

Legislation Passed June 9, 2015

The Tacoma City Council, at its regular City Council meeting of June 9, 2015, 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. 39209

A resolution setting Tuesday, June 23, 2015, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the proposed Six-Year Comprehensive Transportation Improvement Program amended for the years 2014-2015 and 2016-2021. [Jennifer Kammerzell, Senior Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39210

A resolution setting Thursday, July 16, 2015, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate portions of Waterview Street, North 45th and 46th Streets, Morrison Street, Mason Avenue, Harriott Street and portions of the alleyway located between North 45th Street and North Cheyenne Street, to create individual residential lots ranging from 18,000 to 19,000 square feet.

(Waterview Point, LLC; File No. 124.1354)

[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39211

A resolution awarding a contract to Northwest Cascade, Inc., in the amount of \$1,555,803.26, plus a 20 percent contingency, for a cumulative total of \$1,866,963.91, excluding sales tax, budgeted from the Wastewater and Surface Water Funds, for the construction of approximately 3,100 linear feet of underground wastewater mains and 540 linear feet of underground stormwater mains in various locations throughout the City - Specification No. ES15-0002F.

[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]



RESOLUTION NO. 39209

A RESOLUTION relating to the Six-Year Comprehensive Transportation Improvement Program; setting Tuesday, June 23, 2015, at approximately 5:30 p.m., as the date for a public hearing on the proposed Six-Year Comprehensive Transportation Improvement Program Amended 2014-2015 and 2016-2021.

WHEREAS RCW 35.77.010 provides for adoption by the legislative body of each city and town, after conducting one or more public hearings, of a comprehensive transportation program for the ensuing six calendar years, and

WHEREAS the Six-Year Comprehensive Transportation Improvement

Program Amended 2014-2015 and 2016-2021 was presented to the Infrastructure,

Planning, and Sustainability Committee on August 27 and October 8, 2014, and WHEREAS staff also presented the proposed capital projects to the

Transportation Commission on September 3 and October 1, 2014, and

WHEREAS the City desires to fix a time and date for public hearing for the purpose of considering said programs, as amended; Now, Therefore,

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

Section 1. That a public hearing, for the purpose of considering and adopting the *Six-Year Comprehensive Transportation Improvement Program Amended 2014-2015 and 2016-2021*, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, on Tuesday, June 23, 2015, at approximately 5:30 p.m., or as soon thereafter as the same may be heard, all in accordance with RCW 35.77.010.



	Section 2. That the Clerk of the City of Tacoma shall give proper notice of	
1	the time and place of said hearing.	
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3	Adopted	
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6	Attest:	Mayor
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8	City Clark	
9	City Clerk	
10 11	Approved as to form:	
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RESOLUTION NO. 39210

A RESOLUTION relating to the vacation of City right-of-way; setting Thursday, July 16, 2015, at 1:30 p.m., as the date for a hearing before the City of Tacoma Hearing Examiner on the petition of Waterview Point, LLC, to vacate portions of Waterview Street, North 45th Street, North 46th Street, Morrison Street, Mason Avenue, Harriott Street, and portions of the alleyway located between North 45th Street and North Cheyenne Street, to create individual residential lots ranging from 18,000 to 19,000 square feet.

WHEREAS Waterview Point, LLC, having received the consent of the owners of more than two-thirds of the properties abutting portions of Waterview Street, North 45th and 46th Streets, Morrison Street, Mason Avenue, Harriott Street, and portions of the alleyway located between North 45th Street and North Cheyenne Street, has petitioned for the vacation of the right-of-way areas as more particularly described in Exhibit "A"; Now, Therefore,

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

Section 1. That Thursday, July 16, 2015, at 1:30 p.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where the request by Waterview Point, LLC, to vacate portions of Waterview Street, North 45th Street, North 46th Street, Morrison Street, Mason Avenue, Harriott Street, and portions of the alleyway located between North 45th Street and North Cheyenne Street, to create individual residential lots ranging from 18,000 to 19,000 square feet, will be heard by the Hearing Examiner and her recommendations thereafter transmitted to the Council of the City of Tacoma.



Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing. 2 3 Adopted _____ 4 Mayor 5 Attest: 6 7 City Clerk 8 Approved as to form: 9 Property description approved: 10 11 Deputy City Attorney Chief Surveyor Public Works Department 12 13 Location: Portions of Waterview Street, North 45th and 46th Streets, Morrison 14 Street, Mason Avenue, Harriott Street and portions of the alleyway located between North 45th Street and North Cheyenne Street 15 Petitioner: Waterview Point, LLC 16 File No.: 124.1354 17 18 19 20 21 22 23 24 25 26



EXHIBIT "A" LEGAL DESCRIPTION

WATERVIEW STREET

A STRIP OF LAND LYING WITHIN THE SOUTH HALF OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE SOUTHWESTERLY 40 FEET OF WATERVIEW STREET LYING SOUTHERLY OF THE NORTHWESTERLY LINE OF LOT 2, BLOCK 4, MASONS SHORELINE ADDITION AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 108, RECORDS OF PIERCE COUNTY, WASHINGTON, EXTENDED NORTHEASTERLY AND LYING NORTHERLY OF THE CENTER LINE OF MORRISON STREET.

ALLEY BLOCKS 10 AND 4 MASON'S SHORELINE ADDITION

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE ALLEY AS SHOWN ON THE PLAT OF MASON'S SHORELINE ADDITION TO TACOMA, RECORDED IN VOLUME 1 OF PLATS AT PAGE 108, IN PIERCE COUNTY, WASHINGTON.

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1, BLOCK 10 OF SAID MASON'S SHORELINE ADDITION; THENCE NORTH 49°56'44" WEST, ALONG THE NORTHEASTERLY LINE OF SAID BLOCK, 60.00 FEET TO THE MOST NORTHERLY CORNER OF LOT 2 OF SAID BLOCK 10; THENCE NORTH 40°03'16" EAST, 20.00 FEET TO THE MOST WESTERLY CORNER OF LOT 2 OF BLOCK 4 OF SAID MASON'S SHORELINE ADDITION; THENCE SOUTH 49°56'44" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK, 60.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID BLOCK 4; THENCE SOUTH 40°03'16" WEST, TO THE POINT OF BEGINNING.

SHERIDAN STREET

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:



THAT PORTION OF SHERIDAN STREET (HERRIOT STREET) AS SHOWN ON THE PLAT OF MASON'S SHORELINE ADDITION TO TACOMA, RECORDED IN VOLUME 1 OF PLATS AT PAGE 108, IN PIERCE COUNTY, WASHINGTON, AS MODIFIED BY CITY OF TACOMA DEED NUMBER 366.

BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 1, BLOCK 10 OF SAID MASON'S SHORELINE ADDITION; THENCE NORTH 40°03'16" EAST, ALONG THE SOUTHEASTERLY LINE OF BLOCKS 10 AND 4 OF SAID ADDITION 220.00 FEET TO THE MOST EASTERLY CORNER OF SAID BLOCK 4; THENCE SOUTH 49°56'44" EAST, 80.00 FEET TO THE MOST NORTHERLY CORNER OF BLOCK 3 OF SAID MASON'S SHORELINE ADDITION; THENCE SOUTH 40°03'16" WEST, ALONG THE NORTHWESTERLY LINE THEREOF 172.70 FEET TO THE SOUTH LINE OF SAID MASON'S SHORELINE ADDITION; THENCE NORTH 89°46'23" WEST, ALONG THE SOUTH LINE THEREOF, 73.87 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 48TH STREET; THENCE NORTH 49°56'44" WEST, ALONG THE EAST LINE THEREOF 23.27 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 1, BLOCK 4 AND THE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS VACATED BY ORDINANCE 19939.

ALLEY BLOCK 1 HILLS ADDITION

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST FO THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE ALLEY AS SHOWN ON THE PLAT OF HILL'S ADDITION, RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE COUNTY, WASHINGTON, LYING WESTERLY OF THE WEST RIGHT-OF-WAY LINE OF MASON AVENUE AND EAST OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF SAID BLOCK 1, SAID CORNER ALSO BEING A POINT ON THE NORTH LINE OF THE AFOREMENTIONED ALLEY; THENCE NORTH 89°35'28" WEST, ALONG SAID NORTH LINE, 118.45 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28°05'13" EAST, 17.95 FEET; THENCE SOUTH 27°35'41" EAST, 0.26 FEET TO THE SOUTH LINE OF SAID ALLEY AND THE TERMINUS OF THIS DESCRIBED LINE.

NORTH MASON AVENUE

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE



WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF MASON AVENUE AS SHOWN ON THE PLAT OF HILL'S ADDITION, RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE COUNTY, WASHINGTON, LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF NORTH 45TH STREET AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 4, HILL'S ADDITION; THENCE SOUTH ALONG THE EASTERLY LINE OF SAID BLOCK 4, BEING THE WESTERLY LINE OF MASON AVENUE 73.87 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°56'51" EAST, 40.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MASON AVENUE AND THE TERMINUS OF THIS DESCRIBED LINE.

MORRISON STREET

A STRIP OF LAND LYING WITHIN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF MORRISON STREET AS SHOWN ON THE PLAT OF MASON'S WATER FRONT ADDITION TO TACOMA, WASHINGTON, ACCORDING TO THE PLAT RECORDED IN BOOK 1 OF PLATS AT PAGE 98, IN PIERCE COUNTY, WASHINGTON, LYING EASTERLY OF THE EAST RIGHT-OF-WAY LINE OF MASON AVENUE AND WESTERLY OF THE MOST WESTERLY 40.00 FEET OF WATERVIEW STREET, RIGHT-OF-WAY LINE. EXCEPT THAT PORTION VACATED PER CITY OF TACOMA ORDINANCE NUMBER 15259.

NORTH 46TH STREET

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER AND A PORTION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF NORTH 46TH STREET (WATER STREET AND FIRST STREET) AS SHOWN ON THE PLAT OF HILL'S ADDITION RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE COUNTY, WASHINGTON, AND WOODRUFF'S SECOND ADDITION TO TACOMA, PIERCE COUNTY,



WASHINGTON, RECORDED IN VOLUME 3 OF PLATS AT PAGE 61 DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1 OF SAID HILL'S ADDITION: THENCE NORTH 89°44'25" WEST, ALONG THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 193.09 FEET TO A POINT ON A NON-TANGENT CURVE TO THE LEFT. HAVING A RADIUS OF 455.00 FEET. AND TO WHICH POINT A RADIAL BEARS SOUTH 50°53'19" WEST: THENCE NORTHWESTERLY ALONG SAID CURVE. THROUGH A CENTRAL ANGLE OF 07°03'11", AN ARC LENGTH OF 56.01 FEET: THENCE NORTH 46°09'51" WEST, 56.57 FEET TO THE SOUTH LINE OF BLOCK 7 OF SAID WOODRUFF'S SECOND ADDITION; THENCE SOUTH 89°44'25" EAST, ALONG THE SOUTH LINE OF BLOCKS 7 AND 8, 320.61 FEET TO THE SOUTHEAST CORNER OF BLOCK 8 OF SAID WOODRUFF'S SECOND ADDITION; THENCE SOUTH 38°57'28" EAST, A DISTANCE OF 51.08 FEET TO THE CENTER LINE OF SAID NORTH 46TH STREET; THENCE SOUTH 89°29'30" WEST, ALONG SAID CENTER LINE. A DISTANCE OF 40.78 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH MASON AVENUE; THENCE SOUTH 00°03'09" WEST, ALONG SAID RIGHT-OF-WAY 40.00 FEET; THENCE NORTH 89°44'25" WEST, 40.00 FEET TO THE POINT OF BEGINNING.

NORTH 45TH STREET

A STRIP OF LAND LYING WITHIN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 21 NORTH, RANGE 2 EAST OF THE WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON, AND MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THAT PORTION OF NORTH 45TH STREET (FIRST STREET), AS SHOWN ON THE PLAT OF HILL'S ADDITION, RECORDED IN VOLUME 1 OF PLATS AT PAGE 19, IN PIERCE COUNTY, WASHINGTON, LYING WESTERLY OF THE WEST RIGHT-OFWAY LINE OF NORTH MASON STREET AND EAST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK 1 OF SAID HILL'S ADDITION; THENCE NORTH 89°26'32" WEST, ALONG THE SOUTH LINE OF SAID BLOCK 1, A DISTANCE OF 70.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°03'09" WEST, 80.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID NORTH 45TH STREET AND THE TERMINUS OF THIS DESCRIBED LINE.

RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF TACOMA FOR 10 FEET OF THE PROPOSED VACATION AREA, PARALLEL WITH WATERVIEW STREET, FOR POWER POLES, ANCHORS, GUY WIRES, OVERHEAD AND UNDERGROUND POWER AND DATA WIRES, DATA

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ENCLOSURES AND VAULTS, POWER AND DATA CONDUIT, AND TRANSFORMERS.

RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF TACOMA FOR A WATER MAIN AND WATER SERVICE WITHIN THE RIGHT-OF-WAY OF WATERVIEW STREET. THE DEVELOPER SHALL RETAIN AN EASEMENT COVER EXISTING TACOMA WATER SERVICE AND METERS FOR OVER THE AREA SOUTHWESTERLY OF THE MONUMENT LINE OF WATERVIEW STREET. TO A DISTANCE OF 40 FEET FROM THE MONUMENT LINE OF WATER STREET.

RETAINING AND RESERVING THEREIN AN EASEMENT TO THE CITY OF TACOMA FOR A 20-FOOT STORM AND SANITARY SEWER EASEMENT CENTERED ON THE NORTH HERRIOT STREET RIGHT-OF-WAY FROM NORTH WATERVIEW STREET, WEST OF THE NORTHERN PROPERTY LINE OF TAX PARCEL 45000-0011 TO THE EAST LINE OF NORTH 43TH STREET.

NO PERMANENT STRUCTURES SHALL BE ERECTED WITHIN THE PUBLIC EASEMENT AREA UNLESS SPECIFICALLY APPROVED IN WRITING BY THE CITY OF TACOMA DIRECTOR OF PUBLIC WORKS. PERMANENT STRUCTURES SHALL MEAN ANY CONCRETE FOUNDATION, CONCRETE SLAB, WALL, ROCKERY, BUILDING, DECK, OVERHANGING STRUCTURES, FILL MATERIAL,

RECREATIONAL SPORTS COURTS, CARPORTS, PORTABLE SHEDS, PRIVATE UTILITIES, FENCES, OR OTHER SITE IMPROVEMENT THAT WILL UNREASONABLY INTERFERE WITH THE NEED TO ACCESS OR CONSTRUCT SANITARY OR STORM SEWER UTILITIES IN SAID EASEMENTS. PERMANENT STRUCTURES SHALL NOT MEAN IMPROVEMENTS SUCH AS NORMAL LANDSCAPING, ASPHALT PAVING, GRAVEL, OR OTHER SIMILAR SITE IMPROVEMENTS THAT DO NOT PREVENT THE ACCESS OF MEN. MATERIALS, AND MACHINERY ACROSS, ALONG, AND WITHIN THE SAID EASEMENT AREA. LAND RESTORATION BY THE CITY WITHIN THE SAID EASEMENT AREA DUE TO THE CONSTRUCTION, OPERATION, INSPECTION, REPLACEMENT, REPAIR, OR MAINTENANCE OF SANITARY OR STORM SEWER UTILITIES WILL BE STRICTLY LIMITED TO GRASS SEED, GRASS SOD, AND/OR ASPHALT REPLACEMENT UNLESS OTHERWISE DETERMINED BY THE CITY OF TACOMA. WATERVIEW POINTE LEGAL DESCRIPTION OF VACATION.

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RESOLUTION NO. 39211

A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Northwest Cascade, Inc., in the amount of \$1,555,803.26, plus a 20 percent contingency, for a cumulative total of \$1,866,963.91, excluding sales tax, budgeted from the ES Wastewater Fund and ES Surface Water Fund, for the construction of approximately 3,100 linear feet of underground wastewater mains and 540 linear feet of underground stormwater mains in various locations throughout the City, pursuant to Specification No. ES15-0002F.

WHEREAS the City has complied with all applicable laws and processes governing the acquisition of those supplies, and/or the procurement of those services, inclusive of public works, as is shown by the attached Exhibit "A," incorporated herein as though fully set forth, and

WHEREAS the Board of Contracts and Awards has concurred with the recommendation for award as set forth in Exhibit "A"; Now, Therefore,

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

Section 1. That the Council of the City of Tacoma concurs with the Board of Contracts and Awards to adopt the recommendation for award as set forth in the attached Exhibit "A."

Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Northwest Cascade, Inc., in the amount of \$1,555,803.26, plus a 20 percent contingency, for a cumulative total of \$1,866,963.91, excluding sales tax, budgeted from the ES Wastewater Fund and ES Surface Water Fund, for the construction of approximately 3,100 linear feet of underground wastewater mains and 540 linear feet of underground



	stormwater mains in various locations throughout the City, pursuant to	
1	Specification No. ES15-0002F, consistent with Exhibit "A."	
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3	Adopted	
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5	Mayor	
6	Attest:	
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8	City Clerk	
9	Approved as to form:	
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