The Tacoma City Council, at its regular City Council meeting of January 30, 2018, 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. 39923**
A resolution setting Tuesday, February 6, 2018, at approximately 5:15 p.m., as the date for a public hearing by the City Council on the proposed Correctional and Detention Facilities Permanent Regulations, as recommended by the Planning Commission.
[Brian Boudet, Planning Division Manager; Peter Huffman, Director, Planning and Development Services]

**Resolution No. 39924**
A resolution accepting a total of six grants from the Washington State Department of Transportation, the Washington State Transportation Improvement Board, and the Washington Utilities and Transportation Commission, in the total amount of $21,300,819, and depositing said sum into various Capital Project funds, for various projects including roadways, bridges, pedestrian facilities, trails, bikeways, and pedestrian railroad crossings.
[Chris E. Larson, P.E., Engineering Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39925**
A resolution authorizing the execution of an agreement with the Metropolitan Park District of Tacoma, in the amount of $5,000,000, budgeted from the General Fund and Real Estate Excise Tax Fund, for jointly financing the construction of a new community center on the Eastside.
[Jennifer Hines, Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39926**
A resolution authorizing the execution of agreements with Puget Sound Energy, Inc., in the amount of $1,860,000, including sales tax, budgeted from the Wastewater Fund, for the construction of a gas pipe line between the gas processing facility to be located at the Central Wastewater Treatment Plant and the Puget Sound Energy distribution line, located in East Q Street and Bay Street, for the distribution of renewable natural gas.
[James G. Parvey, P.E., Environmental Policy and Sustainability Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]
Resolution No. 39927
A resolution authorizing the execution of an agreement with McKinstry Essention, Inc., in the amount of $6,200,000, including sales tax, budgeted from the Wastewater Fund, to design, install, and construct a facility to process excess bio-gas released as a by-product of treating wastewater at the Central Wastewater Treatment Plant. [James G. Parvey, P.E., Environmental Policy and Sustainability Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39928
A resolution expressing support for the passage of Proposition No. 1 submitted by Tacoma Public School District No. 10 at the February 13, 2018 Special Election, which reads as follows:

SPECIAL ELECTION - PROPOSITION NO. 1
SUBMITTED BY TACOMA SCHOOL DISTRICT NO. 10
REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Tacoma School District No. 10 adopted Resolution No. 2031 to fund educational programs and operations. If approved, Proposition No. 1 will replace an expiring levy and fund eligible educational programs, including classroom teachers, librarians, nurses, counselors, student safety, security and emergency preparedness, special education, preschool, textbooks, instructional materials, arts, music, and building maintenance; and levy the following excess taxes on all taxable property within the District:

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>Estimated Rate/$1,000</th>
<th>Assessed Value</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$2.72</td>
<td>$70,000,000</td>
<td></td>
</tr>
<tr>
<td>2020</td>
<td>$2.66</td>
<td>$72,000,000</td>
<td></td>
</tr>
<tr>
<td>2021</td>
<td>$2.65</td>
<td>$74,000,000</td>
<td></td>
</tr>
<tr>
<td>2022</td>
<td>$2.65</td>
<td>$76,000,000</td>
<td></td>
</tr>
</tbody>
</table>

all as provided in Resolution No. 2031. Should Proposition No. 1 be approved? Yes………[ 
No………] [ 

[Mayor Woodards, Deputy Mayor Ibsen, and Council Member Ushka]
Resolution No. 39929
A resolution expressing support for the passage of Proposition No. 2 submitted by Tacoma Public School District No. 10 at the February 13, 2018 Special Election, which reads as follows:

SPECIAL ELECTION - PROPOSITION NO. 2
SUBMITTED BY TACOMA SCHOOL DISTRICT NO. 10
REPLACEMENT TECHNOLOGY IMPROVEMENTS AND UPGRADES LEVY

The Board of Directors of Tacoma School District No. 10 adopted Resolution No. 2032 to fund technology improvements and upgrades. If approved, Proposition No. 2 will replace an expiring levy and fund expansion of student technology access in all neighborhood schools, replace outdated classroom computers, fund technical training, improve District-wide systems, and authorize the District to levy the following excess taxes on all taxable property within the District:

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>Assessed Value</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$0.93</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>2020</td>
<td>$0.89</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>2021</td>
<td>$0.86</td>
<td>$24,000,000</td>
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<td>2022</td>
<td>$0.84</td>
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<td>2023</td>
<td>$0.81</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>2024</td>
<td>$0.79</td>
<td>$24,000,000</td>
</tr>
</tbody>
</table>

all as provided in Resolution No. 2032. Should Proposition No. 2 be approved?
Yes........[ ]
No........ [ ]

[Mayor Woodards, Deputy Mayor Ibsen, and Council Member Ushka]

Resolution No. 39930
A resolution establishing a vision and next steps for maximizing the value of Click! Network, to support community policy goals related to the purposes for and use of Click!

[Mayor Woodards]
RESOLUTION NO. 39923

A RESOLUTION setting Tuesday, February 6, 2018, as the date for a public hearing on the proposed Correctional and Detention Facilities Permanent Regulations, as recommended by the Planning Commission.

WHEREAS, on March 7, 2017, the City Council adopted Ordinance No. 28417, enacting emergency interim zoning regulations pertaining to public and private correctional facilities, for a period of six months, to expire on September 6, 2017, and

WHEREAS the proposed regulations address not only the land use concerns relating to the location and expansion of correctional and detention facilities, but also the health and safety of residents and visitors of those facilities, and

WHEREAS the interim regulations amended Sections 13.06.100, 13.06.200, 13.06300, 13.06.400, and 13.06.700 of the Tacoma Municipal Code (“TMC”), and were intended to prohibit or require conditional use permits for new or expanded correctional facilities in the interim, to allow time for the City Council and the Planning Commission to conduct appropriate research; analyze potential impacts and applicable local, state and regional policies; and determine the appropriate permanent regulatory framework for public and private correctional facilities in Tacoma, and

WHEREAS, following a public hearing conducted on April 25, 2017, the City Council adopted Ordinance No. 28429 on May 9, 2017, retaining and modifying the interim regulations and extending the effective duration to one year, to expire on March 6, 2018, and
WHEREAS the Planning Commission has reviewed the interim regulations as modified on May 9, 2017; developed draft permanent regulations for the City Council’s consideration for adoption upon the expiration of the interim regulations; conducted a public hearing on January 3, 2018, to receive public comment on the draft regulations; and put forward its recommendation on January 17, 2018, as documented on the Commission’s Findings of Fact and Recommendations Report, and

WHEREAS, pursuant to TMC 13.02, the City Council is required to conduct a public hearing before enacting any amendments to the Land Use Regulatory Code, and

WHEREAS the public hearing provides an opportunity for engaging concerned citizens in the decision-making process of the City Council; Now, Therefore,

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

Section 1. That Tuesday, February 6, 2018, at approximately 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the proposed Correctional and Detention Facilities Permanent Regulations, as recommended by the Planning Commission.
Section 2. That the City Clerk shall give proper notice of the time and place of said hearing.

Adopted ____________________________

__________________________
Mayor

Attest:

__________________________
City Clerk

Approved as to form:

__________________________
Deputy City Attorney
RESOLUTION NO. 39924

A RESOLUTION relating to public works projects; authorizing the acceptance of six grants, in the total amount of $21,300,819, for deposit into various Capital Project funds, to fund various Public Works projects, including roadways, bridges, pedestrian facilities, trails, bikeways, and pedestrian railroad crossings.

WHEREAS the City has aggressively applied for grants for numerous infrastructure projects, and in 2017, six Public Works projects ("Projects") were selected to receive approximately $21,300,819 in grant funds, and

WHEREAS these Projects will improve the safety and well-being of citizens by rehabilitating roadways and providing pedestrian and bicycle facilities; adding or upgrading ADA components; constructing trails; upgrading traffic signals and pedestrian crossings; and improving pedestrian railroad crossings, and

WHEREAS the Projects identified in the attached Exhibit "A" have been selected to receive grant funds, and

WHEREAS five of the Projects will require City matching funds, as follows:

(1) South 19th Street, Union Avenue to Mullen Street, in the amount of $752,090, funded through the Streets Initiative Fund; (2) East 64th Street, Pacific Avenue to McKinley Avenue, in the amount of $2,000,000, funded through the Streets Initiative Fund; (3) South 19th Street Sidewalk, Cedar Street to Bates Technical College, in the amount of $156,190, funded through the Streets Initiative Fund; (4) Yakima Avenue Bridge, in the amount of $403,650, funded through the Streets Initiative Fund; and (5) Taylor Way Rehabilitation, SR 509 to East 11th Street, in the amount of $1,200,825, funded through the Streets Initiative Fund; 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 accept $21,300,819 in federal fund grants, for deposit into various Capital Project funds, to fund various Public Works projects, including roadways, bridges, pedestrian facilities, trails, bikeways, and pedestrian railroad crossings, all as set forth in the attached Exhibit “A.”

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

Adopted __________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
EXHIBIT “A”

<table>
<thead>
<tr>
<th>Project</th>
<th>Grantor/Amount</th>
<th>Description</th>
<th>City Match</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 19th Street, Union Avenue to Mullen Street</td>
<td>National Highway System Asset Management Program Grant</td>
<td>Funding for an overlay of South 19th Street between Union Avenue and Mullen Street, construction of ADA compliant sidewalk ramps, and signal improvements at the intersection of South 19th and Proctor Streets. A City match of $752,090 is required and funded through the Streets Initiative Fund.</td>
<td>$752,090</td>
</tr>
<tr>
<td>East 64th Street, Pacific Avenue to McKinley Avenue</td>
<td>Washington State Transportation Improvement Board Grant</td>
<td>Funding for the reconstruction of East 64th Street between Pacific Avenue and McKinley Avenue. The project will reconstruct the roadway, add bicycle facilities, wider sidewalks with ADA compliant ramps, and signal improvements. Storm water and streetlight systems will also be improved. A City match of $2,000,000 is required and funded through the Streets Initiative Fund.</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>South 19th Street Sidewalk, Cedar Street to Bates Technical College</td>
<td>Washington State Transportation Improvement Board Grant</td>
<td>Funding for the construction of an ADA compliant path from the Bates Technical College campus to Cedar Street. The project will construct approximately 1,200 linear feet of missing link sidewalk, upgrade existing driveways and the South 19th Street/Cedar Street traffic signal to meet current ADA standards. A City match of $156,190 is required and funded through the Streets Initiative Fund.</td>
<td>$156,190</td>
</tr>
<tr>
<td>McCarver Rail Crossing</td>
<td>State of Washington Utilities and Transportation Commission Grant</td>
<td>Funding for the installation of pedestrian gates, fencing, LED upgrades, and pavement markings at the McCarver Street rail crossing. A City match is not required.</td>
<td>None</td>
</tr>
<tr>
<td>Project</td>
<td>Grantor/Amount</td>
<td>Description</td>
<td>City Match</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Yakima Avenue Bridge</td>
<td>2017 Local Bridge Program Grant</td>
<td>Funding for the deck repair of the Yakima Avenue Bridge spanning South Tacoma Way. A City match of $403,650 is required and will be funded via the Streets Initiative Fund.</td>
<td>$403,650 Funded through the Streets Initiative Fund</td>
</tr>
<tr>
<td>Taylor Way Rehabilitation, SR 509 to East 11th Street</td>
<td>2019 National Highway Freight Program Grant</td>
<td>Funding to reconstruct the roadway to heavy haul standards, remove/upgrade rail crossings, and widen the SR 509/Taylor Way intersection. The project will install Intelligent Traffic Signal improvements, new sidewalks and ADA ramps, streetlights, and pavement markings. A City match of $1,200,825 is required and will be funded via the Streets Initiative Fund.</td>
<td>$1,200,825 Funded through the Streets Initiative Fund</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 39925

A RESOLUTION relating to public health, safety and welfare; authorizing the execution of an Interagency Cooperation Agreement with the Metropolitan Park District of Tacoma, in the amount of $5,000,000, budgeted from the General Fund and Real Estate Excise Tax Fund, for the purpose of jointly financing the construction of a new community center on the Eastside of Tacoma.

WHEREAS the City and Metropolitan Park District of Tacoma ("Metro Parks Tacoma") desire to construct a new community center on the Eastside of Tacoma, to provide recreational, athletic, and aquatic facilities for the benefit of Tacoma residents, and

WHEREAS the project provides for the construction of a new 55,000 square-foot community center, containing a swimming pool, gym, and social hall, which will provide after-school activities, a teaching kitchen, sound recording studio, and more to residents of the neighborhood and beyond, and

WHEREAS the estimated total cost for this project is $31,000,000, and

WHEREAS the City's 2017-2018 adopted budget includes $5,000,000 for the Eastside Community Center, and

WHEREAS the proposed Interagency Cooperation Agreement will formalize the City's contribution, in the amount of $5,000,000, toward project construction, and

WHEREAS additional funding consists of the following: (1) $10,000,000 from the 2014 Metro Parks capital improvement bond; (2) $7,000,000 from federal tax credits that encourage community investment; (3) $3,000,000 from private philanthropy; (4) $3,000,000 in state grants; and (5) $3,000,000 from additional funding sources and/or additional Metro Parks capital bond funds, and
WHEREAS project construction is anticipated to be completed in late summer 2018; 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 an Interagency Cooperation Agreement with the Metropolitan Park District of Tacoma, in the amount of $5,000,000, budgeted from the General Fund and Real Estate Excise Tax Fund, for the purpose of jointly financing the construction of a new community center on the Eastside of Tacoma, said agreement to be substantially the form of the document on file in the Office of the City Clerk.

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Chief Deputy City Attorney
RESOLUTION NO. 39926

A RESOLUTION relating to renewable energy; authorizing execution an Engineering Services and Construction Agreement with Puget Sound Energy, Inc., in the amount of $1,860,000, including sales tax, budgeted from the Wastewater Fund, to construct a gas pipe line between the gas processing facility to be located at the Central Wastewater Treatment Plant and the Puget Sound Energy distribution line located in East Q Street and Bay Street to allow the renewable natural gas produced at the Central Wastewater Treatment Plant to be distributed, and further, authorizing execution of a Receipt Service Agreement and Safety Services Agreement governing the injection of renewal natural gas into the gas pipe line.

WHEREAS, in accordance with the 2008 Climate Action Plan and the Environmental Action Plan, the City has committed to reducing its greenhouse gas emissions, and

WHEREAS the Environmental Services Department ("ESD") is challenged with providing its ratepayers vital utility services at an economical price, and

WHEREAS, when bio-gas (methane) is processed, it can be used interchangeably with natural gas and sold in the market place as a commodity, and

WHEREAS, according to the Environmental Protection Agency, using methane from this source will reduce greenhouse gasses by at least 60 percent compared to diesel fuel or natural gas extracted from the earth; in addition, if processed bio-gas is used for vehicle fuel, it is eligible for an environmental credit, and

WHEREAS the sale of bio-gas for use as a transportation fuel is a necessary step in creating Renewable Identification Numbers ("RINs"); doing so will create a public benefit by reducing greenhouse gas emissions by at least
60 percent, supporting the use of renewable fuels for transportation purposes, and
increasing the revenue received by the ESD, and

WHEREAS the opportunity to reduce greenhouse gas emissions while
generating revenue to the wastewater utility through the sale of a valuable
commodity represents an extraordinary opportunity, and

WHEREAS the City’s energy services contractor conducted an investment
grade audit for the Central Wastewater Treatment Plant and recommended three
energy savings project including the installation of a Biogas processing facility ("Biogas Project") to process excess bio-gas released from the Central Wastewater Treatment Plant to create renewable natural gas, and

WHEREAS, on October 11, 2017, ESD staff briefed the Infrastructure,
Planning and Sustainability Committee regarding the details of the proposed
energy savings projects, and

WHEREAS, on December 19, 2017, the City Council approved Resolution No. 39897, authorizing execution of an agreement with IGI Resources, Inc. for the sale and purchase of renewable natural gas anticipated to be derived from
processing excess bio-gas released from the Central Wastewater Treatment Plant, and using processing facilities designed, constructed, and installed by McKinstry Essention, Inc., and

WHEREAS, concurrent with this resolution, is a resolution approving an
agreement with McKinstry Essention, Inc. for the design, construction, and installation of the processing facility, and
WHEREAS it is necessary for the City to enter into an Engineering Services and Construction Agreement with Puget Sound Energy, Inc. (“PSE”), in the amount of $1,860,000, including sales tax, budgeted from the Wastewater Fund, for the construction of a gas pipeline for delivery of processed bio-gas to PSE, and

WHEREAS it is further necessary to enter into a Receipts Services Agreement and Safety Services Agreement with PSE to establish the terms and conditions upon which PSE will allow processed bio-gas to be injected into the gas pipeline, and

WHEREAS it is expected that the revenue derived from the sale of processed bio-gas with RIN credits will exceed the debt service costs and the ongoing costs of maintenance and operations for the life of the bio-gas processing facility; 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 Engineering Services and Construction Agreement with Puget Sound Energy, Inc., in the amount of $1,860,000, including sales tax, budgeted from the Wastewater Fund, to construct a gas pipeline between the gas processing facility to be located at the Central Wastewater Treatment Plant and the Puget Sound Energy distribution line located in East Q Street and Bay Street to allow the renewable natural gas produced at the Central Wastewater Treatment Plant to be distributed, and are further authorized to enter into a Receipt Service Agreement and Safety Service Contract governing the injection of processed bio-gas into the gas pipe...
line, said agreements to be substantially in the form of the documents on file in the
office of the City Clerk.

Adopted ________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Chief Deputy City Attorney
RESOLUTION NO. 39927

A RESOLUTION relating to renewable energy; authorizing execution of an Energy Services Contract with McKinstry Essention, Inc., in the amount of $6,200,000, including sales tax, budgeted from the Wastewater Fund, to design, install, and construct a facility to process excess bio-gas released as a by-product of treating wastewater at the City’s Central Wastewater Treatment plant.

WHEREAS, in accordance with the 2008 Climate Action Plan and the Environmental Action Plan, the City has committed to reducing its greenhouse gas emissions, and

WHEREAS the Environmental Services Department (“ESD”) is challenged with providing its ratepayers vital utility services at an economical price, and

WHEREAS, when bio-gas (methane) is processed, it can be used interchangeably with natural gas and sold in the market place as a commodity, and

WHEREAS, according to the Environmental Protection Agency, using methane from this source will reduce greenhouse gasses by at least 60 percent compared to diesel fuel or natural gas extracted from the earth; in addition, if processed bio-gas is used for vehicle fuel, it is eligible for an environmental credit, and

WHEREAS the sale of bio-gas for use as a transportation fuel is a necessary step in creating Renewable Identification Numbers (“RINs”); doing so will create a public benefit by reducing greenhouse gas emissions by at least 60 percent, supporting the use of renewable fuels for transportation purposes, and increasing the revenue received by the ESD, and
WHEREAS the opportunity to reduce greenhouse gas emissions while generating revenue to the wastewater utility through the sale of a valuable commodity represents an extraordinary opportunity, and

WHEREAS, on October 11, 2017, ESD staff briefed the Infrastructure, Planning and Sustainability Committee regarding the details of the proposed Bio-Gas Utilization Project, and

WHEREAS RCW 39.35A allows local governments, after a competitive selection process, to negotiate one or more performance-based energy contracts with an energy service company ("ESCO") to reduce the energy use or energy cost of an existing building or facility, and

WHEREAS, in 2010, the City issued a request for proposals for an ESCO contractor to conduct investment grade energy conservation audits and provide energy equipment and services pursuant to performance-based contracts, and selected McKinstry Essention, Inc. ("McKinstry"), to provide such services to the City, and

WHEREAS, pursuant to a 2014 services agreement, McKinstry conducted an investment grade audit for the Central Wastewater Treatment Plant and recommended three energy savings projects: (1) 09.02-CTP Upgrade Lighting with LEDS; (2) 22.04-CTP Upgrade Digester Mixing; and (3) 22.05-CTP Install Biogas Treatment Station and Improve Heat Recovery ("Biogas Project"), and

WHEREAS, on October 11, 2017, ESD staff briefed the Infrastructure, Planning and Sustainability Committee regarding the details of the proposed energy savings projects, and
WHEREAS, on December 19, 2017, the City Council approved Resolution
No. 39897, authorizing execution of an agreement with IGI Resources, Inc. for the
sale and purchase of renewable natural gas anticipated to be derived from
processing excess bio-gas released from the Central Wastewater Treatment Plant
using processing facilities designed, constructed, and installed by McKinstry, and

WHEREAS, concurrent with this resolution, is a resolution approving
agreements with Puget Sound Energy for the construction of a gas pipeline and
delivery of processed bio-gas to Puget Sound Energy to enable the purchase and
sale of renewable natural gas by IGI Resources, Inc., and

WHEREAS, it is necessary to enter into a performance-based contract with
McKinstry to complete the design, construction and installation of the three
proposed energy savings projects, in the amount of $6,200,000, including sales
tax, budgeted from the Wastewater Fund, and

WHEREAS it is expected that the energy savings from the first two projects
and that the revenue derived from the sale of processed bio-gas with RIN credits
will exceed the debt service costs for the projects including the ongoing costs of
maintenance and operations for the life of the bio-gas processing facility; 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
Energy Services Contract with McKinstry Essention, Inc., in the amount of
$6,200,000, including sales tax, budgeted from the Wastewater Fund, to commence
and complete the three energy savings projects, including the construction of a
facility to process excess bio-gas released as a by-product of treating wastewater at the City’s Central Wastewater Treatment plant, said agreement to be substantially in the form of the document on file in the office of the City Clerk.

Adopted ______________________

_________________________________
Mayor

Attest:

_________________________________
City Clerk

Approved as to form:

_________________________________
Chief Deputy City Attorney
RESOLUTION NO. 39928

BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR IBSEN, AND COUNCIL MEMBER USHKA

A RESOLUTION expressing support for the passage of Proposition No. 1, submitted by Tacoma School District No. 10 at the February 13, 2018, Special Election, for replacement of an expiring levy for educational programs and operations; and urging Tacoma voters to vote “Approved” on Proposition No. 1 on the February 13, 2018, Special Election ballot.

WHEREAS, the Tacoma School District No. 10, Pierce County, Washington ("District") provides educational services to the children of the District, and

WHEREAS the Constitution of the State of Washington requires that the state provide funds for basic education for such students, and

WHEREAS the state is able to provide only a portion of the amount required to fund these services for the District, and

WHEREAS the Constitution and laws of the State of Washington require that a proposition to levy excess taxes to meet funding needs of a School District must be submitted to the qualified electors of the District for the ratification or rejection, and

WHEREAS, for the past four years, the District has had in effect a maintenance and operations levy which is set to expire in 2018, and

WHEREAS, on October 26, 2017, the Board of Directors ("Board") adopted Resolution No. 2031, authorizing an education programs, operations, and maintenance levy, and

WHEREAS, if approved, Proposition 1 would continue to fund small classes; teachers, instructional aides, librarians, and nurses; special education;...
advanced classes for high-achieving students; supplemental programs to bring
students up to grade level; athletics, arts, music, and extracurricular programs;
textbooks and classroom instructional materials; and summer school, and

WHEREAS Proposition 1 would also continue funding for maintenance of
school buildings, playgrounds and playfields; alarm and sprinkler systems;
campus security; and emergency preparedness, and

WHEREAS passage of this proposition would authorize the District to levy
up to $73 million on average annually, from 2019-2022, on all taxable property
within the District, subject to applicable limits, and

WHEREAS, if approved, Proposition 1 would result in a tax rate lower than
the current local school property tax rate which expires in 2018, and

WHEREAS the success of Tacoma’s schools is dependent upon its
citizens; Now, Therefore,

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

Section 1. That the City Council hereby expresses its support for the
passage of Proposition No. 1 submitted by Tacoma School District No. 10 at the
February 13, 2018, Special Election, for the purposes hereinabove enumerated.

Section 2. That the City Council urges Tacoma voters to vote “Approved”
on Proposition No. 1 on the February 13, 2018, Special Election ballot,
substantially in the form of the ballot title as follows:
SPECIAL ELECTION – PROPOSITION NO. 1
SUBMITTED BY TACOMA SCHOOL DISTRICT NO. 10
REPLACEMENT EDUCATIONAL PROGRAMS AND OPERATIONS LEVY

The Board of Directors of Tacoma School District No. 10 adopted Resolution No. 2031 to fund educational programs and operations. If approved, Proposition No. 1 will replace an expiring levy and fund eligible educational programs, including classroom teachers, librarians, nurses, counselors, student safety, security and emergency preparedness, special education, preschool, textbooks, instructional materials, arts, music, and building maintenance; and levy the following excess taxes on all taxable property within the District:

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>Estimated Rate/$1,000 of Assessed Value</th>
<th>Levy Amount</th>
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<tbody>
<tr>
<td>2019</td>
<td>$2.72</td>
<td>$70,000,000</td>
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</tr>
<tr>
<td>2022</td>
<td>$2.65</td>
<td>$76,000,000</td>
</tr>
</tbody>
</table>

all as provided in Resolution No. 2031. Should Proposition No. 1 be approved?

Yes ........ _____
No ........ _____

Adopted __________________________

_______________________________
Mayor

Attest:

_______________________________
City Clerk

Approved as to form:

_______________________________
City Attorney
RESOLUTION NO. 39929

BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR IBSEN, AND COUNCIL MEMBER USHKA

A RESOLUTION expressing support for the passage of Proposition No. 2, submitted by Tacoma School District No. 10 at the February 13, 2018, Special Election, for replacement of an expiring levy for District-wide technology improvements and upgrades; and urging Tacoma voters to vote “Approved” on Proposition No. 2 on the February 13, 2018, Special Election ballot.

WHEREAS the Board of Directors (“Board”) and staff of Tacoma School District No. 10, Pierce County, Washington (“District”), continue to plan for the capital needs of the District to provide the District’s students, teachers, and staff with adequate, proper, and safe facilities that create opportunities for educational excellence for every student, regardless of background, economic circumstances, or neighborhood, and

WHEREAS, for the past four years, the District has had in effect a technology improvements and upgrades levy which is set to expire in 2018, and

WHEREAS, on October 26, 2017, the Board adopted Resolution No. 2032, concerning a proposition to enable the District to continue funding necessary technology improvements and upgrades District-wide, and

WHEREAS, if approved, Proposition No. 2 would expand student access to technology District-wide; provide up-to-date tools for teaching and learning; replace outdated classroom computers for teachers and students to remain within state standards; support technical training of updated computer systems for teachers and students; make high-speed internet upgrades and other systems
improvements; and improve the District’s online system for parents, students, and
teachers to monitor academic progress, homework and attendance; and

WHEREAS passage of this proposition would authorize the District to levy
$24 million annually, from 2019-2024, on all taxable property within the District as
provided in Resolution No. 2032, and

WHEREAS the success of Tacoma’s schools is dependent upon its
citizens; Now, Therefore,

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

Section 1. That the City Council hereby expresses its support for the
passage of Proposition No. 2 submitted by Tacoma School District No. 10 at
the February 13, 2018, Special Election, for the purposes hereinabove
enumerated.

Section 2. That the City Council urges Tacoma voters to vote
“Approved” on Proposition No. 2 on the February 13, 2018, Special Election
ballot, substantially in the form of the ballot title as follows:
SPECIAL ELECTION – PROPOSITION NO. 2
SUBMITTED BY TACOMA SCHOOL DISTRICT NO. 10
REPLACEMENT TECHNOLOGY IMPROVEMENTS AND UPGRADES LEVY

The Board of Directors of Tacoma School District No. 10 adopted Resolution No. 2032 to fund technology improvements and upgrades. If approved, Proposition No. 2 will replace an expiring levy and fund expansion of student technology access in all neighborhood schools, replace outdated classroom computers, fund technical training, improve District-wide systems, and authorize the District to levy the following excess taxes on all taxable property within the District:

<table>
<thead>
<tr>
<th>Collection Year</th>
<th>Estimated Rate/$1,000</th>
<th>Assessed Value</th>
<th>Levy Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>$0.93</td>
<td>$24,000,000</td>
<td></td>
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<tr>
<td>2020</td>
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</tr>
<tr>
<td>2021</td>
<td>$0.86</td>
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<tr>
<td>2024</td>
<td>$0.79</td>
<td>$24,000,000</td>
<td></td>
</tr>
</tbody>
</table>

all as provided in Resolution No. 2032. Should Proposition No. 2 be approved?

Yes ……… _____

No ……… _____

Adopted __________________________

Mayor

Attest:

_________________________
City Clerk

Approved as to form:

_________________________
City Attorney
RESOLUTION NO. 39930

BY REQUEST OF MAYOR WOODARDS

A RESOLUTION relating to Click! Network; establishing a vision and next steps for maximizing the value of Click! Network.

WHEREAS the 1997 business plan contemplated that the revenues associated with telecommunications services related to city government communications, cable television ("CATV") service, transport of signals to service providers offering telecommunications services, and internet access services would pay for the costs of such services and may provide an additional revenue stream to Tacoma Power to help offset the construction and operation costs associated with the telecommunications system, and

WHEREAS the City Council of Tacoma delegated authority to the Public Utility Board ("Board") and the Department of Public Utilities ("TPU"), Light Division (d.b.a. "Tacoma Power"), to implement and manage a broadband telecommunications system ("Click! Network" or "Click!", as authorized through City Council Substitute Resolution No. 33668, approved April 8, 1997, and Public Utility Board Amended Substitute Resolution U-9258, approved April 9, 1997), and

WHEREAS many of the functions of the telecommunications system envisioned in the 1997 business plan have been achieved since the infrastructure improvements were completed in 1999, including: conventional substation communication functions, City government communications functions, CATV service, and transport of signals for service providers offering telecommunications services, through Click!; and internet access services, through third-party providers, and
WHEREAS other contemplated functions have been partially achieved through the Gateway meter program, which include: remote turn on/off for electric customers, automated meter reading (electric), and provision of information to customers that is relevant to their energy purchasing decisions, and

WHEREAS it is recognized that a portion of Tacoma Power’s telecommunication infrastructure in part used by the Click! Network was funded through Click! customer revenues as well as the City of Tacoma (specifically, the Institutional-Net fiber), and

WHEREAS, at the time of construction, Click!’s infrastructure and equipment were state-of-the-art and allowed customers of Click! to experience exceptional access to the internet, and

WHEREAS the construction of Click! has increased competition for CATV and telecommunications products which, in turn, enhanced customer service, capital improvements to existing telecommunication provider systems and products, and greater access to CATV and telecommunication services, and

WHEREAS the telecommunications system continues to provide interconnectivity, advanced control, and power management between electrical substations, which provides safe, reliable, and efficient use of electrical resources for the benefit of all Tacoma Power customers; nevertheless, not all of the original contemplated uses of the telecommunication system by Tacoma Power for power purposes have come to fruition, and

WHEREAS much of the existing telecommunications system and equipment will not be needed by Tacoma Power for power purposes in the future, and
consequently, Tacoma Power does not intend to update and improve those parts of
the telecommunication system and equipment to the latest technology in the future,
making telecommunication services offered to customers less competitive in the
current commercial telecommunication market, and

WHEREAS the existing business plan associated with Click!
telecommunication services offered to customers does not generate sufficient
revenues to fully fund current expenses (in particular, those expenses related to
CATV/cable television services), nor can existing revenues fully fund capital
improvement costs related to these functions, and

WHEREAS the Board sought policy direction from the City Council on how to
remedy the current financial situation by recommending two potential alternative
paths: (1) U-10828, requesting approval to adopt a business plan where Click!
would provide retail telecommunications services (along with CATV services) to its
customers paid for by Click! customers and electric utility funds; or (2) U-10829,
requesting approval to solicit lease and property sale proposals for a third-party
operation to use and maintain Click! to provide telecommunication services, and

WHEREAS, on December 12, 2015, the City Council, pursuant to Amended
Resolution No. 39347, approved the first alternative path and requested the Board
to direct Tacoma Power to prepare an all-in retail services plan related to Click!
operations, and

WHEREAS, on September 28, 2016, pursuant to Amended
Resolution U-10879, the Board approved a high-level business plan requiring Click!
to offer retail services to customers paid for by electric utility funds and forwarded
the plan to the City Council for review and concurrence, and

WHEREAS, since referring the high-level plan for review, customers of
Tacoma Power have filed a claim for damages and lawsuit related to
implementation of an all-in retail services plan paid for in part by electric utility
funds, specifically challenging that the plans required the use of Tacoma Power
revenues generated from electricity sales to fund potential deficits in Click!
operating expenses and capital improvement costs related to implementing the all-
in retail services plan, and

WHEREAS no action on the high-level plan was taken by the City Council,
and it is now apparent that Click! revenues alone will not support completion of an
all-in retail services (including internet, CATV, and voice over internet protocol)
plan, nor are such revenues sufficient to make necessary capital improvements
related to implementing such a retail services plan, and

WHEREAS the City Council and the Board have re-examined the long-
standing community policy goals for providing Click! telecommunications services
(television, internet, telephone, etc.) to customers, and the City Council and the
Board remain deeply committed to Click! and continue to support community
policy goals related to the purposes for and use of Tacoma Power’s assets
comprising Click!, including the following community policy goals:

(1) Continuing public ownership of the telecommunications assets,
especially those assets necessary for Tacoma Power operations;
(2) Ensuring geographically, economically, and technologically equitable access;

(3) Creating low-income affordable access to telecommunication services;

(4) Enforcing net neutrality principles for all customers;

(5) Allowing open access to telecommunication assets by other telecommunication providers, to the extent such access benefits customers;

(6) Preserving competition among telecommunication providers that benefits customers (such as high-quality, technologically up-to-date, and reasonably priced telecommunication services), including restricting transfer of ownership or operations that reduce competition;

(7) Safeguarding the use of telecommunications services by Tacoma Power, the City, and other local governments;

(8) Maintaining financial stability of the telecommunications business operations utilizing the Click! assets;

(9) Promoting economic development and educational opportunities;

(10) Providing job options and security for Click! staff and protecting the intellectual capital of the system;

(11) Protecting customer privacy; and

(12) Preserving Click!’s goodwill, including via its market-leading customer service for telecommunications customers, and

WHEREAS an independent consultant on municipal broadband has reviewed Click!’s assets, operations, the current and future state of technology, and market conditions, and has determined that the City cannot meet some of the
community’s policy goals related to Click! using an all-in retail services plan that is
paid for in part by electric utility funds, and

WHEREAS the City Council and the Board met in a joint study session on
January 23, 2018, to discuss the community policy goals and proposed Board
Resolution U-10988, related to next steps and a new vision for Click!, and

WHEREAS, on January 24, 2018, after accepting comment from the public,
the Board approved Resolution U-10988, and

WHEREAS, due to the above factors, it is now deemed to be in the best
interests of the customers of Tacoma Power, including Click! customers and
residents of the City of Tacoma to pursue alternative courses which do not involve
Click! directly providing all-in retail services to customers that are paid for in part by
electric utility funds, and

WHEREAS, instead, the above policy goals will be utilized in shaping a new
course for the use and preservation of the assets of Click!; Now, Therefore,

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

Section 1. That the Public Utility Board’s (“Board”) decision pursuant to
Board Resolution U-10988, to rescind Board Resolution U-10879, passed
September 28, 2016, which approved a high-level business plan requiring Click! to
offer all-in retail services to customers paid for in part by electric utility funds, is
accepted by the City Council.

Section 2. That the City Council’s Amended Resolution No. 38347,
requesting the Board to develop such a plan paid for in part by electric utility funds,
is also rescinded.
Section 3. That the community policy goals listed above in the recitals and approved by the Board are approved by the City Council.

Section 4. That requests for information, proposals, or qualifications from any and all entities (with a working knowledge of the assets and the business of Click!) will be sought to determine how, and to what extent, the community policy goals can be achieved through collaboration and/or restructuring of Click!.

Section 5. That the Interim Director of Utilities shall work jointly with the City Manager to detail next steps, including the preparation of requests for information, proposals, or qualifications, and may retain the services of a consultant to assist in such efforts, to be jointly funded by the City and Department of Public Utilities. It is expected that such requests shall be submitted to any and all entities no later than the end of February 2018. The Board and City Council are expected to take action within three of months of receipt of the proposals.

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney