The Tacoma City Council, at its regular City Council meeting of September 24, 2013, 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. 38735**

A resolution authorizing the execution of an Interlocal Agreement with the Port of Tacoma in the amount of $500,000; accepting and depositing said sum into the Heavy Haul Industrial Corridor Permit Fees Fund for the rehabilitation of Port of Tacoma Road.

**Resolution No. 38736**

A resolution appointing Christine Cooley to the Sustainable Tacoma Commission to fill a vacant unexpired term through April 1, 2014.

**Resolution No. 38738**

A resolution authorizing the execution of Amendment No. 2 to the agreement with HealthConnect Consulting, LLC, in the maximum amount of $1,371,970, budgeted from the EMS Fund and the Fire Miscellaneous Special Revenue Fund, to extend existing contracted professional medical and social work services in support of the TFD CARES program through December 31, 2016.

**Resolution No. 38739**

A resolution designating the Discrimination Investigation Administrative Support Program as a special project of limited duration, and designating general salary classifications and benefits for persons employed on the project pursuant to Tacoma Municipal Code 1.12.155 and 1.24.187 and Section 6.1(h) of the Tacoma City Charter.

**Resolution No. 38740**

A resolution sponsoring the Tacoma-Pierce County Health Department's application for enrollment to join the Association of Washington Cities Employee Benefit Trust.

**Amended Ordinance No. 28173**

An ordinance relating to the budget of the City of Tacoma; creating two new funds to be known and designated as the Street Operations and Maintenance Fund and the Transportation Capital and Engineering Fund; to promote sustainability and transparency for revenue collections and expenditures related to transportation infrastructure and maintenance.
Ordinance No. 28174
An ordinance approving and confirming the Assessment Roll for Local Improvement District No. 5729 for the construction of a 12-inch water main to serve the Harold E. LeMay Museum development.

Ordinance No. 28175
An ordinance approving and confirming the Assessment Roll for Local Improvement District No. 7724 for the conversion of the overhead primary electrical distribution, utilities, telephone and cable TV systems to an underground system along Stadium Way, from the intersection of Stadium Way and Borough Road northwesterly to the dead end.

Ordinance No. 28176
An ordinance approving and confirming the Assessment Roll for Local Improvement District No. 7729 consisting of a three phase primary underground extension, telephone and cable TV systems, to serve the Harold E. LeMay Museum development.
RESOLUTION NO. 38735

A RESOLUTION relating to Port of Tacoma Road Design and Rehabilitation Project; authorizing the execution of an Interlocal Agreement with the Port of Tacoma for the design and future replacement of pavement surface on the Port of Tacoma Road; accepting and depositing the sum of $500,000 from the Port, as that agency’s local grant match, into the 1060 Street Special Revenue Fund for said project.

WHEREAS the Port of Tacoma Road is the major arterial and heavy haul corridor serving the Port of Tacoma, and

WHEREAS the road surface has deteriorated to the point that it needs to be replaced, and

WHEREAS, in 2013, the City and the Port of Tacoma (“Port”) jointly applied for Surface Transportation Program (“STP”) grant funding, in the amount of $6.2 million, for the design and replacement of the roadway surface on the Port of Tacoma Road, from East 11th Street to south of Marshall Avenue (“Project”), and

WHEREAS this Project is listed as the second priority on the Pierce County 2012 Project Contingency List, and

WHEREAS, in the grant application, the City and the Port agreed to provide $337,000 and $500,000, respectively, as the local agency match for the grant funding, with the City acting as the lead agency for managing the Project, and

WHEREAS, in February 2013, the City and the Port were awarded partial STP funding, in the amount of $429,000, for the design portion of the Project, scheduled to be completed in winter 2013 to allow the Project to move forward during the 2014 construction season, contingent on the award of additional grant funding, and

-1-
WHEREAS the proposed Interlocal Agreement approves the contribution match and details the responsibilities of each party during the Project, and

WHEREAS the proposed Interlocal Agreement was approved by the Port Commission at its meeting of August 22, 2013; 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 execute an Interlocal Agreement with the Port of Tacoma for the design and future replacement of pavement surface on the Port of Tacoma Road, said document to be substantially in the form of the proposed Interlocal Agreement on file in the office of the City Clerk.

Section 2. That the proper officers of the City are authorized to accept and deposit the sum of $500,000 from the Port of Tacoma, as that agency’s local grant match, into the 1060 Street Special Revenue Fund for said project, all as more specifically set forth in the proposed Interlocal Agreement on file in the office of the City Clerk.

Adopted ____________________

_________________________________________
Mayor

Attest:

_________________________________________
City Clerk

Approved as to form:

_________________________________________
Deputy City Attorney
RESOLUTION NO. 38736

BY REQUEST OF COUNCIL MEMBERS BOE, IBSEN, AND WALKER

A RESOLUTION relating to committees, boards, and commissions; appointing an individual to the Sustainable Tacoma Commission.

WHEREAS a vacancy exists on the Sustainable Tacoma Commission, and

WHEREAS, at its meeting of July 24, 2013, the Infrastructure, Planning and Sustainability Committee conducted interviews and recommended appointments, as vacancies become available, in the following order: Christine Cooley, Lynda Foster, and Ken Campbell, and

WHEREAS, pursuant to City Charter 2.4 and the Rules, Regulations, and Procedures of the City Council, Christine Cooley has been nominated to serve on the Sustainable Tacoma Commission; Now, Therefore,

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

That Christine Cooley is hereby confirmed and appointed as a member of the Sustainable Tacoma Commission to fill a vacant unexpired term through April 1, 2014.

Adopted ____________________

_______________________________
Mayor

Attest:

_______________________________
City Clerk

Approved as to form:

_______________________________
City Attorney
RESOLUTION NO. 38738

A RESOLUTION relating to the Tacoma Fire Department ("TFD"); authorizing the execution of Amendment No. 2 to the Agreement with HealthConnect Consulting, LLC, in the maximum amount of $1,371,970, budgeted in the EMS Fund, in the amount of $831,164, and the Fire Miscellaneous Special Revenue Fund, in the amount of $540,806, through December 31, 2016, for the purpose of assisting TFD staff in identifying the needs of apparent high utilizers of emergency services and, where possible, directing such patients to agencies and programs more appropriate for their long-term needs.

WHEREAS, in August 2012, the Tacoma Fire Department ("TFD") initiated a contract with HealthConnect Consulting, a local professional and social work consulting firm, for the purpose of assisting staff in identifying the needs of apparent high utilizers of emergency services, and, where possible, directing such patients to agencies and programs more appropriate for their long-term needs, and

WHEREAS, upon successful completion of the one-year pilot program, TFD proposes to extend the contract through December 31, 2016, to continue these services as part of the TFD CARES program, and

WHEREAS HealthConnect Consulting was selected for the pilot program due to its qualifications and considerable local experience, and

WHEREAS the proposed amendment would enable TFD to continue these services without adjustment or disruption while development of the TFD CARES program continues, the Affordable Care Act is implemented, and the longer-term outlook for medical services funding becomes more apparent, and

WHEREAS the proposed amendment provides for payment by the City of a maximum of $1,371,970, during the period of June 2012 through December 2016,
budgeted in the EMS Fund, in the amount of $831,164, and the Fire Miscellaneous Special Revenue Fund, in the amount of $540,806; Now, Therefore,

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

That the proper officers of the City are hereby authorized to enter into Amendment No. 2 to the Agreement with HealthConnect Consulting, LLC, in the maximum amount of $1,371,970, budgeted in the EMS Fund, in the amount of $831,164, and the Fire Miscellaneous Special Revenue Fund, in the amount of $540,806, through December 31, 2016, for the purpose of assisting staff in identifying the needs of apparent high utilizers of emergency services and, where possible, directing such patients to agencies and programs more appropriate for their long-term needs, said amendment to be substantially in the form of the proposed document on file in the office of the City Clerk.

Adopted ________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
A RESOLUTION relating to Special Projects; designating the Discrimination
Investigation Administrative Support Program, relating to the intake, investigation, and reporting of discrimination complaints filed pursuant to Tacoma Municipal Code ("TMC") 1.29, as a special project of limited duration, for a project term of October 2013 through December 31, 2015; and designating general salary classifications and benefits for persons employed on the project pursuant to TMC 1.12.155 and 1.24.187 and Section 6.1(h) of the Tacoma City Charter.

WHEREAS it is the desire of the City to designate the Discrimination Investigation Administrative Support Program, relating to the intake, investigation, and reporting of discrimination complaints filed pursuant to Tacoma Municipal Code ("TMC") 1.29, as a special project of limited duration, and to employ special project employees for said project, and

WHEREAS, pursuant to TMC 1.12.155 and 1.24.187, and Section 6.1(h) of the Tacoma City Charter, employees who are not regular employees and are hired as special project employees are unclassified and paid as provided for by ordinance or resolution of the City Council; Now, Therefore,

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

Section 1. That the Discrimination Investigation Administrative Support Program, relating to the intake, investigation, and reporting of discrimination complaints filed pursuant to Tacoma Municipal Code ("TMC") 1.29, is hereby designated as a special project of limited duration, for a project term of October 2013 through December 31, 2015.

Section 2. That, in accordance with TMC 1.12.155 and 1.24.187, and Section 6.1(h) of the Tacoma City Charter, employees who have been hired or may
be hired for positions expected to be of limited duration shall be designated as unclassified special project employees as of the date of hire.

Section 3. That the salaries and classifications set forth in the Compensation Plan of the City of Tacoma for permanent employees, or the closest classifications, shall be applied, contingent upon funding, to similar positions of the special project, which positions may include, but not limited to, Human Rights Program Assistant. The Compensation Plan is incorporated herein by reference as if fully set forth.

Section 4. That employees who have been hired or may be hired as special project employees shall receive benefits in accordance with and pursuant to the provisions of the Compensation Plan of the City of Tacoma and shall participate in the City’s Retirement System; provided, however, that the special project employees hired to work on the identified special project shall not be eligible for longevity pay; and, further, that should any current regular employee eligible for longevity pay be assigned to the special project, the employee so assigned shall continue to be eligible for longevity pay and shall become or remain a member of the City's Retirement System pursuant to any applicable provisions of TMC 1.30, and contributions shall be paid therein by the City pursuant to TMC 1.30.360.

Section 5. That, inasmuch as the positions to be filled pursuant to this resolution are of a temporary nature and are unique in that they pertain only to the aforementioned special project, they are deemed unclassified, temporary positions of limited duration; and the persons so employed in such positions shall have no claim to further or continued employment with the City of Tacoma after cessation of
such special project or after cessation of activities funded by said program, except
pursuant to their obtaining status as regular City of Tacoma employees under the
provisions of the TMC or pursuant to further action of the City Council relating to
this special project.

Section 6. That all acts by agents or employees of the City consistent
herewith are hereby ratified.

Section 7. That the City Manager is hereby authorized to direct the
appropriate City officers to proceed with the necessary actions for the completion of
this special project.

Adopted ________________

______________________________________
Mayor

Attest:

______________________________________
City Clerk

Approved as to form:

______________________________________
Deputy City Attorney
RESOLUTION NO. 38740

BY REQUEST OF DEPUTY MAYOR CAMPBELL AND COUNCIL MEMBER WOODARDS

A RESOLUTION relating to the City of Tacoma’s sponsorship of the Tacoma-Pierce County Health Department’s application to join the Association of Washington Cities Employee Benefit Trust.

WHEREAS the City of Tacoma is a member of the Association of Washington Cities (“AWC”) Employee Benefit Trust, and

WHEREAS the Tacoma-Pierce County Health Department (“non-city entity”) would like to participate in the AWC Employee Benefit Trust program as a quasi-municipal entity, and

WHEREAS the AWC requires that a city member of the AWC sponsor a non-city entity’s request before the non-city entity can participate in the AWC Employee Benefit Trust program, and

WHEREAS the City is merely demonstrating that a relationship exists between the City and the applying non-city entity, that there is no other obligation by the City for continued membership in the program, and the City is not responsible for non-city claims or any other aspect of the performance with the benefit program; Now, Therefore,

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

That the City of Tacoma hereby sponsors the Tacoma-Pierce County Health Department’s request for application to join the Association of Washington Cities
Employee Benefit Trust program as a non-city entity and requests that the Tacoma-
Pierce County Health Department be allowed membership into the Association of
Washington Cities Employee Benefit Trust.

Adopted ______________________

_________________________________________
Mayor

Attest:

_________________________________________
City Clerk

Approved as to form:

_________________________________________
City Attorney
ORDINANCE NO. 28173

BY REQUEST OF MAYOR STRICKLAND AND COUNCIL MEMBERS LONERGAN, MELLO, AND THOMS

AN ORDINANCE relating to the budget of the City of Tacoma; creating two new funds in the Treasury of the City of Tacoma, to be known and designated as the “Street Operations and Maintenance Fund” and the “Transportation Capital and Engineering Fund”; declaring the purpose for which said funds are created, directing the manner in which said funds are expended, and providing for the keeping of records and accounts thereof.

WHEREAS the City of Tacoma is committed to core services that it is uniquely able to provide, is dedicated to providing these services as efficiently and cost effectively as possible, and is focused on clearly communicating with the citizens of Tacoma how resources are expended and the benefits that are provided to citizens that the City serves, and

WHEREAS the City’s streets and transportation infrastructure have documented deficiencies, and the citizens of Tacoma have consistently stated that repair and maintenance of City and neighborhood streets is a top concern and priority for funding, and

WHEREAS the City seeks to provide a sustainable, transparent, and dedicated source of revenue to address the deficiencies with the City’s streets and transportation infrastructure, and

WHEREAS the City currently funds a large portion of the costs of street and infrastructure maintenance from the General Fund and seeks to maintain the General Fund commitment to funding costs associated with street maintenance and safety upgrades, and

WHEREAS it is the intent of the City to establish a new and separate fund, named the “Street Operations and Maintenance Fund,” to segregate the revenues
collected from 2 percent of the 8 percent tax on utilities gross earnings (for those utilities taxed at an 8 percent rate) and to pay for costs associated with basic maintenance and safety improvements to the City’s streets and transportation infrastructure, and

WHEREAS, because the Street Operations and Maintenance Fund is restricted for the sole purpose of funding basic street maintenance and safety upgrades, the City will be creating a six-year Infrastructure Management Plan to show where the money will be spent and to provide public updates on project progress each quarter, and

WHEREAS it is the intent of the City to establish a new and separate fund, named the “Transportation Capital and Engineering Fund,” to segregate capital and grant funding related to maintenance and safety improvements to the City’s streets and transportation infrastructure, to use said funds to pay for maintenance and safety improvements to the City’s streets and transportation infrastructure, and to pay for engineering costs associated with capital and grant-funded transportation projects; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there is hereby created in the Treasury of the City of Tacoma a new fund, to be known and designated as the “Street Operations and Maintenance Fund,” to pay for costs associated with basic maintenance and safety improvements to the City’s streets and transportation infrastructure.

Section 2. That the proper officers of the City of Tacoma are hereby directed to deposit into said fund:
A. Of the revenues received from utilities upon which a tax is levied pursuant to Tacoma Municipal Code (“TMC”) 6A.40 (Phone/Cellphone) at a rate of 8 percent on gross income, moneys collected equal to 2 percent of the 8 percent tax rate shall be deposited into said fund.

B. Of the revenues received from utilities upon which a tax is levied pursuant to TMC 6A.50 (Private Electricity/Solid Waste) at a rate of 8 percent on gross income, moneys collected equal to 2 percent of the 8 percent tax rate shall be deposited into said fund.

C. Of the revenues received from utilities upon which a tax is levied pursuant to TMC 6A.90 (Natural or Manufactured Gas Tax) at a rate of 8 percent on gross income, moneys collected equal to 2 percent of the 8 percent tax rate shall be deposited into said fund.

D. Of the revenues received from public utilities upon which a tax is levied pursuant to TMC 6A.100 (Utilities Gross Earnings Tax-Public Utilities - Power/Water/Rail/Sewer/Solid Waste/Surface) at a rate of 8 percent on gross income, moneys collected equal to 2 percent of the 8 percent tax rate shall be deposited into said fund.

E. All moneys, loans, or appropriations legally made and available for the purposes defined herein.

F. All gifts, grants, donations, or other funds received from any source for the purposes defined herein.

Section 3. That, effective January 1, 2014, such sums as are deposited within said fund shall be used only for the purpose of basic maintenance and safety improvements to the City’s streets and transportation infrastructure; that the
Treasurer of the City of Tacoma is hereby designated as the custodian of said funds and disbursements of all moneys therefrom shall be made in the manner provided by law; and until withdrawn for such use, the moneys accumulated in said fund may be invested in interest bearing securities by the City Treasurer in any manner authorized by law.

Section 4. That there is hereby created in the Treasury of the City of Tacoma a new fund, to be known and designated as the “Transportation Capital and Engineering Fund,” to segregate capital and grant funding related to maintenance and safety improvements to the City’s streets and transportation infrastructure, to use said funds to pay for maintenance and safety improvements to the City’s streets and transportation infrastructure, and to pay for engineering costs associated with capital and grant-funded transportation projects.

Passed________________________

_______________________________
Mayor

Attest:

_______________________________
City Clerk

Approved as to form:

_______________________________
Deputy City Attorney
ORDINANCE NO. 28174

L.I.D. No. 5729

AN ORDINANCE approving and confirming the Assessment Roll for Local Improvement District No. 5729 for the construction of a 12-inch water main and related appurtenances to serve the Harold E. LeMay Museum development.

WHEREAS the assessment roll for Local Improvement District No. 5729 has been prepared and filed with the City Clerk on or about June 3, 2013, and a public hearing thereon has been held before the Hearing Examiner of the City on August 20, 2013, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to said assessment or assessment roll be and the same are hereby overruled, as more fully set forth in the Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner, filed with the City Clerk under cover of the Examiner’s letter, dated August 30, 2013.

Section 2. That the assessment and assessment roll filed in the office of the City Clerk on June 3, 2013, for the installation of a 12-inch water main crossing East D Street, being approximately 15 feet south of the easterly extension of the northerly line of Parcel B, Boundary Line Adjustment MPD 2004-40000137475, recorded under Pierce County Auditor’s File No. 2010-05-11-5001, from the existing 12-inch water main east of East D Street, thence west to a point
approximately 40 feet west of East D Street, together with all work necessary
pursuant to the provisions of Ordinance No. 27992, passed June 7, 2011, and the
levy and charge of the cost of said improvements, as shown on said assessment
roll and thereby apportioned upon said parcels of land specially benefited in
accordance with the laws of the state of Washington and the ordinances of the
City of Tacoma, are hereby approved and confirmed in all respects to the
assessment; and the City Treasurer is hereby directed to collect said assessments
which may be paid without interest or penalty within 30 days after due notice shall
have been given to the owners of the property within said assessment district, all
in the manner provided by law, and if assessment be not paid within 30 days from
the date of first publication of said notice, the same shall thereafter bear interest at
the estimated rate of 7% per annum, the actual interest rate to be fixed by the
ordinance authorizing the issuance and sale of bonds for the district.

Section 3. That the moneys collected upon said assessment approved and
confirmed by this ordinance are hereby ordered to be placed in Fund District
No. 5729, the special fund created by Ordinance No. 27992. Under provisions of
the laws of the state of Washington and amendments thereto, and this ordinance,
there shall be issued an installment note, or notes, in payment of the cost and
expense of Local Improvement District No. 5729 payable out of said local
improvement district fund. Such notes shall bear interest at the estimated rate of
7% per annum, the actual interest rate to be fixed by the ordinance authorizing the
issuance and sale of bonds for this district; and shall be redeemed in cash from
said local improvement district fund or by other notes, and the notes shall be sold, as provided by law, by the proper officers of the City of Tacoma to repay the loans heretofore made to said Fund 4600, Cost Center 581200, in order to defray expenses of said construction heretofore paid, and further, to pay such additional costs and expenses of said improvement as may exist, all in accordance with and pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed ________________

________________________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
ORDINANCE NO. 28175

AN ORDINANCE approving and confirming the Assessment Roll for Local Improvement District No. 7724 for the conversion of the overhead primary electrical distribution, utilities, telephone and cable-TV systems to an underground system along Stadium Way, from the intersection of Stadium Way and Borough Road northwesterly to the dead end.

WHEREAS the assessment roll for Local Improvement District No. 7724 has been prepared and filed with the City Clerk on or about June 18, 2013, and a public hearing thereon has been held before the Hearing Examiner of the City on July 25, 2013, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to said assessment or assessment roll be and the same are hereby overruled, as more fully set forth in the Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner, filed with the City Clerk under cover of the Examiner’s letter, dated August 7, 2013.

Section 2. That the assessment and assessment roll filed in the office of the City Clerk on June 18, 2013, for the cost of the conversion of the existing overhead electrical primary, telephone, and cable television lines to underground along Stadium Way from the intersection of Stadium Way and Borough Road northwesterly to the dead end, and work necessary pursuant to the provisions of
Ordinance No. 27709, passed April 22, 2008, and the levy and charge of the cost of said improvements, as shown on said assessment roll and thereby apportioned upon said parcels of land specially benefited in accordance with the laws of the state of Washington and the ordinances of the City of Tacoma, are hereby approved and confirmed in all respects to the assessment; and the City Treasurer is hereby directed to collect said assessments which may be paid without interest or penalty within 30 days after due notice shall have been given to the owners of the property within said assessment district, all in the manner provided by law, and if assessment be not paid within 30 days from the date of first publication of said notice, the same shall thereafter bear interest at the estimated rate of 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for the district.

Section 3. That the moneys collected upon said assessment approved and confirmed by this ordinance are hereby ordered to be placed in Fund District No. 7724, the special fund created by Ordinance No. 27709. Under provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued an installment note, or notes, in payment of the cost and expense of Local Improvement District No. 7724 payable out of said local improvement district fund. Such notes shall bear interest at the estimated rate of 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other notes, and the notes shall be sold,
as provided by law, by the proper officers of the City of Tacoma to repay the loans
heretofore made to said Fund 4700, Cost Center 560900, in order to defray
expenses of said construction heretofore paid, and further, to pay such additional
costs and expenses of said improvement as may exist, all in accordance with and
pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed


Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney
ORDINANCE NO. 28176

L.I.D. No. 7729

AN ORDINANCE approving and confirming the Assessment Roll for Local Improvement District No. 7729 consisting of a three phase primary underground extension, telephone and cable TV systems, to serve the Harold E. LeMay Museum development.

WHEREAS the assessment roll for Local Improvement District No. 7729 has been prepared and filed with the City Clerk on or about May 24, 2013, and a public hearing thereon has been held before the Hearing Examiner of the City on August 20, 2013, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to said assessment or assessment roll be and the same are hereby overruled, as more fully set forth in the Findings of Fact, Conclusions of Law and Recommendation of the Hearing Examiner, filed with the City Clerk under cover of the Examiner’s letter, dated August 30, 2013.

Section 2. That the assessment and assessment roll filed in the office of the City Clerk on May 24, 2013, for the installation of underground primary electrical distribution, utilities, telephone, and cable TV lines within utility easements parallel with the northerly lot line of Parcel “A” and Parcel “B” Boundary Line Adjustment MPD 2004-40000137475, recorded under Pierce County
Auditor’s File No. 2010-05-11-5001, and also along the westerly lot line of Parcel “A”, together with all work necessary pursuant to the provisions of Ordinance No. 27993, passed June 7, 2011, and the levy and charge of the cost of said improvements, as shown on said assessment roll and thereby apportioned upon said parcels of land specially benefited in accordance with the laws of the state of Washington and the ordinances of the City of Tacoma, are hereby approved and confirmed in all respects to the assessment; and the City Treasurer is hereby directed to collect said assessments which may be paid without interest or penalty within 30 days after due notice shall have been given to the owners of the property within said assessment district, all in the manner provided by law, and if assessment be not paid within 30 days from the date of first publication of said notice, the same shall thereafter bear interest at the estimated rate of 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for the district.

Section 3. That the moneys collected upon said assessment approved and confirmed by this ordinance are hereby ordered to be placed in Fund District No. 7729, the special fund created by Ordinance No. 27993. Under provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued an installment note, or notes, in payment of the cost and expense of Local Improvement District No. 7729 payable out of said local improvement district fund. Such notes shall bear interest at the estimated rate of 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the
issuance and sale of bonds for this district; and shall be redeemed in cash from 
said local improvement district fund or by other notes, and the notes shall be sold, 
as provided by law, by the proper officers of the City of Tacoma to repay the loans 
heretofore made to said Fund 4700, Cost Center 560900, in order to defray 
expenses of said construction heretofore paid, and further, to pay such additional 
costs and expenses of said improvement as may exist, all in accordance with and 
pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed ________________

__________________________
Mayor

Attest:

__________________________
City Clerk

Approved as to form:

__________________________
Deputy City Attorney