



## **Legislation Passed August 9, 2022**

The Tacoma City Council, at its regular City Council meeting of August 9, 2022, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 41011**

A resolution setting Tuesday, September 13, 2022, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the proposed Tideflats Subarea Plan and Environmental Impact Statement alternatives, as recommended by the Tideflats Steering Committee.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

### **Amended Resolution No. 41012**

A resolution appointing an individual to the City Council At-Large Position 7, for a term to be effective August 9, 2022, through December 31, 2023.

[Mayor Woodards]

### **Resolution No. 41013**

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Alpha Sharp Development Partners, Inc., for the development of 20 multi-family market and regulated rate rental housing units, located at 4343 South Alder Street, in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

### **Resolution No. 41014**

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Andrew and Tawny Putnam, for the development of 15 multi-family market and regulated rate rental housing units, located at 4501 South Warner Street, in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

### **Resolution No. 41015**

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$2,500, to support The Peace Bus and the "Every Kid Eats" summer program.

[Mayor Woodards]

**Ordinance No. 28813**

An ordinance vacating the air rights over a portion of South 15th Street, lying between South Court “E” and South Fawcett Avenue, and a westerly portion of South Fawcett Avenue, lying south of South 15th Street, to facilitate design variability for a residential building project.

(Fawcett Avenue Owner, LLC; File No. 124.1431)

[Jeff H. Capell, Hearing Examiner]

**Ordinance No. 28826**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by District Lodge No. 160 on behalf of Local Lodge No. 297 of the International Association of Machinists and Aerospace Workers, General Unit; and the nonrepresented classifications of Municipal Court Judge and Court Commissioner.

[Kari Louie, Assistant Director; Shelby Fritz, Director, Human Resources]

**Ordinance No. 28827**

(First and Final Reading) An ordinance declaring the public necessity for, and providing for the acquisition by eminent domain certain property located along the South Tacoma Way Corridor between South Pine and South “M” Streets, to construct pedestrian improvements and related facilities in connection with the Water Flume Line Trail Phase III project; and declaring an emergency, and making necessary the passage of this ordinance, and its taking effect immediately.

[Troy Stevens, Senior Real Estate Specialist; Josh Diekmann, P.E. PTOE, Interim Director, Public Works]



## RESOLUTION NO. 41011

1 A RESOLUTION setting Tuesday, September 13, 2022, upon completion of  
2 Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public  
3 hearing by the City Council on the proposed Tideflats Subarea Plan and  
4 Environmental Impact Statement alternatives, as recommended by the  
5 Tideflats Steering Committee.

6 WHEREAS, in recognition of the regional significance of the Port of  
7 Tacoma Manufacturing-Industrial Center, the City of Tacoma, Port of Tacoma,  
8 Puyallup Tribe of Indians, City of Fife, and Pierce County have partnered to  
9 develop a Tideflats Subarea Plan for adoption by the City of Tacoma as part of  
10 the City's Comprehensive Plan, and

11 WHEREAS the Tideflats Subarea Plan and companion Environmental  
12 Impact Statement ("EIS") process is intended to create a shared long-term vision  
13 and more coordinated approach to development, environmental review, and  
14 strategic capital investments in the Tideflats, and

15 WHEREAS completion of the Tideflats Subarea Plan will support the  
16 ongoing eligibility for and prioritization of transportation funding in the regional  
17 manufacturing and industrial center, and

18 WHEREAS, on March 24, 2022, the Tideflats Steering Committee  
19 unanimously recommended a range of preliminary future development alternatives  
20 to be used as the basis for the State Environmental Policy Act ("SEPA") Planned  
21 Action EIS scoping process, and

22 WHEREAS the recommendation includes the proposed Guiding Principles  
23 and a range of alternatives including the "No Action" alternative, representing the  
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baseline conditions, and three “Action” alternatives, representing a range of policy choices for consideration in the Tideflats Subarea Plan, and

WHEREAS alternatives are one of the basic building blocks of an EIS, presenting options in a meaningful way for decision-makers, and

WHEREAS, following this recommendation, the City initiated the EIS public scoping process; as part of this process, a public hearing will be held to gather community input prior to making a final recommendation on the EIS scope and future development alternatives to be considered, and

WHEREAS, upon completion of the scoping process, the consultant team will conduct the environmental analysis and work with the Steering Committee to develop the draft plan, and

WHEREAS the City desires to fix a time and date for public hearing for the purpose of considering the proposed Tideflats Subarea Plan and Environmental Impact Statement alternatives, as recommended by the Tideflats Steering Committee; Now, Therefore,

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

Section 1. That Tuesday, September 13, 2022, upon completion of Regular Agenda Items, no earlier than 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, or alternatively, a call-in option will be provided, as the place when and where a public hearing shall be held on the proposed Tideflats



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Subarea Plan and Environmental Impact Statement alternatives, as recommended  
by the Tideflats Steering Committee.

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. 41012

1 A RESOLUTION appointing an individual to the City Council At-Large Position 7,  
2 for a term to be effective August 9, 2022, through December 31, 2023.

3 WHEREAS Conor McCarthy was elected as a representative for the City  
4 Council At-Large Position 7, for a term beginning on January 1, 2020, and ending  
5 on December 31, 2023, and

6 WHEREAS Council Member McCarthy resigned as the representative for  
7 the City Council At-Large Position 7, effective June 22, 2022, and

8 WHEREAS applications for the vacancy were accepted for the period of  
9 June 22, 2022, through July 7, 2022, and 43 applications were received, and

10 WHEREAS the City Council discussed the process for filling the vacancy  
11 and discussed the desired qualifications for the At-Large Position 7 at the July 12,  
12 2022, Study Session, followed by an Executive Session to evaluate applicant  
13 qualifications, and

14 WHEREAS, at the City Council meeting of July 12, 2022, the City Council  
15 adopted a selection process that would include forwarding applicants for a  
16 three-minute presentation and interviewing the finalists at a later time, and

17 WHEREAS 24 candidates were selected to make presentations to the City  
18 Council on July 19, 2022, and the City Council selected six finalists to interview at  
19 a special City Council meeting held on August 1, 2022, and

20 WHEREAS Olgy Diaz has been nominated for appointment to the City  
21 Council At-Large Position 7, for a term to be effective August 9, 2022, and ending  
22 on December 31, 2023, and



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WHEREAS it is in the best public interest that this individual be appointed  
to the City Council At-Large Position 7, for said period; Now, Therefore,

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

That, in accordance with Tacoma City Charter 2.7, the City Council does  
hereby appoint Olgy Diaz to the City Council At-Large Position 7, for a term to be  
effective August 9, 2022, through December 31, 2023.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 41013

1 A RESOLUTION relating to the multi-family property tax exemption program;  
2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property  
3 Tax Exemption Agreement with Alpha Sharp Development Partners, Inc., for  
4 the development of 20 multi-family market-rate and affordable rental housing  
units to be located at 4343 South Alder Street in the Tacoma Mall Mixed-Use  
Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of  
6 Washington, designated several Residential Target Areas for the allowance of a  
7 limited property tax exemption for new multi-family residential housing, and  
8

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program  
10 whereby property owners in Residential Target Areas may qualify for a Final  
11 Certificate of Tax Exemption which certifies to the Pierce County  
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax  
13 exemption, and  
14

15 WHEREAS Alpha Sharp Development Partners, Inc., is proposing to develop  
16 20 new market-rate and affordable rental housing units to consist of:

| Number of Units | Type of Unit          | Average Size    |
|-----------------|-----------------------|-----------------|
| Market Rate     |                       |                 |
| 1               | Studio                | 432 Square Feet |
| 15              | One bedroom, one bath | 432 Square Feet |
| Affordable Rate |                       |                 |
| 4               | One bedroom, one bath | 432 Square Feet |

21 WHEREAS the affordable units will be rented to households whose income  
22 is at or below 70 percent of Pierce County Area Median Income, adjusted for  
23 household size, as determined by the Department of Housing and Urban  
24 Development on an annual basis, and rent will be capped at 30 percent of those  
25 income levels, adjusted annually, and  
26





1 WHEREAS the project will also include one on-site residential parking stall,  
2 and

3 WHEREAS the Director of Community and Economic Development has  
4 reviewed the proposed property tax exemption and recommends that a conditional  
5 property tax exemption be awarded for the property located at 4343 South Alder  
6 Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the  
7 attached Exhibit "A"; Now, Therefore,

8  
9 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

10  
11 Section 1. That the City Council does hereby approve and authorize a  
12 conditional property tax exemption, for a period of 12 years, to Alpha Sharp  
13 Development Partners, Inc., for the property located at 4343 South Alder Street in  
14 the Tacoma Mall Mixed-Use Center, as more particularly described in the attached  
15 Exhibit "A."  
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Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Alpha Sharp Development Partners, Inc., said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney

Legal description approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Tax Parcel: 2890001480

Legal Description:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST  
QUARTER OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 03  
EAST, W. M., BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

THE SOUTH 8 FEET OF LOT 4, ALL OF LOT 5 AND THE NORTH 21  
FEET OF LOT 6, BLOCK 27, CASCADE PARK ADDITION, ACCORDING  
TO THE PLAT THEREOF RECORDED IN VOLUME 1 OF PLATS, PAGE  
120, RECORDS OF PIERCE COUNTY, WASHINGTON.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE  
OF WASHINGTON.



## RESOLUTION NO. 41014

1 A RESOLUTION relating to the multi-family property tax exemption program;  
2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property  
3 Tax Exemption Agreement with Andrew and Tawny Putnam, for the  
4 development of 15 multi-family market-rate and affordable rental housing  
units to be located at 4501 South Warner Street in the Tacoma Mall  
Mixed-Use Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of  
6 Washington, designated several Residential Target Areas for the allowance of a  
7 limited property tax exemption for new multi-family residential housing, and  
8

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program  
10 whereby property owners in Residential Target Areas may qualify for a Final  
11 Certificate of Tax Exemption which certifies to the Pierce County  
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax  
13 exemption, and  
14

15 WHEREAS Andrew and Tawny Putnam, is proposing to develop 15 new  
16 market-rate and affordable rental housing units to consist of:

| Number of Units | Type of Unit          | Average Size    |
|-----------------|-----------------------|-----------------|
| Market Rate     |                       |                 |
| 12              | One bedroom, one bath | 450 Square Feet |
| Affordable Rate |                       |                 |
| 3               | One bedroom, one bath | 450 Square Feet |

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20 WHEREAS the affordable units will be rented to households whose income  
21 is at or below 70 percent of Pierce County Area Median Income, adjusted for  
22 household size, as determined by the Department of Housing and Urban  
23 Development on an annual basis, and rent will be capped at 30 percent of those  
24 income levels, adjusted annually, and  
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1 WHEREAS the project will also include seven on-site residential parking  
2 stalls, and

3 WHEREAS the Director of Community and Economic Development has  
4 reviewed the proposed property tax exemption and recommends that a conditional  
5 property tax exemption be awarded for the property located at 4501 South Warner  
6 Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the  
7 attached Exhibit "A"; Now, Therefore,

8  
9 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

10  
11 Section 1. That the City Council does hereby approve and authorize a  
12 conditional property tax exemption, for a period of 12 years, to Andrew and Tawny  
13 Putnam, for the property located at 4501 South Warner Street in the Tacoma Mall  
14 Mixed-Use Center, as more particularly described in the attached Exhibit "A."  
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Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Andrew and Tawny Putnam, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

Attest:

\_\_\_\_\_  
Mayor

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

Approved as to form:

Legal description approved:

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

\_\_\_\_\_  
Chief Surveyor  
Public Works Department



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

Tax Parcel: 2890002391

Legal Description:

LOTS 1 THROUGH 3, INCLUSIVE, IN BLOCK 40 OF CASCADE PARK  
ADDITION TO TACOMA, W.T., AS PER MAP THEREOF RECORDED  
IN BOOK 1 OF PLATS AT PAGE 120, IN TACOMA, PIERCE COUNTY,  
WASHINGTON.

EXCEPT THE WEST 3 FEET THEREOF CONVEYED TO THE CITY OF  
TACOMA PER RECORDING NUMBER 2389051, RECORDS OF  
PIERCE COUNTY.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF  
WASHINGTON.



## RESOLUTION NO. 41015

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND  
2 COUNCIL MEMBER DANIELS

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$2,500,  
4 budgeted from the Council Contingency Fund, to support the Peace Bus  
5 and the “Every Kid Eats” summer program.

6 WHEREAS in March 2022, Mayor Woodards joined the Mayors Alliance to  
7 End Childhood Hunger, and

8 WHEREAS the Mayors Alliance is focused on using the collective power of  
9 mayors across the country to take meaningful actions to end childhood hunger in  
10 cities nationwide, and

11 WHEREAS the Peace Bus and its founder, Kwabi Amoah-Forson, are known  
12 for tireless humanitarian aid efforts around South Puget Sound, and

13 WHEREAS Kwabi Amoah-Forson has spent years advocating for peace,  
14 feeding hungry children, and offering essentials like clean socks to those struggling  
15 with homelessness, and

16 WHEREAS Kwabi Amoah-Forson took the Peace Bus to the southern border  
17 to speak with border patrol and those impacted by immigration policies, and, most  
18 recently, has partnered with restaurants across Tacoma to ensure children can eat  
19 out this summer, and

20 WHEREAS, from July 1, 2022, until September 2022, through the “Every Kid  
21 Eats” summer program, children 18 years of age and under in Tacoma will be able  
22 to go to designated restaurants every day throughout the week and receive a free  
23 meal, and  
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WHEREAS restaurants supporting this program include Cooper's Food and Drink, Tacoma Pita Pit, Only Oatmeal Cookie Creations, Crisp Greens, Happy Belly, Buddy's Chicken & Waffles, and Shakabrah Java, and

WHEREAS the "Every Kid Eats" summer program is one immediate step to support food security for children in Tacoma while continuing to support larger efforts, and

WHEREAS, at the July 26, 2022, Study Session, Mayor Woodards shared a Council Consideration Request to authorize the one-time use of \$2,500 from the Council Contingency Fund to support the Peace Bus and "Every Kid Eats" summer program, to help provide food to youth, and

WHEREAS, following the end of the "Every Kid Eats" summer program, staff will follow up to learn how this funding impacted the program and share stories with the City Council, and

WHEREAS RCW 35.34.250 and 35.34.260 authorize a withdrawal from the Council Contingency fund for any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the budget, and

WHEREAS Ordinance No. 22569 requires an affirmative vote of not less than six members of the Council in order to withdraw moneys from this fund;

Now, Therefore,



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

That one-time funding in the amount of \$2,500, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the Peace Bus and "Every Kid Eats" summer program.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## ORDINANCE NO. 28813

AN ORDINANCE related to the vacation of City right-of-way; vacating the air rights over a portion of South 15th Street, lying between South Court "E" and South Fawcett Avenue, and a westerly portion of South Fawcett Avenue, lying south of South 15th Street, to facilitate design variability for a residential building project; and adopting the Hearing Examiner's Findings, Conclusions, and Recommendations related thereto.

WHEREAS the City received a petition for vacation of air rights over a portion of South 15th Street, lying between South Court "E" and South Fawcett Avenue, and the westerly portion of South Fawcett Avenue, lying south of South 15th Street, and

WHEREAS the Petitioner requested the vacation to allow for design flexibility on a residential building project, specifically building façade modulation and/or extensions/outcroppings such as small balconies, and

WHEREAS the vacation area is not currently used for any public right-of-way purpose, nor does the City see any need of it for future public use, and



1 WHEREAS a public hearing was held on March 24, 2022, and the  
2 Hearing Examiner's recommendation is based on the evidence and testimony  
3 presented at this hearing, however, no members of the public appeared to  
4 express concerns or opposition to, and/or support for the proposed vacation,  
5 and  
6

7 WHEREAS all steps and proceedings required by law and by  
8 resolution of the City Council to vacate the portion of the right-of-way  
9 hereinafter described have been duly taken and performed; Now, Therefore,  
10

11 BE IT ORDAINED BY THE CITY OF TACOMA:  
12

13 Section 1. That the City Council hereby adopts the Hearing Examiner's  
14 Findings, Conclusions, and Recommendations as contained in the Hearing  
15 Examiner's Report and Recommendation to the City Council bearing File  
16 No. 124.1431 and dated March 28, 2022, which Report is on file in the office of  
17 the City Clerk.  
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Section 2. That the air rights over a portion of South 15th Street, lying between South Court "E" and South Fawcett Avenue, and a westerly portion of South Fawcett Avenue, lying south of South 15th Street, legally described as follows:

SOUTH FAWCETT AVENUE AIR SPACE VACATION:

THE WESTERLY 3.00 FEET OF THE WESTERLY 40.00 FEET OF SOUTH FAWCETT AVENUE LYING ADJACENT TO LOTS 1 THROUGH 19, INCLUSIVE, BLOCK 1510, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1875, RECORDS OF THE PIERCE COUNTY AUDITOR; SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON; AND LYING BETWEEN THE ELEVATIONS OF 177.00 FEET AND 272.50 FEET AT THE SOUTHEAST CORNER AND 210.67 FEET AND 272.50 FEET AT THE NORTHEAST CORNER, CITY OF TACOMA PUBLISHED NGVD 29 VERTICAL DATUM;

and

SOUTH 15TH STREET AIR SPACE VACATION:

THE SOUTH 3.00 FEET OF THE SOUTHERLY 40.00 FEET OF SOUTH 15TH STREET LYING ADJACENT TO LOT 1, BLOCK 1510, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 3, 1875, RECORDS OF THE PIERCE COUNTY AUDITOR; SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON; AND LYING BETWEEN THE ELEVATIONS OF 204.00 FEET AND 272.50 FEET AT THE NORTHEAST CORNER AND 220.50 FEET AND 272.50 FEET AT THE NORTHWEST CORNER, CITY OF TACOMA PUBLISHED NGVD 29 VERTICAL DATUM;



are hereby vacated, and the air rights so vacated are hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Property description approved:

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

\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: A portion of South 15th Street, lying between South Court "E" and South Fawcett Avenue, and a westerly portion of South Fawcett Avenue, lying south of South 15th Street.

Petitioner: Fawcett Avenue Owner, LLC  
Vacation Req. No. 124.1431



## ORDINANCE NO. 28826

AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for employees represented by District Lodge No. 160 on behalf of Local Lodge No. 297 of the International Association of Machinists and Aerospace Workers, General Unit, and the nonrepresented classifications of Municipal Court Judge and Court Commissioner; and declaring the effective dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.355 of the Tacoma Municipal Code ("TMC") is hereby amended, effective retroactive to June 6, 2022, to read as follows:

| Code | A | Job Title            | 1            |
|------|---|----------------------|--------------|
| 5338 |   | Solid Waste Mechanic | <u>34.23</u> |

| Code | A | Job Title            | 1            |
|------|---|----------------------|--------------|
| 5338 |   | Solid Waste Mechanic | <u>36.63</u> |

Section 2. That Section 1.12.355 of the TMC is hereby amended, effective retroactive to July 1, 2022, pursuant to the final salary schedule adopted by the Washington State Citizen's Commission on Salaries for Elected Officials, to read as follows:

| Code | A | Job Title             | 1            |
|------|---|-----------------------|--------------|
| 4312 | A | Municipal Court Judge | <u>91.40</u> |
| 4313 | A | Court Commissioner    | <u>82.26</u> |

| Code | A | Job Title             | 1            |
|------|---|-----------------------|--------------|
| 4312 | A | Municipal Court Judge | <u>93.00</u> |
| 4313 | A | Court Commissioner    | <u>83.70</u> |



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Section 3. That Section 1 is effective retroactive to June 6, 2022, and  
Section 2 is effective retroactive to July 1, 2022.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## ORDINANCE NO. 28827

AN ORDINANCE relating to transportation and streets and sidewalks; declaring the public necessity for, and providing for the acquisition by the City of Tacoma by eminent domain of fee and temporary easement interests in certain property described herein located along the South Tacoma Way Corridor between South Pine and South "M" Streets, to construct pedestrian improvements and related facilities within the City of Tacoma, Washington; authorizing the City Attorney to prosecute eminent domain proceedings and to stipulate in mitigation of damages; providing for payment for such property; and declaring an emergency, making this ordinance effective upon passage.

WHEREAS the City of Tacoma Public Works Department has developed right-of way plans which indicate that fee interests and temporary easements in portions of three (3) parcels located along the South Tacoma Way Corridor between South Pine and South "M" Streets are necessary to be acquired as one of the final links for the Water Ditch Trail Phase IIIA and IIIB Project, and



1 WHEREAS the City has negotiated in good faith as to the amount of  
2 compensation due to the property owners, and

3 WHEREAS written and published notice has been provided to the  
4 property owners of the City's intent to commence eminent domain  
5 proceedings as required by law, and  
6

7 WHEREAS the City Council is exercising its independent discretion to  
8 proceed with eminent domain to establish the right to take such property for  
9 a public purpose and to settle the amount of compensation owing to the  
10 property owners; Now, Therefore,  
11

12 BE IT ORDAINED BY THE CITY OF TACOMA:  
13

14 Section 1. Findings.  
15

16 A. The City Council finds that the public use, necessity, and  
17 convenience now require the acquisition of fee interests and temporary  
18 easements in certain portions of parcels of real property located within and  
19 adjacent to the South Tacoma Way corridor between South Pine and  
20 South "M" Streets, for the construction of pedestrian improvements and  
21 related facilities for the Water Ditch Trail Phase IIIA and IIIB project ("Project")  
22 to improve pedestrian and bicycle safety along the South Tacoma Way  
23 corridor and to connect South Tacoma with downtown Tacoma, the Tacoma  
24 Dome, and the Thea Foss Waterway.  
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1           B. The property to be taken pursuant to this Ordinance includes fee  
2 and temporary easement interests in portions of three (3) parcels commonly  
3 referred to as 2719 South Tacoma Way, 1717 South Tacoma Way, and  
4 1517 South Tacoma Way ("Subject Property"), depicted on the map(s)  
5 attached hereto as Exhibit "A," Depiction of Subject Property.  
6

7           C. The City of Tacoma, by and through its Public Works Department,  
8 has actively worked in good faith to acquire the Subject Property by  
9 negotiated sale.  
10

11           D. Honest differences of opinion exist between the City of Tacoma  
12 and the owners of the Subject Property.  
13

14           E. The City of Tacoma's Public Works Department has a Six-Year  
15 Comprehensive Transportation Improvement Program, which indicates that  
16 the Subject Property is necessary in the public interest and convenience to  
17 be acquired for the Project.  
18

19           F. Due to the public need for pedestrian safety improvements to  
20 accommodate present growth, development, and traffic needs, the public  
21 necessity and convenience requires the City to initiate the acquisition of the  
22 Subject Property by exercise of the power of eminent domain.  
23  
24

25           G. The Subject Property to be acquired by negotiated sale or by  
26 eminent domain proceedings authorized by this Ordinance are within the city



1 limits of the City of Tacoma, Pierce County, Washington and are necessary  
2 for the Project.

3         Section 2. The Subject Property to be acquired by eminent domain  
4 proceedings, shall be acquired only after just compensation has been made  
5 or paid into the Pierce County Superior Court registry or special account for  
6 the benefit of the owner or owners in a manner provided by law.  
7

8         Section 3. All just compensation, fees, and costs associated with the  
9 acquisition by eminent domain proceedings of the Subject Property, shall be  
10 paid from the Transportation Capital Fund, and if this fund were insufficient,  
11 from the City's General Fund or other funds then available for such  
12 purposes.  
13

14         Section 4. The City Attorney is hereby authorized to begin and  
15 prosecute the actions and proceedings in the manner provided by law to  
16 condemn, take, and appropriate all lands and other properties as necessary  
17 to carry out the provisions of this Ordinance. The City Attorney is also  
18 authorized to enter into stipulations for the purpose of minimizing damages,  
19 including all stipulations authorized by Washington State law.  
20

21         Section 5. There is an immediate need to initiate eminent domain  
22 proceedings to acquire the Subject Property to accommodate the Project; an  
23  
24  
25  
26



1 emergency is hereby declared; and this Ordinance shall go into effect  
2  
3 immediately upon final passage.  
4

5 Passed \_\_\_\_\_  
6

7 \_\_\_\_\_  
8 Mayor

9  
10  
11 Attest: \_\_\_\_\_  
12 City Clerk

13 Approved as to form:  
14  
15 \_\_\_\_\_  
16 Chief Deputy City Attorney  
17  
18  
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**EXHIBIT "A"**

**DEPICTION OF SUBJECT PROPERTY**

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# EXHIBIT 'A'




T.P.N. 4860000302  
2719 SOUTH TACOMA WAY  
(OWNERSHIP: 2719 SOUTH TACOMA WAY LLC)



NORTH

SCALE: 1"=50'

## LEGEND

-  RIGHT OF WAY LINE
-  PROPERTY LINE
-  PROPERTY





# EXHIBIT 'A'




T.P.N. 2855001171  
1717 SOUTH TACOMA WAY  
(OWNERSHIP: HEDAYAT PATRICIA E)



NORTH

SCALE: 1"=20'

## LEGEND

-  RIGHT OF WAY LINE
-  PROPERTY LINE
-  PROPERTY





# EXHIBIT 'A'




T.P.N. 7105000340  
1517 SOUTH TACOMA WAY  
(OWNERSHIP: 1517 S. TACOMA LLC)



NORTH

SCALE: 1"=50'

## LEGEND

-  RIGHT OF WAY LINE
-  PROPERTY LINE
-  PROPERTY

