



## Legislation Passed January 20, 2009

The Tacoma City Council, at its regular City Council meeting of January 20, 2009, 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.

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### **Resolution No. 37718**

Appointing City Council Members to various national, state, regional and local committees, boards and commissions, including the Council's standing committees, for the year 2009.

### **Resolution No. 37719**

Ratifying the 2006 Pierce County Enhanced 9-1-1 Public Safety Answering Point Participation (PSAP) Agreement; authorizing the execution of an amendment to the agreement extending the date through December 31, 2009; and accepting and depositing \$212,300 into the Fire Miscellaneous Special Revenue Fund for emergency communications-related expenses of the Tacoma Fire Department.

### **Amended Ordinance No. 27783**

Amending Ordinance No. 27677, relating to the Center for Urban Waters, to change the interest component of the monthly rent from 5.75 percent to 7.5 percent per annum, for an aggregate principal amount not to exceed \$38,550,000.

**RESOLUTION NO. 37718**

BY REQUEST OF MAYOR BAARSMA

A RESOLUTION related to committees, boards, and commissions; and appointing City Council members to various national, state, regional, and local committees, boards, and commissions, including the City Council's five standing committees, for the year 2009.

WHEREAS the Mayor and City Council members are called upon to serve on a number of local, regional, state, and national committees, boards, and commissions, and

WHEREAS certain vacancies presently exist on certain committees, boards, and commissions, and

WHEREAS, pursuant to the Charter of the City of Tacoma and the rules, regulations, and procedures of the City Council, the Council Members named on Exhibit "A" have been nominated to serve on said committees, boards, and commissions listed; Now, Therefore,

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

That those nominees to the committees, boards, and commissions listed on Exhibit "A," are hereby confirmed and the City Council Members designated thereon shall be appointed as members of such committees, boards, and commissions for such terms as are set forth on said Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

**EXHIBIT "A"**

**2009 CITY COUNCIL APPOINTMENTS**

Deleted: 2008

1. Appointments Committee – Anderson, Baarsma, Lonergan, Manthou, Fey (alternate)
2. Association of Washington Cities Board – Baarsma, Fey (alternate)
3. Association of Washington Cities Legislative Committee – Baarsma, Fey (alternate)
4. Association of Washington Cities Resolution Committee – Baarsma, Fey (alternate)
5. Baseball Park Advisory Committee – Baarsma
6. City Council Liaison to ASARCO Project – Manthou
7. City Manager Performance Review Committee – Baarsma, Lonergan, Manthou, Strickland (alternate)
8. Community Council Liaison – Baarsma, Fey
9. Cross District Association of Tacoma – Fey, Anderson (alternate)
10. Crystal Judson Family Justice Center – Ladenburg, Talbert
11. Economic Development Board Executive Committee – Baarsma
12. Economic Development Committee – Anderson, Ladenburg, Manthou, Talbert, Baarsma (alternate)
13. Environment and Public Works Committee – Baarsma, Ladenburg, Fey, Walker, Strickland (alternate)
14. Firemen’s Pension Fund Board of Trustees – Baarsma, Lonergan (alternate)
15. ForeverGreen Pierce County – Fey
16. Government Performance and Finance – Anderson, Baarsma, Lonergan, Strickland, Fey (alternate)

17. Hotel-Motel Tax Advisory Committee – Anderson
18. Investment and Finance Committee – Baarsma
19. Joint Municipal Action Committee – Fey, Ladenburg, Strickland (alternate)
20. Law and Justice Council – Ladenburg, Lonergan (alternate)
21. Law and Justice Community Oversight Subcommittee -- Ladenburg
22. Law Enforcement Support Agency – Baarsma, Ladenburg (alternate)
23. National League of Cities – Ladenburg, Talbert, Anderson (alternate)
24. Neighborhoods and Housing Committee – Baarsma, Fey, Manthou, Walker, Strickland (alternate)
25. Pierce County Commission Against Domestic Violence – Ladenburg, Talbert (alternate)
26. Pierce County Puyallup River Flood Control Task Force -- Lonergan
27. Pierce County Regional Council – Baarsma, Lonergan, Strickland
28. Pierce Transit Board – Baarsma, Lonergan, Talbert, Fey (alternate)
29. Police Disability and Pension Fund Board – Baarsma, Lonergan (alternate)
30. Public Safety, Human Services, and Education Committee – Ladenburg, Lonergan, Strickland, Talbert, Walker (alternate)
31. Puget Sound Clean Air Agency Board/Board of Directors – Fey, Walker (alternate)
32. Puget Sound Regional Council/Executive Board – Lonergan, Walker (alternate)
33. Puget Sound Regional Council/Economic Development District Board – ~~Walker~~, Anderson (alternate)
34. Puget Sound Regional Council/Growth Management Policy Board – Lonergan, Ladenburg (alternate)

Deleted: Ladenburg

35. Puget Sound Regional Council/Transportation Policy Board – Fey, Walker (alternate)
36. Puyallup Tribe Community Contribution Committee [2%] – Baarsma, Talbert (alternate)
37. Regional Access Mobility Partnership – Anderson, Fey (alternate)
38. Safe Streets Board – Strickland
39. Tacoma Arts Commission – Anderson, ~~Walker~~ (alternate)
40. Tacoma Council of PTA/City Government Liaison – Anderson
41. Tacoma Employees' Retirement System Board of Administration - Baarsma
42. Tacoma-Pierce County Board of Health – Baarsma, Talbert, Ladenburg (alternate)
43. Tacoma-Pierce County Employment and Training Consortium/Executive Board – Baarsma, Lonergan
44. Tacoma Youth Symphony Advisory Board – Baarsma
45. Trade Development Alliance of Greater Seattle – Baarsma, Ladenburg (alternate)
46. Urban Waters Board of Directors – Ladenburg, Fey (alternate)
47. U.S. Conference of Mayors – Baarsma
48. Zoo Trek Authority – Manthou, Fey

Deleted: Fey

## **RESOLUTION NO. 37719**

A RESOLUTION relating to emergency fire communications; ratifying the 2006 Pierce County Enhanced 9-1-1 Public Safety Answering Point Participation Agreement (“Agreement”); amending the Agreement to extend the date through December 31, 2009, and accepting the sum of \$212,300 for emergency communications-related expenses of the Tacoma Fire Department.

WHEREAS the Tacoma Fire Department operates a Public Safety Answering Point (“PSAP”) communication center, and

WHEREAS the City may contract with Pierce County (“County”) for the purpose of sharing in 9-1-1 tax revenues to support the PSAP communication center, and

WHEREAS, on June 17, 1997, the City Council adopted Resolution No. 33739, authorizing the City to enter into an Enhanced 9-1-1 Telephone System PSAP Participation Agreement (“PSAP Agreement”) with the County, and the City Council has consistently approved each new annual PSAP Agreement since then, and

WHEREAS, beginning in 2007, the County proposed to extend the 2006 PSAP Agreement by amendment only, and

WHEREAS, in 2007 and 2008, the City Council adopted the annual amendments, and

WHEREAS the County proposes to amend the Agreement to extend the period of the Agreement for an additional year through December 31, 2009, and to provide for the receipt of \$212,300, a 3 percent increase over the amount received in 2008, and

WHEREAS the sum of \$212,300 to be received from the County was anticipated and therefore included in the 2009-2010 Fire Miscellaneous Special Revenue Fund budget; Now, Therefore,

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

That the proper officers of the City hereby ratify the 2006 Pierce County Enhanced 9-1-1 Public Safety Answering Point Participation Agreement (“PSAP Agreement”) and are hereby authorized to execute an amendment to the PSAP Agreement, extending the date through December 31, 2009, and including the receipt of \$212,300 for emergency fire communications-related expenses of the Tacoma Fire Department, 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. 27783**

AN ORDINANCE relating to the Tacoma Sanitary Sewer Utility; changing the interest component of the monthly rent; and amending Ordinance No. 27677.

WHEREAS, on June 12, 2007, the City Council adopted Resolution No. 37203, authorizing City staff to proceed with a lease-purchase agreement with a private nonprofit facilitator, using a 63-20 process, and executed a professional services agreement with the National Development Council for schematic design services related to the Environmental Services laboratory and office facility, and

WHEREAS recent events have impacted interest rates on tax-exempt debt; therefore, an amendment to the term of the original ordinance is requested; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Sections 2 and 8 of Ordinance No. 27677 are amended as follows:

Section 2. Approval of Project Lease Agreement. The City Council hereby approves the Project Lease Agreement between the City and TES Properties in substantially the form attached to this ordinance as Exhibit "C" ("Lease"). The appropriate officers of the City are hereby authorized and directed to execute the Lease, with such changes, not inconsistent with the material terms of this ordinance, as shall be approved by the City Manager or

the City Manager's designee, and approved as to form by the City Attorney and other counsel, if appropriate. When fully executed, copies of the Lease shall be filed with the City Clerk.

The term of the Lease shall not extend beyond December 1, 2040. The aggregate principal component of the Monthly Rent (as such terms are defined in the Lease) shall not exceed \$38,550,000. The interest component of the Monthly Rent shall be at a rate that shall not exceed 7.5 per annum. The Monthly Rent shall be payable monthly, provided that the City shall not have any obligation to pay Monthly Rent or Additional Rent until the date Substantial Completion of the Project (as defined in the Lease) occurs.

Section 8. Approval of Plan for Development and Financing. The City Council hereby acknowledges the intent of TES Properties to enter into a development agreement for the Project with Lorig Associates L.L.C. ("Lorig"). For the purpose of complying with requirements of the Ruling, the City hereby acknowledges and approves TES Properties plan to develop the Project by entering into such development agreement with Lorig and approves the Bonds, in the aggregate principal amount not to exceed \$38,550,000. The City hereby acknowledges and approves TES Properties pledge of the Rent it will receive from the City under the Lease to secure payment of the Bonds in accordance with an indenture of trust to be entered into by TES Properties with a trustee for the holders of the Bonds. The City agrees that upon discharge of the bonds,

the City shall accept delivery of full legal and unencumbered title to the Project and exclusive possession and use of the Project and the Property for no additional consideration.

The City further acknowledges that, as tenant under the Lease, it will be an “obligated person” with respect to the Bonds under Rule 15c2-12 of the Securities and Exchange Commission (“Rule”). To permit the underwriter of the Bonds to comply with the Rule, the City Council hereby authorizes the Finance Director to execute an undertaking for ongoing disclosure relating to information about the City, the System, the Lease, and the Project (“Undertaking”). The Finance Director or his designee is also hereby authorized to approve and to “deem final” pursuant to the Rule information in any preliminary official statement for the Bonds pertaining to the City, the System, the Lease, and the Project.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney