



Legislation Passed July 16, 2013

The Tacoma City Council, at its regular City Council meeting of July 16, 2013, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 38693

Setting Tuesday, July 30, 2013, at approximately 5:30 p.m. as the date for a public hearing by the City Council regarding the Norma J. Sands and Lennea C. Sands open space current use assessment application for property located at 615 South 82nd Street to be classified as open space for use and property tax purposes, as recommended by the Planning Commission.

Resolution No. 38694

Authorizing the execution of Amendment No. 2 to the agreement with Hyas Group, Inc., in the amount of \$59,000, for a cumulative total of \$311,000, budgeted from the Deferred Compensation Fund, for additional deferred compensation investment advisory services.

Ordinance No. 28130

Vacating a 4,700 square-foot portion of East Q Street, lying northwest of the Burlington Northern Rail right-of-way, to construct a section of the floodwall proposed under the Central Treatment Plant Flood Protection Project.
(City of Tacoma; File No. 124.1329)



RESOLUTION NO. 38693

1 A RESOLUTION relating to the City's open space assessment procedures; setting
2 Tuesday, July 30, 2013, as the date for a public hearing to consider the
3 recommendations of the Planning Commission regarding Norma J. Sands
4 and Lennea C. Sands' open space current use assessment application for
property located at 615 South 82nd Street to be classified as open space
for use and property tax purposes.

5 WHEREAS, on May 1, 2013, the Planning Commission ("Commission")
6 completed its review of the application of Norma J. Sands and Lennea C. Sands
7 to classify the property located at 615 South 82nd Street ("Sands Property") as
8 open space for property tax purposes in accordance with the open space current
9 use assessment procedures of the City and Pierce County ("County"), and
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11 WHEREAS this classification would reduce the property taxes assessed to
12 the Sands Property on an ongoing basis contingent upon its continued use as an
13 open space area, and

14 WHEREAS the Commission completed its review of the application through
15 a public process, including a public hearing on May 1, 2013, and recommended
16 approval of the renewal, and
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18 WHEREAS, as part of the review, in accordance with Tacoma Municipal
19 Code ("TMC") 13.08, the application must be processed in the same manner as a
20 Comprehensive Plan amendment, in which the City Council must conduct a public
21 hearing on the matter prior to making its recommendation to Pierce County, who
22 administers the program on behalf of the state, and
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WHEREAS final action will be taken either through separate concurring decisions from both bodies or, if the City and County decisions disagree, by a joint determining authority composed of three members of each council; Now, Therefore,

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

Section 1. That Tuesday, July 30, 2013, at 5:30 p.m., or as soon afterwards as is practicable, 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 a public hearing shall be held to consider the recommendations of the Planning Commission regarding the Sands Property open space current use assessment application for the property located at 615 South 82nd Street to be classified as open space for use and property tax purposes.

Section 2. That the Clerk of the City of Tacoma 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. 38694

1 A RESOLUTION relating to the City's Deferred Compensation Plan; authorizing
2 the execution of Amendment No. 2 to the Professional Services Contract
3 with the Hyas Group, Inc., in the amount of \$59,000 for a cumulative
4 contract amount of \$311,000, budgeted from the Deferred Compensation
Fund, for additional deferred compensation investment advisory services.

5 WHEREAS, in October 2009, the City entered into a professional services
6 contract, in the amount of \$192,000, with the Hyas Group, Inc. ("Hyas"), who was
7 selected by the Deferred Compensation Committee ("Committee") to provide expert
8 investment advisory services regarding the City's Deferred Compensation Plan
9 ("Plan"), and
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11 WHEREAS the City Council adopted Resolution No. 38084 on July 27, 2010,
12 increasing the contract by \$60,000 and bringing the total contract amount to
13 \$252,000, in order to include additional services in 2010 related to the Request for
14 Proposals for a Plan administrative services provider, and
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16 WHEREAS the Committee recommends the contract be extended for one
17 additional year, retroactive to January 1, 2013, at a cost of \$59,000, for a total
18 contract amount of \$311,000, which will give the Committee time to conduct a
19 Request for Proposals for future investment advisory services, and
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21 WHEREAS the revenue for this increase is provided through the
22 accumulation of plan fees collected in relation to plan-related expenses; Now,
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24 Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute Amendment No. 2 to the Professional Services Contract with the Hyas Group, Inc., in the amount of \$59,000, for a cumulative amount of \$311,000, budgeted from the Deferred Compensation Fund, for additional deferred compensation investment advisory services, said document to be substantially in the form of the proposed Amendment No. 2 on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

ORDINANCE NO. 28130

AN ORDINANCE related to the vacation of City property; vacating a 4,700 square-foot portion of East Q Street, lying northwesterly of Burlington Northern Rail right-of-way, for the purpose of facilitating the construction of a section of the floodwall proposed under the Central Treatment Plant Flood Protection Project, ENV -04008-02-01; and adopting the Hearing Examiner's Findings, Conclusions, and Recommendations related thereto.

WHEREAS all steps and proceedings required by law and by resolution of the City Council to vacate the portion of the street hereinafter named have been duly taken and performed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1329 and dated January 10, 2013, which Report is on file in the office of the City Clerk.

Section 2. That a 4,700 square foot portion of East Q Street, lying northwesterly of Burlington Northern Rail right-of-way, described as follows:

That portion of the Southwest quarter of the Southeast quarter of Section 03, Township 20 North, Range 03 East, W.M., more particularly described as follows:

Beginning at the intersection of the northwesterly margin of East "Q" Street and the easterly margin of Cleveland Way;

Thence S 39°41'39"E a distance of 41.43 along said easterly margin to the centerline of East Q Street;

Thence S 29°48'55"W a distance of 41.95 feet along said center line to the center line intersection of East "Q" Street and Cleveland Way;

Thence S 45°36'03"W a distance of 147.47 feet to a point on the northwesterly margin of East Q Street;

Thence N 30°11'34"E a distance of 198.37 feet along said northwesterly margin to the Point of Beginning.

Situate in the City of Tacoma, County of Pierce, state of Washington;

is hereby vacated, and the land so vacated is 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 streets so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

1. TACOMA WATER

Tacoma Water has an existing 8" water main and appurtenances located in the vacation area. This existing water main and appurtenances need to remain in service, unobstructed, and accessible at all times. Tacoma Water will need to approve all proposed and future construction within the vacation area.

To address Tacoma Water's interests, and in light of unity of title in the vacation area, upon the completion of the street vacation, Tacoma Water will enter into a Memorandum of Understanding (MOU) with Environmental Services to protect their facilities in lieu of an easement.

The proponent may elect to relocate Tacoma Water facilities at its own expense with direction from Tacoma Water; at such time as the facilities are relocated any MOU conditions/obligations may be released.

If existing water facilities need to be relocated or adjusted due to street improvements for this proposal, they will be relocated by Tacoma Water at the proponent's expense.

2. TACOMA POWER AND CLICK! NETWORK

Tacoma Power and Click! Network have existing overhead and underground infrastructure in the requested vacation area. To address Tacoma Power and Click! Network's interests, upon the completion of the street vacation, Tacoma Power and Click! Network will enter into a MOU with Environmental Services to protect their facilities in lieu of an easement.

If existing facilities need to be relocated, temporarily supported or adjusted due to improvements for this proposal, the work will be performed by Tacoma Power and Click! Network at the proponent's expense.

Section 3. This vacation is also made subject to the following notices:

1. The Public Works Review Panel has determined that Parcel number 032003-405-7 has a known wetland area southeast of the railroad track. Any work within the area shall require a wetland permit.

A pre-emption for local wetland compliance may be an option for development of the area.

2. The real property to which the vacated property will attach has not been assessed for sewers. When use of the property has changed, and connection to the main is desired, a development plan is required to determine whether an extension or in lieu of assessment would be applicable.

Passed _____

Mayor

Attest:

City Clerk

Location: A 4,700 square foot portion of East Q Street, lying northwesterly of Burlington Northern Rail right-of-way

Petitioner: City of Tacoma, Environmental Services Department

Vacation Request File No. 124.1329

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department