



Legislation Passed August 26, 2008

The Tacoma City Council, at its regular City Council meeting of August 26, 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. 37577

Setting Thursday, September 25, 2008, at 9:00 a.m., as the date for a hearing by the Hearing Examiner for the reconstruction of 94 sidewalks at various locations throughout the City and assessing the properties directly abutting such sidewalks for costs associated with reconstruction; and declaring such reconstruction necessary for public safety.

Resolution No. 37578

Authorizing the execution of an interlocal agreement with the Town of Ruston for paving, streetlighting, and utilities improvements associated with the Point Ruston neighborhood development.

Purchase Resolution No. 37579

Awarding contracts to:

1. Rhodes Development, Inc., on its bid of \$850,851.65, including sales tax, budgeted from the Street Special Revenue Fund, for permanent roadway, sanitary sewer, storm sewer, water main, and Tacoma Power improvements associated with Local Improvement District Nos. 3966, 5727, 6979, 7725, and 8648 in the vicinity of South 69th Street between Durango and Madison Streets and Proctor Street between South 66th and South 69th Streets – Specification No. PW07-0867F;
2. Michels Corporation, on its bid of \$543,258.94, including sales tax, budgeted from the Wastewater Fund, for sanitary sewer rehabilitation in the vicinity of South 54th Street, Railroad Street, and Tacoma Mall Boulevard – Specification No. PW08-0297F; and
3. Northwest Cascade, Inc., in the amount of \$152,450.00, plus sales tax, budgeted from the Wastewater Fund, for the cleaning of all three anaerobic digesters at the Central Treatment Plant – Specification No. PW08-0507F.

Resolution No. 37580

Authorizing the execution of an amendment to the agreement with Seattle Northwest Securities Corporation to include financial advisory services for the Point Ruston Local Improvement District.

Resolution No. 37581

Authorizing the execution of an amendment to the agreement with VIA Architecture, in the amount of \$50,000, for a cumulative total of \$150,000, budgeted from the General Fund, to complete revised and additional planning work items associated with the downtown plan update to include the implementation of the International Financial Services Area and public outreach for the Tacoma Dome area.

Resolution No. 37582

Authorizing the execution of an agreement with Avencia Incorporated, in the amount of \$62,730, budgeted from the Police Special Revenue Fund, to provide software and support services necessary to implement the Crime Spike Detector project.

Resolution No. 37583

Authorizing the execution of an amendment to the agreement with SAP America, Inc., in the amount of \$168,128, budgeted from the General Fund, for a cumulative total of \$212,128, to provide consulting services for the finance modules of SAP.

Ordinance No. 27743

Authorizing the amendment of a Limited Tax General Obligation Line of Credit Note, in the amount of \$4,200,000, related to the financing of police facilities, by extending the final due date by five years to November 28, 2013.

RESOLUTION NO. 37577

A RESOLUTION relating to public sidewalks; declaring certain sidewalks unfit or unsafe such that reconstruction is necessary for public safety; authorizing the City to reconstruct sidewalks at 94 locations and assess the properties directly abutting such sidewalk improvements for all costs associated with the reconstruction; and setting a hearing before the City of Tacoma Hearing Examiner.

WHEREAS Chapter 35.69 of the Revised Code of Washington (“RCW”) and Chapter 10.18 of the Tacoma Municipal Code (“TMC”) provide the means by which property owners in the City are assigned the responsibility for constructing and reconstructing sidewalks abutting their properties, and

WHEREAS RCW 35.69.020 and TMC 10.18.020 authorize the City Council to require the abutting property owner to reconstruct a sidewalk that has become unfit or unsafe for purposes of public travel, and

WHEREAS the Public Works Department has identified 94 sidewalks in an unfit and unsafe condition, which sidewalks abut those properties specified in “Exhibit A,” attached hereto and by this reference incorporated as though fully set forth herein, and

WHEREAS the Public Works Department has notified the owners of the properties specified in “Exhibit A” of the unfit and unsafe condition of the sidewalks, which notification informed said owners of the availability of funds designated by the City to lessen the financial impact of sidewalk replacement cost, and also informed said property owners of a specific time within which such reconstruction must be made, and

WHEREAS, under TMC 10.18 and RCW 35.69, the City may proceed with sidewalk reconstruction should the owner of the property abutting a sidewalk which is in an unfit or unsafe condition decline to take corrective action after the City provides notice to the abutting property owners that such reconstruction must occur within the specified time, and

WHEREAS it is in the best interest of the City to abate all unfit or unsafe sidewalks identified in "Exhibit A"; Now, Therefore,

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

Section 1. That the improvement of sidewalks abutting properties specified in Exhibit "A," attached hereto and incorporated herein as though fully set forth, by construction or reconstruction thereof, is necessary for the public safety and convenience.

Section 2. That the Public Works Department of the City will send notices to all abutting property owners of the designated sidewalks, notifying the owners that the sidewalks must be reconstructed as directed and within a specified time.

Section 3. That, after that specified date in the above notice, the Public Works Department of the City is hereby authorized to initiate the unfit or unsafe sidewalk abatement procedure authorized under TMC 10.08 and RCW 35.69 for the properties specified in Exhibit "A."

Section 4. That a hearing on this resolution will be held before the Hearing Examiner on Thursday, September 25, 2008, at 9:00 a.m., in the City

Council Chambers, at which time all persons who appear for or against the improvements will be heard.

Section 5. That, based upon this hearing, the City Council will determine whether it will or will not proceed with the improvement and whether any changes will be made to the plan.

Section 6. That the Public Works Department of the City of Tacoma is hereby directed to cause notice to be given of said hearing as prescribed by law, under TMC 10.18 and RCW 35.69 within the City of Tacoma, Pierce County, Washington, as described in Exhibit "A."

Section 7. That, if the City Council determines that the best interests of the City will be served by proceeding with the abatement of unsafe or unfit sidewalks, it shall set an assessment roll hearing at a later date.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

EXHIBIT "A"

Assmt.	Parcel	Taxpayer Name	Site	Legal Description
No.	No.	Mailing Address	Address	
1	3535000100	RAFAEL A & BULINDA J LOPEZ 3595 A ST TACOMA WA 98418- 7903	3595 A ST	DORIS L 18 & 19 B 1
2	7605000100	CHARLES H STEWART 3596 A ST TACOMA WA 98418- 7902	3596 A ST	SHUTT R D ADD L 19 & 20 B 1
3	7470021480	LILIA R SIBAYAN- RATHBURN 3606 A ST TACOMA WA 98418- 7904	3606 A ST	1ST SCHOOL LD ADD B 71 BEG 60 FT S NE COR W 120 FT S 50 FT E 120 FT N 50 FT TO BEG NW 16 20 03
4	7470021560	G JOHN & LAULIE L BROOKS 3624 A ST TACOMA WA 98418- 7904	3624 A ST	1ST SCHOOL LD ADD B 71 N 50 FT OF S 257.68 FT OF E 120 FT NW 16 20 3
5	5245000240	DENNIS J FISHER 3827 A ST TACOMA WA 98418- 7816	3827 A ST	LIBERTY L 13 & 14 B 2
6	7470021903	JON K & SUSAN C GROTE 3844 A ST TACOMA WA 98418- 7815	3844 A ST	1ST SCHOOL LD ADD SW OF NW 16-20- 03E N 75 FT OF S 150 FT OF E 134.725 FT BLK 73 COMB OF 190- 1 & 190-2 APPROX 10,104 SQ FT SEG Z-0299 BL RJ

7	7470020660	CARL W & MARY F ANDERSON 4035 A ST TACOMA WA 98418- 7818	4035 A ST	1ST SCHOOL LD ADD B 66 N 37 1/2 FT OF S 410.54 FT OF W 154.76 FT SE 16 20 3 ITEM 21
8	4715016570	PETERU & RITA P MAEFAU 5656 S PARK AVE TACOMA WA 98408	2220 E 34TH ST	INDIAN ADD L 10 & 11 B 8458
9	2085160040	LEE K & DENA M JADERLUND 118 E 35TH ST TACOMA WA 98404- 1505	118 E 35TH ST	TACOMA LD COS 1ST L 9 & 10 B 8516
10	2085250030	TOMAS M GARCIA 615 E 35TH ST TACOMA WA 98404- 2123	615 E 35TH ST	TACOMA LAND COS 1ST L 8 & W 2 1/2 FT OF 9 B 8525
11	7470020890	JOSEPH E & LISA A HUNT 106 E 43RD ST TACOMA WA 98404- 1412	106 E 43RD ST	1ST SCHOOL LD ADD B 67 N 132.197 FT OF W 165.526 FT SE 16 20 3 ITEM 12
12	7470015430	ROBERT T III & JENNIFER D JAMISON 207 E 43RD ST TACOMA WA 98404- 1414	207 E 43RD ST	1ST SCHOOL LD ADD B 58 E 72.123 FT OF S 100 FT OF THE W 152.123 FT LESS ALLEY SE 16 20 3 ITEM 33
13	7470020861	ROGER A & LINDA A CARLSON 109 E 45TH ST TACOMA WA 98404- 1426	109 E 45TH ST	1ST SCHOOL LD ADD B 67 E 47.5 FT OF W 125 FT OF S 132.19 FT SE 16 20 03 ITEM 9 SEG G 0755
14	0320338005	TASI & AKENESE SUE 9212 E B ST TACOMA WA 98445- 2130	9212 E B ST	33-20- 03E&8/005 LOT 1 OF SH PLAT 78-82 AKA SH PLAT 77-806 OUT OF 4-114 SEG L-0373 TP JW (DCWJEMS5- 24-82)

15	7470015580	RICHARD J STEIN & CHERYL E DEGROOT 4532 E C ST TACOMA WA 98404	4532 E C ST	1ST SCHOOL LD ADD B 60 BEG 125 FT N OF SE COR W 151 FT N 50 FT E 151 FT TH S 50 FT TO BEG SE 16 20 3 ITEM 17
16	7470014490	GERALD R & SANDRA M LADSON 4535 E C ST TACOMA WA 98404- 1446	4535 E C ST	1ST SCHOOL LD ADD B 53 N 50 FT OF S 100 FT OF W 142.12 FT SE 16 20 3 ITEM 7
17	9515000310	SUSAN K TOFFLEMIRE PO BOX 27 TACOMA WA 98401- 0027	5802 E I ST	WHITE & OUIMETTES N 1/2 OF L 13 THRU 16 EXC W 3 FT OF L 13 B 5
18	5670200241	GARY T & SANDRA L BERNSTEN 1805 W STEWART PUYALLUP WA 98371-5143	3805 E J ST	MCKINLEY PARK 2ND ADD L 3 & 4 B 43 ALSO L 3 & 4 B 30 MCKINLEY PARK ADDT NW 15-20-03E OUT OF 567000-307-0 & 567020-024- 0 SEG L- 0199DL JW DC5654LK2/19/ 92BO
19	7470100010	WILLIAM J & CHRISTINE STAPISH 4018 MCKINLEY AV TACOMA WA 98404- 2942	4018 MCKINLEY AV	1ST SCHOOL LANDS REPLT BLK 5 L 9 & 10
20	3620000030	EUGENIA A BANNON- BERG 4610 MCKINLEY AV TACOMA WA 98408	4610 MCKINLEY AV	EDGARS L 5 THRU 7 B 1
21	2087210060	JENNIFER J SUNDHEIM 423 E MORTON ST TACOMA WA 98404- 1548	423 E MORTON ST	TACOMA LD COS 1ST L 11 & 12 B 8721
22	4715017240	C E GLASS 3502 E T ST TACOMA WA 98404	3502 E T ST	INDIAN ADD L 27 & 28 B 8550

23	2083210030	YOUNG H CHOE 411 E WRIGHT AVE TACOMA WA 98404-1640	411 E WRIGHT AV	TACOMA LD COS 1ST E 1/2 OF L 5, L 6 B 8321
24	2086130010	WILLIAM B & HELEN L DICKSON 3711 N 37TH ST TACOMA WA 98407-6115	3500 PACIFIC AV	TACOMA LD COS 1ST L 1 THRU 3 B 8613
25	2032190060	NORTH 2ND STREET PROPERTIES LLC 917 N 2ND ST UNIT D TACOMA WA 98403-3909	917 N 2ND ST	NEW TACOMA N 70 FT OF E 60 FT OF L 10 THRU 12 B 3219 INC ALLEY VAC
26	4415000010	TWYLA WENTWORTH 2402 N 8TH ST TACOMA WA 98406-7706	2402 N 8TH ST	HAWKINS E 40 FT OF L 1 THRU 3 B 1 ITEM 1
27	2040210080	MARK S & SUSAN L MILLER 1017 N 10TH ST TACOMA WA 98403-1815	1017 N 10TH ST	NEW TACOMA N 40 FT OF SLY 80 FT OF L 10 THRU 12 B 4021 ITEM 3
28	7475035400	DANIEL C & KATHLEEN L MILLER 4801 N 10TH ST TACOMA WA 98406-3101	4801 N 10TH ST	2ND SCHOOL LD ADD B 213 E 50 FT OF S 120 FT SW 36 21 2 ITEM 3
29	7475022680	ELISE L WOOD 4402 N 19TH ST TACOMA WA 98406-3814	4402 N 19TH ST	2ND SCHOOL LD ADD B 111 E 50 FT OF N 1/2 NW 36 21 2 ITEM 4
30	7475016400	MANUEL & EDITH POSADAS 4001 N 22ND ST TACOMA WA 98406-4802	4001 N 22ND ST	2ND SCHOOL LD ADD B 70 S 120 FT OF E 123.96 FT NE 36 21 2 ITEM 10
31	8945002400	MARK K & AGNES G JENSEN 3110 N 31ST ST TACOMA WA 98407-6411	3110 N 31ST ST	TACOMA SUPPLEMENT ARY MAP OF L 3 B 66
32	6705001510	JEREMY MORRIS & KATHERINE L TAYLOR 4009 N 34TH ST TACOMA WA 98407-5510	4009 N 34TH ST	PARK & BOULEVARD L 5 & 6 B 502 SUBJ TO EASE

33	5205000720	JUDITH L FREDERICK 3519 N ADAMS ST TACOMA WA 98407-6124	3519 N ADAMS ST	LAWS L 6 B 8
34	2036310020	STREET M FLETCHER & C I ALBERTS 623 N AINSWORTH AVE TACOMA WA 98403-1121	623 N AINSWORTH H AV	NEW TACOMA SLY 80 FT OF WLY 55 FT OF L 1 THRU 3 B 3631
35	2745004400	LEAH STOCKTON 1115 N ANDERSON ST TACOMA WA 98406-6815	1115 N ANDERSON ST	BUCKLEYS ADD TO TACOMA L 23 & S 1/2 OF 24 B 30
36	7475021230	MATTHEW D & STACY J RODY 1917 N CHEYENNE ST TACOMA WA 98406-3927	1917 N CHEYENNE ST	2ND SCHOOL LD ADD B 95 N 65 FT OF W 120 FT NW 36 21 2 ITEM 8
37	2035100030	CHARLES W & LISA R CLARK 512 N E ST TACOMA WA 98403-2735	512 N E ST	NEW TACOMA L 7 & 8 B 3510 INC PART ALLEY VAC
38	2037210040	SHANNA RIFE-HANFT 719 N K ST TACOMA WA 98403-1718	719 N K ST	NEW TACOMA S 1/2 OF L 3 & 4 B 3721
39	2036240050	JEANNE E RIGG 608 N L ST TACOMA WA 98403-1723	608 N L ST	NEW TACOMA L 9 & 10 B 3624 INC PART ALLEY VAC
40	7475031210	MARLYS M DANIEL 1314 N PROCTOR ST TACOMA WA 98406-5118	1314 N PROCTOR ST	2ND SCHOOL LD ADD B 176 S 60 FT OF E 80 FT OF N 120 FT SE 36 21 2 ITEM 10
41	2745001830	RICHARDO ARREDONDO 1224 N PROSPECT ST TACOMA WA 98406-8004	1224 N PROSPECT ST	BUCKLEYS ADD TO TACOMA L 5 & N 9 FT OF 6 B 13
42	9490300040	FREDERICK A MORLEY JR 2101 N SHIRLEY ST TACOMA WA 98406-2917	2101 N SHIRLEY ST	WESTGATE 3RD ADD L 4 B 1

43	6280000020	THOMAS L BIRD 2601 N SHIRLEY ST TACOMA WA 98407-3323	2601 N SHIRLEY ST	NELSONS 1ST S 52 FT OF L 1 B 1
44	7280000480	MELINDA D YORK 625 N STEELE ST TACOMA WA 98406-7711	625 N STEELE ST	ROSS ADD S 1/2 OF L 10, L 11 B 4
45	5205000070	JEFFREY J & CHRISTINE L PICKERING 3511 N WASHINGTON ST TACOMA WA 98407-6146	3511 N WASHINGTON ST	LAWS L 8 B 1
46	2038160010	THOMAS J SKRINAR 824 N YAKIMA AVE TACOMA WA 98403-2422	824 N YAKIMA AV	NEW TACOMA NLY 95 FT OF L 1 & 2 B 3816
47	4130001540	CHRISTOPHER MACK JR 3814 S 8TH ST TACOMA WA 98405-2112	3814 S 8TH ST	GLENDALE ADD L 7 & 8 B 16
48	0320064080	MELISSA LOVEJOY 2318 S 12TH ST TACOMA WA 98405-3028	2318 S 12TH ST	BEG 33 FT S & 95 FT E OF NW COR NE OF SE TH S 119.3 FT E 50 FT N 119.5 FT TO S LI S 12TH ST TH W 50 FT TO BEG
49	2080090040	SHAUN M BERRY & KARI S KENDALL- BERRY 309 S 30TH ST TACOMA WA 98402-2708	309 S 30TH ST	TACOMA LD COS 1ST L 7 & 8 B 8009
50	2080080030	SHAWN J & CHERYL L MANLEY 12404 130TH AVENUE CT E PUYALLUP WA 98374-4403	412 S 30TH ST	TACOMA LD COS 1ST L 7 & 8 B 8008 EXC 139 SQ FT M/L TAKEN FOR STATE HWY INCL POR VAC ALLEY ABUTT
51	8935014570	JOYCE M ANGELINE 502 E 32ND ST TACOMA WA 98404-1612	1712 TO 1716 S 36TH ST	TAC LAND CO 6TH L 1 & 2 B 8639

52	8935016280	BARRY & DEBBIE BECK 1402 S 37TH ST TACOMA WA 98418- 3937	1402 S 37TH ST	TAC LAND CO 6TH E 95 FT OF L 1, L 2 B 8730 EXC ALLEY DC 11/5/98 MA
53	7470021920	CHRISTOPHER C MUECKE 111 S 40TH ST TACOMA WA 98418- 7810	111 S 40TH ST	1ST SCHOOL LD ADD B 73 W 50 FT OF THE E 150 FT OF W 430 FT OF S 200 FT NW 16 20 3
54	6440000940	JOHN M OLSON 1526 S 41ST ST TACOMA WA 98418- 2514	1526 S 41ST ST	OAKES ADD L 13 & E 1/2 OF 14 B 14 LESS S 10 FT ST
55	6440000530	RUSSELL W & E CLARK 7643 S OAKES ST TACOMA WA 98409- 9014	1721 S 41ST ST	OAKES ADD L 9 THRU 11 B 9
56	8935023940	MICHAEL S DEROUEN 859 S 43RD ST TACOMA WA 98418- 4964	859 S 43RD ST	TAC LAND CO 6TH W 55 FT OF S 1/2 OF L 18 & W 55 FT OF 19 & 20 B 9120
57	7470024740	JOEL J & JENNIE K WIPPICH 215 S 46TH ST TACOMA WA 98418- 7719	215 S 46TH ST	1ST SCHOOL LD ADD B 84 E 40 FT OF W 188 FT OF S 110 FT SW 16 20 3 ITEM 16
58	6440005089	DINAH S SACAY & LEONISITA M ANDALES 1775 S 47TH ST TACOMA WA 98408- 1537	1775 S 47TH ST	OAKES ADD L 12 THRU 14 B 8
59	5115001460	GLEN BRUSER TTEE 1719 GLEN UNA AVE SAN JOSE CA 95125- 2529	715 S 51ST ST	LAKESIDE L 9 & 10 B 18
60	5620000630	RONALD C & COLLEEN NORDLUND 240 S 52ND ST TACOMA WA 98408- 6505	240 S 52ND ST	MCCLOSKEY W 12.5 FT OF L 15, L 16 B 12
61	5115001840	LEON F HORYST SR 3105 S 47TH ST APT 50	511 S 52ND ST	LAKESIDE L 10 & W 1/2 OF 11 B 23

		TACOMA WA 98409-5537		
62	6690001100	SHANNON M & KRISTINE M MATTHEWS 528 S 59TH ST TACOMA WA 98408-6441	528 S 59TH ST	PARK AVENUE L 3 & 4 B 19
63	2415000290	TERRY R & KIMBERLY A WILMER 4016 S BELL ST TACOMA WA 98418-7819	4016 S BELL ST	BELL-MEDER S 6 FT OF L 6, L 7 & 8 B 3
64	7470022290	MURPH K MINER 4314 S BELL ST TACOMA WA 98418-7728	4314 S BELL ST	1ST SCHOOL LD ADD B 75 S 40 FT OF N 170 FT OF W 115 FT OF E 441.72 FT SW 16 20 3 ITEM 24
65	9485001050	GABRIELLE & DUSTIN WILSON 5631 S BIRMINGHAM ST TACOMA WA 98409-5307	5631 S BIRMINGHAM ST	WESTBROOK S ADD L 16 & 17 B 10
66	9210000580 & 6550000020	AJJB PROPERTIES LLC 610 N 1ST ST TACOMA WA 98403-2250	1015 CENTER ST	ORCHARDS ADD L 13 LY S OF RELOC 28TH ST, ALL OF L 14 THRU 16 & L 17 THRU 20 LESS S 20 FT COND FOR CENTER ST B 1 ALSO L 13 LY S OF RELOC 28TH ST, ALL OF L 14 THRU 16 & L 17 THRU 20 LESS S 20 FT COND FOR CENTER ST B 2 TOG/W VAC BOUNDARY ST & VAC K ST ABUTT E 6332

67	8935011360	TONYA M VIRAMONTES & GONZALO BIRAMONTES 3508 S CUSHMAN AV TACOMA WA 98418- 2631	3508 S CUSHMAN AV	TAC LAND CO 6TH L 3 THRU 5 B 8532
68	4645252021	MARSE & BETH MCNAUGHTON PO BOX 99867 LAKEWOOD WA 98496-0867	5220 S CUSHMAN AVE	HOSMERS 2ND AMDY L 1, 2 & S 5 FT L 3 B 35 TOG/W S 58 FT L 6 B 35 SE OF NW 20- 20-03E APPROX 7250 SQ FT COMB 202-0 & 204-0 SEG W-1171 HW ES
69	7470025800	JON B & KENDA L BEAHM 12045 4TH AVE NW SEATTLE WA 98177- 4518	3840 S D ST	1ST SCHOOL LD ADD B 89 N 50 FT OF S 236.6 FT OF E 140.123 FT NW 16 20 3 ITEM 20
70	2006330040	KEVIN S BURCHATZ 611 S GRANT AV TACOMA WA 98405- 3354	611 S GRANT AV	AINSWORTH ADD TO TACOMA W T L 6 & N 1/2 7 B 633 SUBJ TO CITY LIGHT EASE
71	2021170060	THOMAS L & LOIS I WESTBROOK TTEE PO BOX 805 SPANAWAY WA 98387-0805	2115 S I ST	BARLOWS ADD L 6 NLY 17 FT OF 7 B 2117
72	7785004460	DANIEL J & VALERIE A GAPSCH 5208 S I ST TACOMA WA 98408- 3638	5208 S I ST	SOUTHSIDE ADD TO TACOMA S 1/2 OF L 3, L 4 & 5 B 4722
73	8935024300	DANIELLE ARVISO & BARBARA BROWN 4102 S K ST TACOMA WA 98418- 3828	4102 S K ST	TAC LAND CO 6TH E 70 FT OF L 1 & 2 B 9124
74	8935024400	PATRICIA L KNAPP PO BOX 12067 TACOMA WA 98412- 0067	4136 S K ST	TAC LAND CO 6TH L 18 & N 1/2 OF 19 B 9124

75	8935025870	MICHELLE M SHADDAY 4319 S K ST TACOMA WA 98418- 3704	4319 S K ST	TAC LAND CO 6TH S 1/2 OF L 9, L 10 B 9223
76	7685006420	LLOYD G & EVANGELINA WILLIAMS 2541 S L ST TACOMA WA 98405- 3420	2541 S L ST	SMITH & FIFE ADD L 19 & 20 B 51
77	8935023100	DONALD E RITTER 4001 S L ST TACOMA WA 98418- 3831	4001 S L ST	TAC LAND CO 6TH N 60 FT OF W 1/2 OF L 9 & N 60 FT OF 10 & 11 B 9024
78	8935024510	MICHAELA C ST PIERRE 4129 S L ST TACOMA WA 98418- 3833	4129 S L ST	TAC LAND CO 6TH L 15 & 16 B 9125
79	8935016060	THERON N & PATRICIA J TISON 3702 S M ST TACOMA WA 98418	3702 S M ST	TAC LAND CO 6TH L 1 & 2 B 8728
80	8935026330	KARL & VIRGINIA PETERSON 4329 S M ST TACOMA WA 98418- 3708	4329 S M ST	TAC LAND CO 6TH L 15 & 16 B 9227
81	7785006770	JONG C & KAN N KIM 5403 S M ST TACOMA WA 98445	5403 S M ST	SOUTHSIDE ADD TO TACOMA L 1 THRU 3 B 4829
82	4530200180	JEANNE C BOUTON 6444 S M ST TACOMA WA 98408- 3201	6444 S M ST	HOKOLD 2ND S 13 FT OF L 15 & N 62 FT OF 16 B 1
83	7470034820	RYAN & AMY WOOD 4065 S PARK AV TACOMA WA 98418- 4916	4065 S PARK AV	1ST SCHOOL LD ADD B 114 W 65.689 FT OF S 36 FT INC 10 FT ST VAC SW 16 20 3 ITEM 39 TOG/W VAC SOUTH PARK ST PER ORD #3599 (DC4800RJ3- 30-87)

84	4650000020	PETERU & RITA P MAEFU 5656 S PARK AV TACOMA WA 98408- 5634	5656 S PARK AV	HOUTZ S 5 FT OF L 2, L 3 & 4 B 1
85	7470033240	BRIAN & MICHAEL MACKLEY 4334 TACOMA AV S TACOMA WA 98418- 6645	4334 TACOMA AV S	1ST SCHOOL LD ADD B 107 BEG 75 FT N SE COR N 50 FT W 142 FT S 50 FT E 142 FT TO BEG SW 16 20 3 ITEM 7
86	3595000270	HEATHER J & JOSEPH J JOYCE 5610 S THOMPSON AV TACOMA WA 98408- 5650	5610 S THOMPSON AV	EASTERDAYS SOUTHSIDE L 4 & 5 B 5
87	0220048003	PHILLIP & JACQUELINE MURRAY 1619 TITLOW ROAD TACOMA WA 98465- 1023	1619 TITLOW ROAD	LOT 1 OF SH PLAT 77-298 TOG/W EASE OUT OF 4-282 SEG K-2380 TP JW (DCJEAEMS3- 15-82)
88	2082270010	DONALD J & LISA M HANSON 702 UPPER PARK ST TACOMA WA 98404- 1650	702 UPPER PARK ST	TACOMA LD COS 1ST L 1 THRU 3 B 8227 EXC THAT POR DED FOR UPPER PARK AVE BY AFN 144060 & 144062 DC10/31/05LW
89	8935015050	JOHN W MUNN 5210 S STATE ST TACOMA WA 98409- 7058	3714 S YAKIMA AV	TAC LAND CO 6TH L 6 THRU 8 B 8718
90	8935014960	CARMEN Y MAXWELL 3727 S YAKIMA AV TACOMA WA 98418- 5002	3727 S YAKIMA AV	TAC LAND CO 6TH L 13 & 14 B 8717 EASE TO CY OF TAC
91	8935015090	LEROY D & JOY H JONES PO BOX 206 SILVANA WA 98287- 0206	3728 S YAKIMA AV	TAC LAND CO 6TH S 1/2 OF L 13, L 14 & N 5 FT OF 15 B 8718

92	7785000180	KATHERINE AYERS 4823 S YAKIMA AV TACOMA WA 98408-5725	4823 S YAKIMA AV	SOUTHSIDE ADD TO TACOMA L 11 & 12 B 4517
93	2185000020	ULISES L OLIVAR & JENNY L TREJO 6138 S YAKIMA AV TACOMA WA 98408-4611	6138 S YAKIMA AV	ALTO PLAT L 7 B 2 ALSO 25 FT STRIP ADJ ON N SUBJ TO EASE
94	0320294019	YANG HO HAM & YOUNG SOON 7215 INTERLAAKEN DR SW LAKEWOOD WA 98499-1806	7615 S YAKIMA AV	BEG 132 FT S & 170 FT W OF NE COR SE OF SE TH S 75 FT W 150 FT TO E LI YAK AVE TH N 75 FT E 150 FT TO BEG EXC W 1 FT CYD CY OF TAC AFN 2345932 DC021398MD

RESOLUTION NO. 37578

A RESOLUTION relating to infrastructure improvements; authorizing the execution of an interlocal agreement with the Town of Ruston for paving, streetlighting, and utilities improvements related to the Point Ruston neighborhood development.

WHEREAS the former Asarco smelter site, located near Commencement Bay and Ruston Way and located in both the City of Tacoma ("City") and the Town of Ruston ("Ruston"), is being redeveloped as an urban neighborhood that crosses the municipal boundary between the City and Ruston and known as Point Ruston, and

WHEREAS the City and Ruston agree that the planning, financing, and construction for the Point Ruston project should be undertaken on a cooperative basis, and

WHEREAS RCW 35.51.020 authorizes municipalities to contract with each other to conduct joint public improvement projects and to pay for those improvements from assessments from local improvement districts ("L.I.D."), and

WHEREAS, on March 17, 2008, Ruston adopted Resolution No. 412, stating its intent to enter into an interlocal agreement with the City to undertake this joint project, and

WHEREAS, on April 1, 2008, the City Council adopted Resolution No. 37441, declaring the City's intent to enter into an interlocal agreement with Ruston for the administration of an L.I.D. for street, lighting, and utility improvements, in connection with the Point Ruston neighborhood development, and

WHEREAS this agreement is intended to be the first of several agreements between the City and Ruston needed to conduct the joint public improvements related to the Point Ruston neighborhood development; 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 interlocal agreement with the Town of Ruston for paving, streetlighting, and utilities improvements related to the Point Ruston neighborhood development, said document to be substantially in the form of the proposed interlocal agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



RESOLUTION NO. 37579

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

() 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:



Assistant City Attorney



City of Tacoma
Public Works Department

EXHIBIT "A"
RESOLUTION NO.: 37579
ITEM NO.: 1
MEETING DATE: AUGUST 26, 2008

DATE: August 11, 2008
TO: Board of Contracts and Awards
SUBJECT: LID 8648, LID 3966, LID 5727, LID 7725, and LID 6979
Budgeted from PW Street Special Revenue Fund 1060
Specification No. PW07-0867F

RECOMMENDATION: Public Works Engineering Division recommends a contract in the amount of \$850,851.65, including sales tax, be awarded to **Rhodes Development, Inc. Tacoma, WA**, for permanent roadway, sanitary sewer, storm sewer, water main, and Tacoma Power improvements.

EXPLANATION: LID 8648, LID 3966, LID 5727, LID 7725, and LID 6979 – Roadway Improvements consists of roadway excavation, grading, asphalt removal and paving, the installation of concrete curbs and gutters, concrete driveway entrances, sidewalks, storm and sanitary sewer improvements, water improvements, and Tacoma Power improvements.

COMPETITIVE BIDDING: Specification No. PW07-0867F was opened July 29, 2008. Nine companies were invited to bid in addition to normal advertising of the project. The Historically Under-Utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for bid ranking purposes. Rhodes Development Inc. submitted a bid that resulted in the lowest evaluated bid after consideration of HUB participation goals.

Bidder	Location	Total Bid Incl. Sales Tax	Evaluated Bid
Rhodes Development, Inc.	Tacoma, WA	\$ 850,851.65	\$ 728,503.51
Site Development, Inc.	Lakewood, WA	\$ 910,048.46	\$ 807,605.52
Northwest Cascade, Inc.	Tacoma, WA	\$ 931,767.90	\$ 809,532.51
Stan Palmer Construction, Inc.	Port Orchard, WA	\$ 936,445.17	\$ 819,267.57
S&W Utility Contractors, Inc.	Lakewood, WA	\$ 947,415.34	\$ 825,028.31
Gary Merlino Construction Company, Inc.	Seattle, WA	\$ 981,891.88	\$ 862,344.71
Wm. Dickson Co.	Tacoma, WA	\$ 1,076,887.14	\$ 950,338.45
Looker & Associates, Inc.	Puyallup, WA	\$ 1,285,519.53	\$ 1,154,135.50
Construct Company LLC	Sumner, WA	\$ 1,394,818.62	\$ 1,278,085.97

Pre-bid Estimate \$ 994,984.28

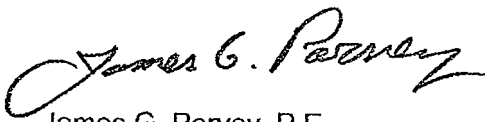
The recommended award is 14.5 percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the PW Street Special Revenue Fund 1060.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-Utilized Business (HUB) Regulation requirements per memorandum dated August 01, 2008. The HUB goal for this project is 22 percent, and the level of HUB participation for Rhode Development Inc. is 22 percent. The recommended contractor submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 525 hours.

PROJECT ENGINEER/COORDINATOR: Jason Turner, Engineering Division, 591-5028.



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

cc: Michael Hale, Construction
Charles Blankenship, Purchasing Analyst
Percy Jones/Peter Guzman, HALO
Intern, PWD



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 37579

ITEM NO.: 2

MEETING DATE: AUGUST 26, 2008

DATE: August 4, 2008

TO: Board of Contracts and Awards

SUBJECT: Sanitary Sewer Cured-in-Place Pipe Rehabilitation
Budgeted from PW Wastewater Fund 4300
Specification No. PW08-0297F

RECOMMENDATION: Public Works - Environmental Services/Science and Engineering Division recommends that a contract in the amount of \$543,258.94, including sales tax and force account, be awarded to low bidder **Michels Corporation, Salem, Oregon**, for sanitary sewer rehabilitation in the vicinity of South 54th and Railroad Streets and Tacoma Mall Boulevard.

EXPLANATION: This project will include rehabilitating approximately 1,181 linear feet of 18-inch diameter sanitary sewer using cured-in-place pipe. This project is generally located in the vicinity of South 54th and Railroad Streets and Tacoma Mall Boulevard.

COMPETITIVE BIDDING: Specification No. PW08-0297F was opened July 29, 2008. Three (3) firms were invited to bid in addition to normal advertising of the project. Two (2) bid submittals were received. The Historically Under-utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for bid ranking purposes. Michels Corporation submitted a bid that resulted in the lowest evaluated bid after consideration of HUB participation goals.

Bidder	Location	Total Bid <i>Includes Sales Tax and Force Account</i>	Evaluated Bid
Michels Corporation	Salem, Oregon	\$ 543,258.94	\$ 428,794.85
Insituform Technologies, Inc.	Chesterfield, MO	\$ 685,339.78	\$ 559,383.85
	Pre-bid Estimate	\$ 437,739.05	

The recommended award is 24 percent above the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the PW Wastewater Fund 4300.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-utilized Business (HUB) Regulation requirements per memorandum dated August 1, 2008. The HUB goal for this project is 10 percent and the level of HUB participation for Michels

Board of Contracts and Awards
August 4, 2008
Page 2

Corporation is 19.83 percent. The recommended contractor submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 100 hours.

PROJECT ENGINEER/COORDINATOR: Kari Prussen, P.E., Science & Engineering Division, 502-2183.



Dan C. Thompson, Ph.D
Interim Asst. P.W. Director/Environmental Services

cc: Eric Johnson, P.E.
James Wilkerson
Percy Jones, HALO
Peter Guzman, HALO
PW Intern



City of Tacoma
Public Works Department

EXHIBIT "A"
RESOLUTION NO.: 37579
ITEM NO.: 3
MEETING DATE: AUGUST 26, 2008

DATE: August 8, 2008
TO: Board of Contracts and Awards
SUBJECT: Digester Cleaning of Anaerobic Digesters
Budgeted from PW Wastewater Fund 4300
Specification No. PW08-0507F

RECOMMENDATION: Public Works - Environmental Services/Wastewater Operations recommends that a contract in the amount of \$152,450.00, plus sales tax, be awarded to low bidder **Northwest Cascade, Inc. of Puyallup, WA**, for the consecutive cleaning of all 3 anaerobic digesters at Central Treatment Plant (CTP). The contract period is from September through October 2008 but may be extended through April 2009.

EXPLANATION: Digesters must be cleaned periodically to ensure that inert material such as grit, plastics or even grease accumulations do not build to a point that detention time is reduced. Presently, the detention time at CTP has been reduced to the point that may negatively impact our end product (TAGRO).

COMPETITIVE BIDDING: Specification No. PW08-0507F was opened July 22, 2008, and four (4) bids were received. Nine (9) companies were invited to bid in addition to normal advertising of the project. A pre-bid meeting was held to answer questions regarding the specification and to tour the facility.

Bidder	Location	Total Bid (Plus Sales Tax)
Northwest Cascade, Inc.	Puyallup, WA	\$ 152,450.00
Parker Ag Services LLC	Limon, CO	\$ 153,210.00
Jammie's Environmental, Inc.	Longview, WA	\$ 290,110.00
PSC Industrial Outsourcing, LP	Tacoma, WA	\$ 696,128.58
	Pre-bid Estimate	\$ 150,000.00

The recommended award is 1.6% above the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds for this are available in the PW Wastewater Fund 4300.

HUB/LEAP COMPLIANCE: NA

PROJECT ENGINEER/COORDINATOR: Pamela Randolph, Science & Engineering Division, 502-2155.

Dan C. Thompson, Ph.D
Interim Asst. P.W. Director/Environmental Services

cc: Jim Wilkerson/Purchasing
Percy Jones/Peter Guzman, HALO
John O'Loughlin, ES Maintenance
Eric Johnson, ES Science and Engineering
PW Intern

RESOLUTION NO. 37580

A RESOLUTION relating to financial advisory services; authorizing the execution of an amendment to the Financial Advisor Agreement with the Seattle Northwest Securities Corporation to include financial advisory services to the Finance Department for the Point Ruston Local Improvement District project.

WHEREAS the former Asarco smelter site, located near Commencement Bay and Ruston Way and located in both the City of Tacoma ("City") and the Town of Ruston ("Ruston"), is being redeveloped as an urban neighborhood that crosses the municipal boundary between the City and Ruston and known as Point Ruston, and

WHEREAS the City and the developer for Point Ruston have had several discussions regarding a potential Local Improvement District ("L.I.D.") project, and

WHEREAS, in order to more fully explore L.I.D. funding options for this development, City staff recommends engaging a Financial Advisor for the project, and

WHEREAS, on June 7, 2005, the City Council adopted Resolution No. 36543, authorizing the execution of an agreement with Seattle Northwest Securities Corporation ("Consultant") for financial advisor services for the Public Works, Environmental Services Division, which is a regional firm that is familiar with L.I.D. financing and knows the related state of Washington L.I.D. statutory requirements, and

WHEREAS it is in the City's best interest to amend the existing agreement with the Consultant to include financial advisory services for the Point Ruston L.I.D., which will allow the City to more fully address financing options for the Point Ruston L.I.D.; 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 amendment to the Financial Advisor Agreement with the Seattle Northwest Securities Corporation to include financial advisory services to the Finance Department for the Point Ruston Local Improvement District project, 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:

Assistant City Attorney

RESOLUTION NO. 37581

A RESOLUTION relating to community and economic development; executing an amendment to the agreement with VIA Architecture Incorporated, in the amount of \$50,000, for a cumulative contract total of \$150,000, budgeted from the General Fund, to complete revised and additional planning work items associated with the downtown plan update.

WHEREAS, as part of the update to the current downtown plan and code, the City solicited proposals from planning and architectural firms to complete a review and update to the City's current downtown plan and regulations, and VIA Architecture Incorporated ("VIA") was selected by a panel of City staff and a representative from the Planning Commission, and

WHEREAS, on January 12, 2008, the City Council adopted Resolution No. 37396, authorizing the execution of an agreement with VIA, in the amount of \$100,000, to conduct an update to the downtown plan, and

WHEREAS, on June 17, 2008, the City Council adopted Resolution No. 37508, designating an International Financial Services Area ("IFSA") as a special emphasis area within the Downtown Commercial Core Zone; requesting the City Manager to develop and report on recommendations for the expansion, retention, and recruitment of international financial services businesses in the IFSA; and requesting the Planning Commission to evaluate existing downtown zoning regulations with the intent of facilitating international financial services business development, and

WHEREAS it is now necessary to amend the agreement with VIA, in the amount of \$50,000, for a cumulative contract total of \$150,000, to complete revised and additional planning work items associated with the downtown plan update, and

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

That the proper officers of the City are hereby authorized to execute an amendment to the agreement with VIA Architecture Incorporated, in the amount of \$50,000, for a cumulative contract total of \$150,000, budgeted from the General Fund, to complete revised and additional planning work items associated with the downtown plan update, 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. 37582

A RESOLUTION relating to crime prevention; authorizing the execution of a contract with the Avencia Incorporated, in the amount of \$62,730, budgeted from the Police Special Revenue Fund, to provide software and support services necessary to implement the Crime Spike Detector project.

WHEREAS the Tacoma Police Department and the Lakewood Police Department have received a Washington State Department of Justice technology grant to pilot a crime analysis project (Crime Spike Detector project, hereinafter "Project") for Pierce County regional law enforcement, and

WHEREAS the Project requires delivering real-time, 24/7, crime location GIS map updates and daily crime analysis statistical reports to a maximum of 500 concurrent users, and

WHEREAS City staff recommends entering into a contract with the Avencia Incorporated ("Avencia") in order to provide software and support services necessary to implement 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 contract with the Avencia Incorporated, in the amount of \$62,730, budgeted from the Police Special Revenue Fund, to provide software and support

services necessary to implement the Crime Spike Detector project, said document to be substantially in the form of the proposed contract on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

RESOLUTION NO. 37583

A RESOLUTION relating to information technology; authorizing the execution of the first amendment to an agreement with SAP America, Inc., in the amount of \$168,128, budgeted from the General Fund, for a cumulative contract total of \$212,128, to provide consulting services for the finance modules of SAP.

WHEREAS, on July 16, 2008, the City entered into a professional services agreement (“Agreement”) with SAP America, Inc. (“SAP”), in the amount of \$44,000, to provide consultant services related to the finance modules of SAP, and

WHEREAS the City and SAP now desire to amend the Agreement in order to supplement the scope of work and increase the compensation authorized; 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 the first amendment to the agreement with SAP America, Inc., in the amount of \$168,128, budgeted from the General Fund, for a cumulative contract total of \$212,128, to provide consulting services for the finance modules of SAP, said document to be substantially in the form of the amendment on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney

ORDINANCE NO. 27743

AN ORDINANCE relating to the financing of the construction of the Tacoma Police Facilities; authorizing an amendment to the Limited Tax General Obligation Line of Credit Note, 2005, by extending the final due date five years to November 28, 2013.

WHEREAS, on May 7, 2002, the City Council passed Substitute Ordinance No. 26952, providing for the issuance and sale of Unlimited Tax General Obligation bonds, in the amount of \$34,300,000, to acquire, construct, improve, and equip a new police headquarters and four neighborhood substations throughout the City, as approved by the qualified electors at the special election held on February 5, 2002, and

WHEREAS, due to significant escalations in the cost of construction to complete the headquarters and the bids for the four substations, additional funding was required, and

WHEREAS, on October 4, 2005, the City Council passed Ordinance No. 27415, authorizing the issuance of a Limited Tax General Obligation Line of Credit Note ("Note"), in the amount of \$4,200,000, to provide additional funding for the police headquarters and the four neighborhood substations, and

WHEREAS repayment of the Note was secured by the sale of City-owned property, located at 21st Street and Jefferson Avenue (Property"). The sale of the Property was anticipated by November 28, 2008, and

WHEREAS, in 2005, the Property was appraised at \$8,300,000, and

WHEREAS current real estate market conditions make it less desirable to sell the Property in time to pay the Note by the due date of November 28, 2008, and

WHEREAS it is determined that a later sale would be advantageous to the City and that the Note due date should be extended by five years to November 28, 2013; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the proper officers of the City are hereby authorized to amend the original Note, designated as the Limited Tax General Obligation Line of Credit Note, 2005, extending the maturity date to November 28, 2013.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Assistant City Attorney