remove blighted conditions to enhance the Tahoma Salt Marsh. The Tahoma Salt Marsh is located south of McCarver Street on Ruston Way.

The applicant proposes to recruit, educate, equip, and schedule corps of North End residents for preventive maintenance; design and maintain attractive streetscape; create educational content for use by schools, deployed electronically; and publicize the availability of this content.

Allen C. Mason Plaza **\$5,000.00**

The project will install handicap accessible ramps to a new permanent public display adjacent to the public library. The display focuses on the history and heritage of the neighborhood and is intended to educate elementary, middle school, and other school children about Allen C. Mason, and to contribute to the arts and culture of the North End Neighborhood and all of Tacoma.

Proctor Farmer's Market Mural **\$5,000.00**

This project will paint and install a mural at the Proctor Farmer's Market as a community asset to depict the history and sense of place within the community. The mural is intended to incorporate a theme that stresses the importance of the "by local" movement as part of the streetscape for the neighborhood.

North 5th Street Lighting, North Slope **\$5,000.00**

Install a street lamp on North 5th Street between Ainsworth and Cushman Streets for vehicle and people safety, deter criminal activities, and beautification of the neighborhood.

Landscape Traffic Circle, North Slope **\$1,778.00**

Landscape the traffic circle at the intersection of North "L" and North 5th Streets by planting low-maintenance, drought-tolerant plants, plants with 4–5 seasons of interest, and a Victorian era garden.

New Tacoma 2008 Innovative Grants

Goddess of Commerce Statue, Downtown **\$5,000.00**

The project will recreate the Goddess of Commerce, a historic Tacoma icon created in 1886 but missing from the downtown area since the 1940s. This structure will reconnect Tacoma's current revitalization with the exuberant Tacoma of the 1880s. It will reflect the diverse ethnic, environmental, neighborhood and business influence in Tacoma's past and present. It is expected that there will be an educational panel/sign to explain those references.

Tacoma-McCormick Park Improvement **\$3,410.00**

This project at McCormick Park, which is a City-owned park, is intended to increase safety in the park by changes in vegetation and ground cover to discourage criminal activities and transform this beautiful open space into a safe and usable area, and creating dividers onto existing seating to prevent transit people from lying and sleeping on the current seating. Additionally, a Pet Station with animal waste bag dispenser and one case of gloves, non-latex gloves and garbage bags, and printing of color flyers to promote events at the park, and raise awareness to build park use.

Urban Grace Mural **\$5,000.00**

This project is to paint/install a mural on the Southside of the Urban Grace Church that would influence businesses and organizations in the area to continue the spirit of neighborhood revitalization on Market Street.

Pattern Mural Project, Hilltop **\$4,268.42**

The proposed mural on the corner of South "J" and 11th Streets will serve to promote the neighborhood as a place for people. The pattern mural will create an aesthetic current, which has been described as peaceful, calming, centering, jubilant, etc. The pattern is representative of the neighborhood without being definitive or denominational. It is modern/minimalist in organization with a repetitive hand-painted style.

Stadium Historical Markers **\$5,000.00**

Install descriptive historical appearing markers throughout the Stadium District that includes markers for Norton Park, the Botanical Conservatory, and the Rex Williams Mansion.

Northeast 2008 Innovative Grant

Northeast Tacoma Bus Shelters **\$5,000.00**

(Northshore Parkway near Ridge Drive, and 51st Street NE Elementary School)

This project will install handicap accessible ramps to two planned bus shelters near the western end of Bus Route #16 where there currently are bus stops but no shelters. It would provide the residents in the neighborhood housing communities and school children greater incentive to utilize the public transportation. Additionally, it would decrease road congestion and help the environment through decreased automobile pollution.

Neighborhood Individual Safety Lights **\$2,000.00**

(Numerous locations in N.E. Tacoma--Direct Benefit for low- to moderate-income residents)

Purchase approximately 100 individual safety lights (dusk-to-dawn, motion sensors) for individual low- to moderate-income residents to improve nighttime safety in numerous locations in Northeast Tacoma.

Guard Rail, Browns Point Boulevard, Phase III **\$5,000.00**

(Across from 1826 Browns Point Boulevard at Shorecliff intersection)

Funding would allow approximately 50 feet of guard rails to be installed along the stretch of arterial roadway on Browns Point Boulevard at the Shorecliff intersection where several accidents have occurred in the past. Completion of this project would provide safer travel by vehicles, bikers, and walkers along this narrow stretch of roadway, particularly in rainy, snowy, icy, and dark conditions.

“NET” Neighborhood and Safe Streets Signs **\$2,000.00**

(57th Avenue N.E. Vicinity)

Twenty signs will be produced and installed in the 57th Avenue N.E. neighborhood to discourage and reduce criminal activities, create a sense of neighborhood, and inform citizens/residents/visitors that it is a neighborhood that does not tolerate criminal behavior. Signs will be strategically placed throughout the neighborhood as a deterrent of criminal activities.

“NET” Neighbors Lighting **\$3,000.00**

(55th Avenue N.E. Vicinity)

Install lighting on two existing poles located in the area of 55th Avenue N.E. where there is currently inadequate light. The increased lighting is intended to discourage undesirable and criminal activities.

Eastside Innovative 2008 Grants

First Stream Revitalization (“T” Street Gulch) **\$5,000.00**

This project is to remove blighted conditions in the “T” Street Gulch in the wetland and green belt space, a city-owned property that runs behind the Salishan residential area between East 36th and 44th Streets. The applicant intends to hire a company with goats to eat the destructive vegetations, hold public forums, provide flyer and community notification (translated in different languages), and arrange and pay for dumpster hauling.

McKinley Hill Crosswalks Restriping **\$4,872.00**

This project would be to restripe crosswalks in the McKinley Hill area at various intersections on McKinley Avenue, i.e. East Wright, East 34th, East Harrison, East Morton, East Division, and East 40th Streets. Reestablishing designated crossing areas would benefit seniors, children, and bus passengers in the area.

Eastside Community Clean Sweep **\$5,000.00**
East 72nd Street to 34th and Portland Avenue

The purpose of this “Clean Sweep” project is to bring children, families, community members, school staff, and businesses together to beautify the community. Each participating school will clean up the designated safe-walking route areas. Volunteers will also write down the addresses of homes and businesses that have graffiti/blight and will provide this information to the City to follow up. After the clean up, a celebration will be held at Portland Avenue Community Center that includes a barbeque, entertainment, resource tables, and fun activities. All participants will receive a “Clean Sweep T-shirt.”

**Beautify Roundabout
East “R”/30th and East “T”/38th**

\$5,000.00

This project is intended to make repairs to the existing roundabouts on East “R” Street and East “T” Street, install reflectors around the base, install fencing if appropriate, clean accumulated trash and weeds, replace low-maintenance shrubs, and plant flowing perennials.

RESOLUTION NO. 37573

A RESOLUTION relating to historic preservation; imposing controls upon the Park Universalist Church, the Saint Luke's Memorial Episcopal Church, the Frisko Freeze, and the Dorothy Apartments, landmarks designated by the Landmarks Preservation Commission under Chapter 13.07 of the Tacoma Municipal Code; and adding the proposed landmarks to the Tacoma Register of Historic Places.

WHEREAS the Tacoma Landmarks and Historic Districts Code, Chapter 13.07 of the Tacoma Municipal Code, establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, archaeological engineering, or geographic importance, and

WHEREAS, pursuant to the provisions of Chapter 13.07 of the Tacoma Municipal Code, the Landmarks Preservation Commission of the City, after public meetings on May 28, 2008, and June 25, 2008, voted to approve the nomination of the properties described below as historic landmarks, transmitted its decision to the City Council for consideration, and recommended that the same be approved by the City Council, and

WHEREAS it appears that the properties reflect outstanding examples of the City's cultural, artistic, social, architectural, and historic heritage, and such designation would foster civic pride in the beauty and accomplishments of the past; that the designation thereof would enhance the City's attraction to tourists and visitors; and that the use of the historic buildings for the education, stimulation, and welfare of the people would be promoted and the continued economic viability of the buildings would be preserved, and

WHEREAS, based upon said findings, the City Council believes that it would be in the best interest of the City to so designate the properties described

below as historic landmarks and place them on the Tacoma Register of Historic Places; Now, Therefore,

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

Section 1. Designation. That, pursuant to the provisions of Chapter 13.07 of the Tacoma Municipal Code (“TMC”), the Council of the City of Tacoma approves the designation of the following properties as historic landmarks and places said properties on the Tacoma Register of Historic Places:

1. PARK UNIVERSALIST CHURCH

more particularly described as: 206 N J Street, Tacoma WA 98403

LOTS 8 AND 9, BLOCK 3220 OF MAP OF NEW TACOMA, WASHINGTON TERRITORY, AS RECORDED FEBRUARY 3, 1875, RECORDS OF PIERCE COUNTY WASHINGTON.

TOGETHER WITH THAT PORTION OF THE ABUTTING ALLEY AS VACATED BY CITY OF TACOMA ORDINANCE NO. 1683

SITUATE IN SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 03 EAST, W.M., CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.

PARCEL NUMBER 2032200030

based upon satisfaction of the following standards of TMC 13.07.040:

- A.** Has significant character, interest, or value as part of the development, heritage or cultural characteristics of the City, state, or nation, or is associated with the life of a person significant in the past.
- D.** Portrays the environment in an era of history characterized by a distinctive architectural style.
- F.** Is part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on the historic, cultural, or architectural motif.

2. SAINT LUKE'S MEMORIAL EPISCOPAL CHURCH

more particularly described as: 3615 N. Gove Street, Tacoma, WA 98407

LOTS 11 THROUGH 18, BLOCK 14, HOPE PARK ADDITION TO TACOMA, WASHINGTON, ACCORDING TO THE OFFICIAL PLAT OF RECORD FILED IN THE OFFICE OF THE AUDITOR OF PIERCE COUNTY, WASHINGTON, NOVEMBER 19, 1891.

SITUATE IN SECTION 25 TOWNSHIP 21 RANGE 02 QUARTER 24, W.M., CITY OF TACOMA, COUNTRY OF PIERCE, STATE OF WASHINGTON.

PARCEL NO. 4630001180

based upon satisfaction of the following standards of TMC 13.07.040:

- A.** Has significant character, interest, or value as part of the development, heritage or cultural characteristics of the City, state, or nation, or is associated with the life of a person significant in the past.
- C.** Exemplifies the cultural, political, economic, social or historic heritage of the community.
- D.** Portrays the environment in an era of history characterized by a distinctive architectural style.
- E.** Embodies those distinguishing characteristics of an architectural type or engineering specimen.
- G.** Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

3. FRISKO FREEZE

more particularly described as: 1201 Division Avenue, Tacoma, WA 98403

LOTS 8 AND 9, BLOCK 3324, OF MAP OF NEW TACOMA, WASHINGTON TERRITORY, AS RECORDED FEBRUARY 3, 1875, RECORDS OF PIERCE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE ABUTTING ALLEY AS VACATED BY CITY OF TACOMA ORDINANCE NO. 1638.

SITUATE IN SECTION 32, TOWNSHIP 21 NORTH, RANGE 03 EAST, W.M., CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.

PARCEL NO. 2033240070

based upon satisfaction of the following standards of TMC 13.07.040:

- A.** Has significant character, interest, or value as part of the development, heritage or cultural characteristics of the City, state, or nation, or is associated with the life of a person significant in the past.
- C.** Exemplifies the cultural, political, economic, social, or historic heritage of the community.
- E.** Embodies those distinguishing characteristics of an architectural type or engineering specimen.

4. DOROTHY APARTMENTS

more particularly described as: 301 Tacoma Avenue North, Tacoma, WA 98403

LOTS 10 THROUGH 12, BLOCK 3311, MAP OF NEW TACOMA, WASHINGTON TERRITORY, AS RECORDED FEBRUARY 3, 1875, RECORDS OF PIERCE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF THE ABUTTING ALLEY AS VACATED BY CITY OF TACOMA ORDINANCE NO. 1655.

SITUATE IN SECTION 33, TOWNSHIP 21, RANGE 03 EAST, QUARTER 13, W.M., CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.

PARCEL NO. 2033110031

based upon satisfaction of the following standards of TMC 13.07.040:

- A.** Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the City, state, or nation, or is associated with the life of a person significant in the past.
- C.** Exemplifies the cultural, political, economic, social, or historic heritage of the community.

Section 2. Controls. A Certificate of Approval must be obtained from the Landmarks Preservation Commission pursuant to TMC 13.07.090 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or changes to the exterior of the principle structures.

1. Park Universalist Church
Specifically, changes to the exterior of the existing building, but excluding the site.
2. Saint Luke's Memorial Episcopal Church
Specifically, changes to the exterior of the principal structure, but excluding the adjacent buildings and surrounding site.
3. Frisko Freeze
Specifically, changes to the exterior of the principal structure and "Frisko Freeze" sign, but excluding the site.
4. Dorothy Apartments
Specifically, changes to the exterior of the existing building, but excluding the site.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal Description Approved:

Assistant City Attorney

Chief Surveyor
Public Works Department

RESOLUTION NO. 37574

A RESOLUTION relating to economic development; approving the issuance of tax-exempt nonrecourse revenue bonds for the benefit of Belina Interiors, Inc., to finance the expansion of certain components of its business, pursuant to chapter 43.163 RCW.

WHEREAS, on June 27, 2008, the Washington Economic Development Finance Authority (“WEDFA”) approved Resolution No. W-2008-10, relating to the issuance of tax-exempt nonrecourse revenue bonds (“Bonds”), to be loaned to Belina Interiors, Inc. (“Belina”), and

WHEREAS it is the policy of WEDFA not to issue revenue bonds except upon approval of the county, city, or town in which the jurisdiction of the proposed industrial development facility lies, and

WHEREAS the owner of Belina wishes to purchase and make improvements to existing property located at 4520 and 4540 South Adams Street, and at 4713 South Washington Street in Tacoma for a woodworking and metalworking manufacturing facility for the fabrication of custom components for installation into yachts, and

WHEREAS this resolution would provide for the City’s approval of the issuance by WEDFA of tax-exempt nonrecourse revenue bonds for Belina, in an aggregate principal amount not to exceed \$1,540,000, and

WHEREAS the proceeds of the Bonds will be loaned to Belina, pursuant to a loan agreement with WEDFA, to be used for the purposes of paying all or part of the costs of the facilities, and

WHEREAS the Bonds will not constitute an obligation of the City, and no tax funds or revenues of the City will be used to pay the principal, premium (if any), or interest on the Bonds; Now, Therefore,

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

Section 1. That the proper officers of the City, pursuant to the request of the Washington Economic Development Finance Authority (“WEDFA”), do hereby approve the issuance of tax-exempt nonrecourse revenue bonds (“Bonds”) by WEDFA for the purposes provided in the Economic Development Finance Authority Act, chapter 43.163 RCW.

Section 2. That the Bonds shall be issued in the aggregate principal amount not to exceed \$1,540,000, pursuant to Resolution No. W-2008-10, approved by WEDFA. The proceeds of the Bonds are to be lent to the owner of Belina Interiors, Inc., pursuant to a loan agreement or other appropriate financing agreement, and used for the purpose of purchasing and making improvements to existing property located at 4520 and 4540 South Adams Street and at 4713 South Washington Street in Tacoma for a woodworking and metalworking manufacturing facility for fabrication of custom components for installation into yachts, including the necessary appurtenances located within the boundaries of the City, and to pay certain costs of issuance of the Bonds.

Section 3. That the Bonds shall not constitute an obligation of the state of Washington or of the City, and no tax funds or revenues of the state shall be used to pay the principal or interest on the Bonds.

Section 4. That the City hereby approves the issuance of the Bonds by WEDFA for the purpose of financing the facilities located at 4520 and 4540 South Adams Street, and at 4713 South Washington Street in Tacoma, a qualified project under chapter 43.163 RCW, as described herein; however, said approval shall not waive any of the permitting requirements applicable to the facilities.

Section 5. That this resolution is intended to constitute approval of the issuance of tax-exempt nonrecourse revenue bonds within the meaning of the policy of WEDFA.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

**SUBSTITUTE
RESOLUTION NO. 37575**

A RESOLUTION relating to revenue refunding bonds; authorizing the sale of Solid Waste Refunding Bonds 2008, in an amount not to exceed \$14,000,000, to Piper Jaffray & Co.

WHEREAS the City Council of the City of Tacoma, Washington (“City”), by Amended Ordinance No. 27736, passed August 5, 2008 (“Bond Ordinance”), authorized the issuance and sale of the City’s Solid Waste Utility Revenue Refunding Bonds, 2008, in the principal amount of not to exceed \$14,000,000 (the “Bonds”), and

WHEREAS the Bond Ordinance authorized the City’s Finance Director, in consultation with the City’s financial advisor, to determine a plan to refund a portion of the City’s Solid Waste Utility Revenue Refunding Bonds, 1997 Series B, and to negotiate the sale of the Bonds to accomplish such plan of financing, all subject to approval by resolution of the City Council, and

WHEREAS, pursuant to Section 22 of the Bond Ordinance, the issuance and delivery of the Bonds is conditioned upon the City’s realization of a net present value savings as a result of the issuance of the Bonds, and

WHEREAS the Finance Director, in consultation with the City’s financial advisor, has determined that a net present value savings will be realized by the issuance of the Bonds at this time, and

WHEREAS, pursuant to the Bond Ordinance, a preliminary official statement has been prepared for the sale of the Bonds, and

WHEREAS the Finance Director has negotiated the sale of the Bonds to Piper Jaffray & Co. (“Underwriter”) on the terms and conditions set forth in the Bond Ordinance, this resolution, and a purchase contract (“Bond Purchase Contract”), and

WHEREAS, in accordance with the Bond Ordinance, the City Council wishes to authorize and approve issuance of the Bonds, as set forth herein; Now, Therefore,

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

Section 1. Definitions. Except as otherwise defined herein, capitalized terms used in this resolution have the meanings set forth in the Bond Ordinance.

Section 2. Description of the Bonds.

A. Principal Amount and Interest Rates. The Bonds shall be designated as the “City of Tacoma, Washington Solid Waste Utility Revenue Refunding Bonds, 2008” and shall be in the aggregate principal amount of \$12,055,000. The Bonds shall be dated as of the date of their initial delivery and shall bear interest from their date until such interest has been paid or its payment duly provided for, payable each June 1 and December 1, commencing on December 1, 2008, at such rates and shall mature on December 1 in such years and amounts as are set forth below:

Years (December 1)	Amounts	Interest Rate
2013	\$ 2,150,000	5.75%
2014	2,270,000	5.75
2015	2,405,000	5.75
2016	2,545,000	5.75
2017	2,685,000	5.75

B. No Optional Redemption. The Bonds are not subject to optional redemption prior to their scheduled maturities.

Section 3. Acceptance of Offer. The Council hereby finds that the offer of the Underwriter to purchase the Bonds (the "Bond Purchase Contract") is fair and reasonable and it is in the best interest of the City that the Bonds shall be sold upon the terms and conditions set forth in the Bond Purchase Contract and upon the basis of the representations therein set forth. The Council further finds that all conditions precedent to or concurrent with the acceptance of the Bond Purchase Contract by the Council have been met. The Council hereby accepts the Bond Purchase Contract and authorizes the Finance Director to execute the Bond Purchase Contract and deliver it to the Underwriter. The Bonds shall be issued and delivered to the Underwriter upon payment of the purchase price specified in the Bond Purchase Contract.

Section 4. Approval of Official Statement. The Finance Director is authorized and directed to execute and deliver to the Underwriter copies of an official statement for the Bonds, in substantially the form of the Preliminary Official Statement dated August 12, 2008; provided, however, that the Finance Director is authorized to supplement or amend the Official Statement as he,

with the approval of bond counsel to the City, deems necessary or appropriate. The Council hereby ratifies the Finance Director’s determination that the Preliminary Official Statement was deemed final for purposes of Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (except for the omission of certain final pricing, rating and related information as permitted by such rule.)

Section 5. Refunding Plan. In accordance with Section 22 of the Bond Ordinance, the Finance Director has determined, in consultation with the City’s financial advisor, that proceeds of the Bonds shall be used to refund the following City’s Solid Waste Utility Revenue Refunding Bonds, 1997 Series B (the “Refunded Bonds”):

Refunded Bonds

Maturity (December 1)	Principal Amount	Interest Rate	Call Date	Redemption Price
2017*	\$13,030,000	5.50%	12/1/2008	100.5%

*Term Bond

As provided in the Bond Ordinance and in Section 6 of this resolution, a portion of the proceeds of the Bonds shall be deposited in the Refunding Account and used, together with other funds of the City, if necessary, to purchase certain “Government Obligations” as such obligations are defined in chapter 39.53 RCW, as now or hereafter amended (which obligations so purchased are herein called “Acquired Obligations”), bearing such interest and

maturing as to principal and interest in such amounts and on such dates that, together with any necessary beginning cash balance, will provide for the payment of:

(a) The interest on the Refunded Bonds to and including December 1, 2008; and

(b) The redemption price (100.5% of the principal amount), payable on December 1, 2008, of the Refunded Bonds.

Any beginning cash balance and the Acquired Obligations shall be irrevocably deposited with the Escrow Agent in an amount sufficient to defease the Refunded Bonds in accordance with this Section 5. Any amounts described above that are not provided for in full by such beginning cash balance and the purchase and deposit with the Escrow Agent of the Acquired Obligations described in this section shall be provided for by the irrevocable deposit of the necessary amount out of the proceeds of sale of the Bonds or any other money of the City legally available therefor. The proceeds of the Bonds remaining in the Refunding Account after acquisition of the Acquired Obligations and provision for the necessary beginning cash balance shall be utilized to pay expenses of the acquisition and safekeeping of the Acquired Obligations. The City may, from time to time, transfer, or cause to be transferred, from the Refunding Account any money not thereafter required for the purposes set forth in subparagraphs (a) - (b) above, subject to verification in writing by an independent certified public accountant that such transfer will not result in inadequate funds being available to make the required payments therefrom.

The City reserves the right to substitute other securities for the Acquired Obligations in the event it may do so, pursuant to Section 148 of the Code and applicable regulations thereunder, upon compliance with the conditions set forth in the Escrow Agreement.

The selection of The Bank of New York Mellon Trust Company, N.A. as Escrow Agent is hereby ratified and confirmed.

Section 6. Redemption of Refunded Bonds; Findings of Defeasance.

The City hereby irrevocably sets aside sufficient funds through the purchase of Acquired Obligations and an initial cash deposit to make the payments, as specified in subparagraphs (a) - (b) in Section 5.

The City hereby irrevocably defeases and calls for redemption on December 1, 2008, the Refunded Bonds in accordance with the provisions of Ordinance No. 26046 (the "Refunded Ordinance") authorizing the redemption and retirement of certain of the Refunded Bonds prior to their fixed maturities.

The defeasance and call for redemption of the Refunded Bonds shall be irrevocable after the final establishment of the escrow account and delivery of the Acquired Obligations and the requisite cash deposit, if any, to the Escrow Agent, except as provided herein relating to the substitution of securities. The Finance Director is authorized and requested to provide whatever assistance is necessary to accomplish such defeasance.

The Escrow Agent is hereby authorized and directed to notify the fiscal agency of the State of Washington to give notice of the redemption of the Refunded Bonds in accordance with the applicable provisions of the Refunded

Ordinance. The Finance Director is authorized and requested to provide whatever assistance is necessary to accomplish such redemption and the giving of notice therefor. The costs of publication of such notice shall be an expense of the City.

The Escrow Agent is hereby authorized and directed to pay to the fiscal agency of the State of Washington sums sufficient to make, when due, the payments specified in subparagraphs (a) - (b) in Section 5. All such sums shall be paid from the money and Acquired Obligations deposited with the Escrow Agent pursuant to this section, and the income therefrom and proceeds thereof. All such sums so paid shall be credited to the Refunding Account. All money and Acquired Obligations deposited with the Escrow Agent and any income therefrom shall be held, invested and applied in accordance with the provisions of the Bond Ordinance and with the laws of the State of Washington for the benefit of the City and the owners of the Refunded Bonds.

The City Council hereby finds and determines that the Acquired Obligations to be deposited with the Escrow Agent and the income therefrom, together with any necessary beginning cash balance, are sufficient to defease and redeem the above-referenced Refunded Bonds and will discharge and satisfy the obligations of the City with respect to the Refunded Bonds under the Refunded Ordinance and the pledge of the City therein. Immediately upon the delivery of such Acquired Obligations to the Escrow Agent and the deposit of any necessary beginning cash balance, the Refunded Bonds shall be deemed not to be outstanding under the Refunded Ordinance and shall cease to be

entitled to any lien, benefit, or security under the Refunded Ordinance except the right to receive payment from the Acquired Obligations and beginning cash balance so set aside and pledged.

Section 7. Reserve Account. The Reserve Account shall be funded with cash and available funds in the Reserve Account.

Section 8. Further Authority. The proper City officials, their agents, and representatives are hereby authorized and directed to do everything necessary for the prompt issuance and delivery of the Bonds and for the proper use and application of the proceeds of such sale.

Section 9. Severability. The covenants contained in this resolution shall constitute a contract between the City and the owners of each Bond. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the City shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bonds.

Section 10. Effective Date. This resolution shall be effective after its passage as provided by law.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form and legality:

K&L PRESTON GATES ELLIS LLP
Bond Counsel to the City of Tacoma

By _____

CERTIFICATE

I, the undersigned, Clerk of the City of Tacoma, Washington, DO
HEREBY CERTIFY:

1. That the attached Substitute Resolution No. 37575 ("Resolution") is a true and correct copy of a resolution of the City, as finally adopted at a meeting of the City Council of the City held on the 19th day of August, 2008, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the Council was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of
August, 2008.

City Clerk

RESOLUTION NO. 37576

A RESOLUTION authorizing the execution of Amendment No. 2 to the Agreement for Legal Services with the law firm of McGavick Graves, P.S., in the amount of \$50,000, for a cumulative total of \$77,500, to be budgeted from the General Fund, to provide continued legal representation on behalf of the City regarding the Prologis, Inc./Burlington Northern Santa Fe Railroad Company ("BNSF") property conveyance.

WHEREAS the City entered into a Legal Services Agreement with the law firm of McGavick Graves on May 1, 2008, in the amount of \$17,500, to provide legal representation on behalf of the City in the Prologis, Inc./BNSF property conveyance, and

WHEREAS the agreement was amended on May 28, 2008, in the amount of \$10,000, for a cumulative total of \$27,500, to meet the ongoing need for services, and

WHEREAS it is necessary to increase the total compensation of the agreement, in the amount of \$50,000, for a cumulative total of \$77,500, to expand the scope of services of the agreement to include preparation of the definitive agreements for this matter; 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 Amendment No. 2 to the Agreement for Legal Services with McGavick Graves, P.S., in the amount of \$50,000, for a cumulative total of \$77,500, to be budgeted from the General Fund, to provide continued legal representation on behalf of the City regarding the Prologis, Inc./Burlington Northern Santa Fe Railroad Company property conveyance, said document

to be substantially in the form of the proposed amendment on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

ORDINANCE NO. 27610

AN ORDINANCE vacating the remaining portion of South 62nd Street, west of the Burlington Northern Santa Fe Railroad Line, between the site address of 6037 and 6201 South Adams Street, and more fully described as follows:

The remaining portion of South 62nd Street lying next to and abutting Lot 8, Block 6, and Lot 1, Block 13, contained within the plat of COWAN'S ADDITION TO TACOMA, WASHINGTON, which was filed for record on August 2, 1890, in Volume 5, Page 57, records of Pierce County, Washington.

All land situate in the Southeast Quarter of Section 24, Township 20, Range 02 East, W.M.

Retaining and reserving therein an easement to the City of Tacoma over the southerly 20 feet of the proposed vacation area parallel with South 62nd Street for such facilities as poles, anchors, guy wires, overhead and underground power and data wires, power and data enclosures and vaults, power, data conduits, and transformers.

WHEREAS all steps and proceedings required by law and by resolution of the City Council to vacate the portion of the street hereinafter named have been duly taken and performed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1277, and dated April 3, 2007, which Report is on file in the office of the City Clerk.

Section 2. That the remaining portion of South 62nd Street, west of the Burlington Northern Santa Fe Railroad Line, between the site address of 6037 and 6201 South Adams Street, and more fully described as follows:

The remaining portion of South 62nd Street lying next to and abutting Lot 8, Block 6, and Lot 1, Block 13, contained within the plat of COWAN'S ADDITION TO TACOMA, WASHINGTON, which was filed for record on August 2, 1890, in Volume 5, Page 57, records of Pierce County, Washington.

All land situate in the Southeast Quarter of Section 24,
Township 20, Range 02 East, W.M.

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, respectively, as a part thereof, and all right or title of the City in and to the portion of the streets so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to statutes of the state of Washington, the following easement, to wit:

Retaining and reserving therein an easement to the City of Tacoma over the southerly 20 feet of the proposed vacation area parallel with South 62nd Street for such facilities as poles, anchors, guy wires, overhead and underground power and data wires, power and data enclosures and vaults, power, data conduits, and transformers.

Passed _____

Mayor

Attest:

City Clerk

Location: Remaining portion of South 62nd Street West of the
Burlington Northern Santa Fe Railroad Line
Petitioners: Mark Andrews
Vacation Request File No. 124.1277

Approved as to form:

Property description approved:

Assistant City Attorney

Acting Chief Surveyor
Public Works Department

ORDINANCE NO. 27737

AN ORDINANCE relating to community and economic development; establishing the roles, responsibilities, and procedures governing the Neighborhood Business District Program; and amending Title 1 of the Tacoma Municipal Code by adding a new Chapter 1.47 entitled "Neighborhood Business District Program."

WHEREAS the Neighborhood Business District Program ("Program") began in 1991 in response to community concern about decline in vitality of traditional neighborhood businesses in the City, and

WHEREAS the Program started with 6 districts and has now expanded to 14 districts, and

WHEREAS the Cross District Association was also created as a means of coordinating activities and sharing information among the districts, and

WHEREAS staff has recommended that this program be formalized by inclusion the Tacoma Municipal Code, and

WHEREAS the code language was reviewed with the Economic Development Committee on two occasions, and received a "do pass" motion on July 8, 2008; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Title 1 of the Tacoma Municipal Code is hereby amended by adding a new Chapter 1.47, as set forth in the attached Exhibit "A," as if fully set forth herein.

Section 2. The Neighborhood Business Districts in existence on the effective date of this ordinance shall continue to be recognized as Neighborhood Business Districts. The supporting organization (Neighborhood Business District

Association) associated with each district shall continue to be recognized as the supporting organization for that district until June 30, 2009, after which they are subject to review, as set forth in TMC 1.47.090.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Assistant City Attorney

EXHIBIT “A”

Chapter 1.47

NEIGHBORHOOD BUSINESS DISTRICT PROGRAM

1.47.010 Purpose.

The purpose of this chapter is to set forth the responsibilities and procedures relating to Neighborhood Business District Associations and the Cross District Association. This chapter establishes Neighborhood Business Districts and their supporting organizations (“Neighborhood Business District Associations”) and their relationship to the Cross District Association. This chapter assigns functions and responsibilities to the Neighborhood Business District Associations, the Cross District Association, and the City to support and promote the Neighborhood Business District Program.

1.47.020 Intent.

The intent of the City is to build and maintain healthy Neighborhood Business Districts in the City of Tacoma through partnership with the Cross District Association in the areas of organization, design, promotion, and economic restructuring. The program seeks to improve economic growth and redevelopment within Tacoma’s oldest neighborhood business areas—those which have traditionally supported surrounding residential neighborhoods—by assisting independent, local small businesses to organize into viable professional organizations, and by improving the physical attributes of the commercial core with place-making design elements.

The City accomplishes this through alignment with other City policies, including, but not limited to, the strategic plan and the comprehensive plan and by building the capacity of and coordinating with Neighborhood Business District Associations; by providing customer-oriented market research services to individual entrepreneurs and small businesses; by working with individual property and business owners on their development and marketing efforts; by improving the livability of surrounding neighborhoods; by fostering open communication and partnerships; and by creating mutual understanding among businesses, neighborhoods, and the City.

1.47.030 Creation and Recognition of Neighborhood Business Districts.

The City shall establish Neighborhood Business Districts and their supporting organizations (“Neighborhood Business District Associations”). It shall also establish one Cross District Association acting as a peer coalition of the independent Neighborhood Business District Associations.

In order for the City to approve establishment of a Neighborhood Business District, the area must meet the criteria laid out in sections 1.47.030.A. and 1.47.030.B.

A. Criteria for Neighborhood Business Districts.

Neighborhood Business Districts shall:

1. Be located within a designated Neighborhood Commercial Mixed-Use District within the City limits of Tacoma, as set forth in The Comprehensive Plan; OR
2. Meet all of the following criteria:
 - a. Be physically located within the City limits of Tacoma;
 - b. Contain at least the physical locations of greater than 20 independent, locally owned businesses licensed by the City of Tacoma, each of which is routinely open to the general public;
 - c. Contain at least five different commercial property ownership interests;
 - d. At least 75 percent of buildings within its boundaries must front on or be adjacent to the sidewalk;
 - e. Be properly zoned for commercial development with such zoning being contiguous;
 - f. Include at least one principle, minor or collector arterial street;
 - g. Have passenger rail, streetcar, or bus access to public transit services, or the prospect of such services in the future, as identified in an adopted City or Pierce Transit policy;
 - h. Be contiguous and compact—be an easily walkable area of not more than 3/8 mile in length, containing pedestrian-oriented amenities.

Neighborhood Business Districts shall not be created within designated Regional Growth Centers, as defined in Vision 2040 adopted by the Puget Sound Regional Council.

B. Standards for Recognition of a Neighborhood Business District Supporting Organization (“Neighborhood Business District Associations”).

There shall be one City-recognized organization at any one time in each Neighborhood Business District. In order to be recognized as a Neighborhood Business District Association, it must be organized as follows:

1. Be a not-for-profit organization registered with the state of Washington;
2. Be open to participation by all business owners, property owners, and entrepreneurs located within the Neighborhood Business District core area and include in its membership at least six businesses or commercial property owners within the Neighborhood Business District core area, as designated by the City;
3. Have a board of directors including at least five members elected by majority vote of the membership. Boards shall have an uneven number of members at least 18 years of age. A majority of the board members shall own commercial property or businesses within the Neighborhood Business District core area. In no case shall any person serve on more than one Neighborhood Business District board at any one time unless the person is a business or property owner within more than one district;
4. Have met regularly for a full calendar year;
5. Approve and maintain a set of bylaws, which includes a mission statement supportive of the Neighborhood Business District Program and the goals of the Cross District Association.

1.47.040 Cross District Association of Tacoma and City Relationship.

The Cross District Association is a peer coalition (“Board of Directors”) of all independent Neighborhood Business District Associations recognized by the City, which serves as a forum for issues of interest related to the Neighborhood Business District Program. Each Neighborhood Business District Association shall select two representatives to serve on the Cross District Association Board of Directors and one alternate.

The primary responsibilities of the Cross District Association Board of Directors include:

- A. Support and promote business and commercial property owner participation and neighborhood enhancement.
- B. Collaborate with all existing Neighborhood Business District Associations to promote, market and advertise the districts as destination shopping and commercial centers through regional and local media, including, but not limited to, tourism brochures, print advertising, and websites, with economic development as the primary goal.
- C. Promote and facilitate open communication between the City and Neighborhood Business District Associations and provide a stakeholder-based means of communication among individual Neighborhood Business District Associations and other business associations.
- D. Support and assist individual Neighborhood Business District Associations in performing their functions and responsibilities.
- E. Serve as an information source to Neighborhood Business District Associations.
- F. Provide to the City a unique communitywide business perspective and source of advice on the needs and aspirations of the Neighborhood Business District Program participants.
- G. Further relationships among the Cross District Association, the Neighborhood Business District Associations, the Neighborhood Councils, and the Community Council.
- H. Provide the City with analysis, assessment, and recommendations regarding applications for establishment of additional districts and for recognition of Neighborhood Business District Associations.
- I. Advise the City on priorities and policies regarding capital funding for improvements within Neighborhood Business District core areas.

1.47.050 Neighborhood Business District Program Services.

The City intends to regularly provide a liaison service to established and recognized Neighborhood Business Districts and their associations. Such services will focus on communication outreach, capacity-building and board development; promotional and marketing strategy assistance; assistance with prioritizing physical improvements; and identifying and providing resources to assist with the growth and diversification of its economic base.

Program Services Resource and Funding Allocation Guidelines

The City will give priority funding and resource consideration to Neighborhood Business Districts and their associations with the following characteristics:

1. Assessment by the City and the Cross District Association that determines that a Neighborhood Business District and its association is in need of, or otherwise qualified for, funding and resources; or
2. Formation of a Business Improvement Area in accordance with Chapter 35.87A RCW that includes the Neighborhood Business District core area; or

3. Availability of matching funds, pledges, or other investments have been acquired from the Neighborhood Business District Association or its member businesses and property owners through private fundraising efforts separate from City grants; or
4. Allocation or pledge of funds from the Neighborhood Council within which the Neighborhood Business District core area is located; AND
5. Current and complete record keeping and reporting requirements, as provided by state law or City contracts and is otherwise in good standing in terms of existing agreements with the City.

1.47.060 Capital Improvement Services.

From time to time the City may provide funding for capital improvements to create a sense of place, visually identify a Neighborhood Business District area; increase and improve public safety and walkability; and beautify the district.

Capital Improvement Funding Allocation Guidelines

The intent of the City is to leverage Neighborhood Business District Program funds; therefore, the City will give priority funding consideration to Neighborhood Business Districts and their associations with the following characteristics:

1. Existence of a Local Improvement District formed under TMC Chapters 10.04, 10.06, 10.08, and 10.09, that includes the Neighborhood Business District core area; or
2. Formation of a Business Improvement Area, in accordance with Chapter 35.87A RCW that includes the Neighborhood Business District core area; or
3. Availability of matching funds, pledges, or other investments from the Neighborhood Business District Association or its member businesses and property owners through private fundraising efforts separate from City grants; or
4. Allocation or pledge of funds from the Neighborhood Council within which the Neighborhood Business District core area is located; AND
5. Current and complete record keeping and reporting requirements, as provided by state law or City contracts and is otherwise in good standing in terms of existing agreements with the City.

1.47.070 Application Process.

An application to form a new Neighborhood Business District, or to be recognized as the supporting organization for a Neighborhood Business District, shall be submitted as follows:

- A. Make a formal written request for establishment to the Cross District Association, which will trigger the official application request.
- B. Be a fully recognized, paying member of the Cross District Association for at least one year (twelve months) and appoint two representatives (and one alternate) to sit on the Cross District Association Board of Directors.
- C. Application to create a new Neighborhood Business District and/or to be recognized as the supporting organization shall be submitted on forms provided by the Director of the Community and Economic Development Department.
- D. Applications that meet the criteria set forth in Section .030 shall be granted provisional approval.
- E. After being granted provisional approval, the applicant shall join the Cross District Association Board of Directors, and shall participate in the Association's mentoring and other programs for a period of one year (twelve months) after the date of provisional approval.

F. After the provisional period ends, and after receiving a recommendation from the Cross District Association Board of Directors, the Community and Economic Development Department Director or the Director's designee shall make a determination regarding whether to permanently recognize the area boundaries and/or the supporting organization, and shall inform the applicant in writing of the decision. The decision shall include an analysis of applicable criteria. If the decision is to not permanently recognize the area/organization, the Director shall set forth her or his reasons in writing.

1.47.080 Appeal Process.

A. Any person aggrieved by a decision to establish or not establish an area or to recognize or not recognize an organization may appeal the decision within 30 working days of the date of the decision to the City Manager or designee.

B. The appellant has the burden to prove by a preponderance of the evidence that the decision was not substantially supported by the record or that the decision maker clearly erred in the application of the criteria set forth in this chapter.

1.47.090 Revocation of Recognition of Supporting Organization.

A. The Department shall review each Neighborhood Business District and supporting organization at least once every two years. Additionally, any person may file a complaint with the Department that a Supporting Organization no longer meets the criteria set forth in TMC 1.47.030.

B. If the Department determines that the Neighborhood Business District and supporting organization no longer meets the criteria set forth in TMC 1.47.030, it shall notify the Neighborhood Business District and supporting organization in writing of the deficiencies and shall give the Neighborhood Business District and supporting organization 90 working days to correct any deficiencies.

C. If, after the specified period, the Neighborhood Business District and supporting organization has not come back into compliance, the Director's designee shall issue a letter revoking the City's recognition of the Neighborhood Business District and supporting organization.

D. The Neighborhood Business District and supporting organization may contest the issuance of a letter revoking its recognition by appealing to the City Manager or designee within ten working days of the date of the letter. The appellant has the burden to prove by a preponderance of the evidence that the decision was not substantially supported by the record or that the decision maker clearly erred in the application of the criteria set forth in this chapter

E. The City Manager or designee shall review the contesting letter and may hold a hearing. The City Manager or designee may affirm, modify, or reject the decision of the designee. The City Manager's or designee's decision shall be in writing and shall set forth the reasons for the decision.

ORDINANCE NO. 27738

AN ORDINANCE relating to the Compensation Plan; amending Section 1.12.355 of the Tacoma Municipal Code; and declaring the effective dates thereof to implement rates of pay and compensation for employees represented by the United Transportation Union, Switch Crew Unit, and unrepresented employees in the titles of Municipal Court Judge and Court Commissioner.

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, retroactive to July 1, 2008, to read as follows:

Code	Title	1	2	3	4
7105	Railway Switch Operator	20.43	21.61	24.01	26.44
7105A	Hired After 8/1/1992	47.38	48.54	20.85	23.17
7106	Railway Switch Supervisor	21.61	22.90	25.48	28.04
7106A	Hired After 8/1/1992	48.15	49.36	21.78	24.20

Code	Title	1	2	3	4
7105	Railway Switch Operator	<u>21.04</u>	<u>22.26</u>	<u>24.73</u>	<u>27.23</u>
7105A	Hired After 8/1/1992	<u>17.90</u>	<u>19.10</u>	<u>21.48</u>	<u>23.87</u>
7106	Railway Switch Supervisor	<u>22.26</u>	<u>23.59</u>	<u>26.24</u>	<u>28.88</u>
7106A	Hired After 8/1/1992	<u>18.70</u>	<u>19.94</u>	<u>22.44</u>	<u>24.93</u>

Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective September 1, 2008, to read as follows:

Code		Title	1
4313	A	Court Commissioner	58.08
4312	A	Municipal Court Judge	64.53

Code		Title	1
4313	A	Court Commissioner	<u>61.32</u>
4312	A	Municipal Court Judge	<u>68.13</u>

Section 3. That Section 1 of this ordinance shall become effective retroactive to July 1, 2008. That Section 2 of this ordinance shall become effective September 1, 2008.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

ORDINANCE NO. 27739

AN ORDINANCE relating to capital facilities; authorizing an interest-bearing interfund loan, in a principal amount not to exceed \$1,847,000, from the General Fund to the Parking Garage Capital Facilities Fund, and appropriating the sum of \$1,847,000 from the Parking Garage Capital Facilities Fund to provide financing for general contract changes and LEED enhancements to the South Park Plaza Garage Rehabilitation project.

WHEREAS, in May 2005, a Request for Proposals (“RFP”) was advertised for rehabilitation of the North and South Park Plaza garages, including a private development, which will provide an additional 67,000 square feet of new Class A office space, 36,000 square feet of high-end retail space, and 102 additional parking stalls, and

WHEREAS on April 3, 2007, the City Council adopted Resolution No. 37147, authorizing agreements for the public/private partnership between the City and Pacific Plaza Development, LLC (“Developer”), and,

WHEREAS the agreements contemplated the possibility of escalation costs due to extended schedule of property assembly, environmental cleanup, and the option to install a green roof, and

WHEREAS the Public Works Department also requested that the Developer incorporate additional improvements to enhance the parking operation, such as an energy-efficient lighting and control system, and

WHEREAS changes to the building code required the Developer to provide enhancements not in the original RFP and operational enhancements, and

WHEREAS additional funding is necessary for these changes; Now,
Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to execute an interest-bearing interfund loan, in a principal amount not to exceed \$1,847,000, from the General Fund to the Parking Garage Capital Facilities Fund, with the loan being paid no later than December 31, 2011.

Section 2. That the sum of \$1,847,000 is appropriated from the Parking Garage Capital Facilities Fund to provide financing for general contract changes and LEED enhancements to the South Park Plaza Garage Rehabilitation project.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Assistant City Attorney