



## Legislation Passed September 24, 2013

The Tacoma City Council, at its regular City Council meeting of September 24, 2013, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 38735**

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

### **Resolution No. 38736**

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

### **Resolution No. 38738**

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

### **Resolution No. 38739**

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

### **Resolution No. 38740**

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

### **Amended Ordinance No. 28173**

An ordinance relating to the budget of the City of Tacoma; creating two new funds to be known and designated as the Street Operations and Maintenance Fund and the Transportation Capital and Engineering Fund; to promote sustainability and transparency for revenue collections and expenditures related to transportation infrastructure and maintenance.

**Ordinance No. 28174**

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

**Ordinance No. 28175**

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

**Ordinance No. 28176**

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



## RESOLUTION NO. 38735

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

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

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

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

13 WHEREAS this Project is listed as the second priority on the Pierce County  
14 2012 Project Contingency List, and

15 WHEREAS, in the grant application, the City and the Port agreed to provide  
16 \$337,000 and \$500,000, respectively, as the local agency match for the grant  
17 funding, with the City acting as the lead agency for managing the Project, and

18 WHEREAS, in February 2013, the City and the Port were awarded partial  
19 STP funding, in the amount of \$429,000, for the design portion of the Project,  
20 scheduled to be completed in winter 2013 to allow the Project to move forward  
21 during the 2014 construction season, contingent on the award of additional grant  
22 funding, and  
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WHEREAS the proposed Interlocal Agreement approves the contribution match and details the responsibilities of each party during the Project, and

WHEREAS the proposed Interlocal Agreement was approved by the Port Commission at its meeting of August 22, 2013; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute an Interlocal Agreement with the Port of Tacoma for the design and future replacement of pavement surface on the Port of Tacoma Road, said document to be substantially in the form of the proposed Interlocal Agreement on file in the office of the City Clerk.

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

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



# RESOLUTION NO. 38736

1 BY REQUEST OF COUNCIL MEMBERS BOE, IBSEN, AND WALKER

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

4 WHEREAS a vacancy exists on the Sustainable Tacoma Commission, and

5 WHEREAS, at its meeting of July 24, 2013, the Infrastructure, Planning and  
6 Sustainability Committee conducted interviews and recommended appointments, as  
7 vacancies become available, in the following order: Christine Cooley, Lynda Foster,  
8 and Ken Campbell, and  
9

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

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

14 That Christine Cooley is hereby confirmed and appointed as a member of  
15 the Sustainable Tacoma Commission to fill a vacant unexpired term through April 1,  
16 2014.  
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18  
19 Adopted \_\_\_\_\_

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Mayor

22 Attest:  
23 \_\_\_\_\_  
City Clerk

24 Approved as to form:  
25 \_\_\_\_\_  
26 City Attorney



## RESOLUTION NO. 38738

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

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

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

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

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

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

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

3 That the proper officers of the City are hereby authorized to enter into  
4 Amendment No. 2 to the Agreement with HealthConnect Consulting, LLC, in the  
5 maximum amount of \$1,371,970, budgeted in the EMS Fund, in the amount of  
6 \$831,164, and the Fire Miscellaneous Special Revenue Fund, in the amount of  
7 \$540,806, through December 31, 2016, for the purpose of assisting staff in  
8 identifying the needs of apparent high utilizers of emergency services and, where  
9 possible, directing such patients to agencies and programs more appropriate for  
10 their long-term needs, said amendment to be substantially in the form of the  
11 proposed document on file in the office of the City Clerk.  
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13 Adopted \_\_\_\_\_  
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15 \_\_\_\_\_  
16 Mayor

17 Attest:  
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19 City Clerk

20 Approved as to form:  
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22 Deputy City Attorney  
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## RESOLUTION NO. 38739

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

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

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

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

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

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

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

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

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

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

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

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 38740

1 BY REQUEST OF DEPUTY MAYOR CAMPBELL AND COUNCIL MEMBER  
2 WOODARDS

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

5 WHEREAS the City of Tacoma is a member of the Association of  
6 Washington Cities ("AWC") Employee Benefit Trust, and

7 WHEREAS the Tacoma-Pierce County Health Department ("non-city entity")  
8 would like to participate in the AWC Employee Benefit Trust program as a quasi-  
9 municipal entity, and  
10

11 WHEREAS the AWC requires that a city member of the AWC sponsor a  
12 non-city entity's request before the non-city entity can participate in the AWC  
13 Employee Benefit Trust program, and  
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15 WHEREAS the City is merely demonstrating that a relationship exists  
16 between the City and the applying non-city entity, that there is no other obligation  
17 by the City for continued membership in the program, and the City is not  
18 responsible for non-city claims or any other aspect of the performance with the  
19 benefit program; Now, Therefore,  
20

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

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

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## ORDINANCE NO. 28173

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

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

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

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

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

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

25 WHEREAS it is the intent of the City to establish a new and separate fund,  
26 named the "Street Operations and Maintenance Fund," to segregate the revenues



1 collected from 2 percent of the 8 percent tax on utilities gross earnings (for those  
2 utilities taxed at an 8 percent rate) and to pay for costs associated with basic  
3 maintenance and safety improvements to the City's streets and transportation  
4 infrastructure, and

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

10 WHEREAS it is the intent of the City to establish a new and separate fund,  
11 named the "Transportation Capital and Engineering Fund," to segregate capital and  
12 grant funding related to maintenance and safety improvements to the City's streets  
13 and transportation infrastructure, to use said funds to pay for maintenance and  
14 safety improvements to the City's streets and transportation infrastructure, and to  
15 pay for engineering costs associated with capital and grant-funded transportation  
16 projects; Now, Therefore,

17  
18 **BE IT ORDAINED BY THE CITY OF TACOMA:**

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

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

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

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

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

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

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

Section 3. That, effective January 1, 2014, such sums as are deposited within said fund shall be used only for the purpose of basic maintenance and safety improvements to the City’s streets and transportation infrastructure; that the



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Treasurer of the City of Tacoma is hereby designated as the custodian of said funds and disbursements of all moneys therefrom shall be made in the manner provided by law; and until withdrawn for such use, the moneys accumulated in said fund may be invested in interest bearing securities by the City Treasurer in any manner authorized by law.

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

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## ORDINANCE NO. 28174

L.I.D. No. 5729

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

4 WHEREAS the assessment roll for Local Improvement District No. 5729 has  
5 been prepared and filed with the City Clerk on or about June 3, 2013, and a public  
6 hearing thereon has been held before the Hearing Examiner of the City on  
7 August 20, 2013, as required by law, and  
8

9 WHEREAS the Hearing Examiner has reported her recommendation to the  
10 City Council that any objections presented at the public hearing be overruled and  
11 that the assessment and assessment roll be confirmed, and the City Council  
12 hereby adopts the Hearing Examiner's recommendation; Now, Therefore,  
13

14 BE IT ORDAINED BY THE CITY OF TACOMA:

15 Section 1. That any objections to said assessment or assessment roll be  
16 and the same are hereby overruled, as more fully set forth in the Findings of Fact,  
17 Conclusions of Law and Recommendation of the Hearing Examiner, filed with the  
18 City Clerk under cover of the Examiner's letter, dated August 30, 2013.  
19

20 Section 2. That the assessment and assessment roll filed in the office of  
21 the City Clerk on June 3, 2013, for the installation of a 12-inch water main crossing  
22 East D Street, being approximately 15 feet south of the easterly extension of the  
23 northerly line of Parcel B, Boundary Line Adjustment MPD 2004-40000137475,  
24 recorded under Pierce County Auditor's File No. 2010-05-11-5001, from the  
25 existing 12-inch water main east of East D Street, thence west to a point  
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1 approximately 40 feet west of East D Street, together with all work necessary  
2 pursuant to the provisions of Ordinance No. 27992, passed June 7, 2011, and the  
3 levy and charge of the cost of said improvements, as shown on said assessment  
4 roll and thereby apportioned upon said parcels of land specially benefited in  
5 accordance with the laws of the state of Washington and the ordinances of the  
6 City of Tacoma, are hereby approved and confirmed in all respects to the  
7 assessment; and the City Treasurer is hereby directed to collect said assessments  
8 which may be paid without interest or penalty within 30 days after due notice shall  
9 have been given to the owners of the property within said assessment district, all  
10 in the manner provided by law, and if assessment be not paid within 30 days from  
11 the date of first publication of said notice, the same shall thereafter bear interest at  
12 the estimated rate of 7% per annum, the actual interest rate to be fixed by the  
13 ordinance authorizing the issuance and sale of bonds for the district.  
14

15           Section 3. That the moneys collected upon said assessment approved and  
16 confirmed by this ordinance are hereby ordered to be placed in Fund District  
17 No. 5729, the special fund created by Ordinance No. 27992. Under provisions of  
18 the laws of the state of Washington and amendments thereto, and this ordinance,  
19 there shall be issued an installment note, or notes, in payment of the cost and  
20 expense of Local Improvement District No. 5729 payable out of said local  
21 improvement district fund. Such notes shall bear interest at the estimated rate of  
22 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the  
23 issuance and sale of bonds for this district; and shall be redeemed in cash from  
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said local improvement district fund or by other notes, and the notes shall be sold, as provided by law, by the proper officers of the City of Tacoma to repay the loans heretofore made to said Fund 4600, Cost Center 581200, in order to defray expenses of said construction heretofore paid, and further, to pay such additional costs and expenses of said improvement as may exist, all in accordance with and pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



# ORDINANCE NO. 28175

L.I.D. No. 7724

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

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

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

**BE IT ORDAINED BY THE CITY OF TACOMA:**

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

17 Section 2. That the assessment and assessment roll filed in the office of  
 18 the City Clerk on June 18, 2013, for the cost of the conversion of the existing  
 19 overhead electrical primary, telephone, and cable television lines to underground  
 20 along Stadium Way from the intersection of Stadium way and Borough Road  
 21 northwesterly to the dead end, and work necessary pursuant to the provisions of  
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1 Ordinance No. 27709, passed April 22, 2008, and the levy and charge of the cost  
2 of said improvements, as shown on said assessment roll and thereby apportioned  
3 upon said parcels of land specially benefited in accordance with the laws of the  
4 state of Washington and the ordinances of the City of Tacoma, are hereby  
5 approved and confirmed in all respects to the assessment; and the City Treasurer  
6 is hereby directed to collect said assessments which may be paid without interest  
7 or penalty within 30 days after due notice shall have been given to the owners of  
8 the property within said assessment district, all in the manner provided by law, and  
9 if assessment be not paid within 30 days from the date of first publication of said  
10 notice, the same shall thereafter bear interest at the estimated rate of 7% per  
11 annum, the actual interest rate to be fixed by the ordinance authorizing the  
12 issuance and sale of bonds for the district.  
13

14 Section 3. That the moneys collected upon said assessment approved and  
15 confirmed by this ordinance are hereby ordered to be placed in Fund District  
16 No. 7724, the special fund created by Ordinance No. 27709. Under provisions of  
17 the laws of the state of Washington and amendments thereto, and this ordinance,  
18 there shall be issued an installment note, or notes, in payment of the cost and  
19 expense of Local Improvement District No. 7724 payable out of said local  
20 improvement district fund. Such notes shall bear interest at the estimated rate of  
21 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the  
22 issuance and sale of bonds for this district; and shall be redeemed in cash from  
23 said local improvement district fund or by other notes, and the notes shall be sold,  
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as provided by law, by the proper officers of the City of Tacoma to repay the loans heretofore made to said Fund 4700, Cost Center 560900, in order to defray expenses of said construction heretofore paid, and further, to pay such additional costs and expenses of said improvement as may exist, all in accordance with and pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## ORDINANCE NO. 28176

L.I.D. No. 7729

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

4 WHEREAS the assessment roll for Local Improvement District No. 7729 has  
5 been prepared and filed with the City Clerk on or about May 24, 2013, and a public  
6 hearing thereon has been held before the Hearing Examiner of the City on  
7 August 20, 2013, as required by law, and  
8

9 WHEREAS the Hearing Examiner has reported her recommendation to the  
10 City Council that any objections presented at the public hearing be overruled and  
11 that the assessment and assessment roll be confirmed, and the City Council  
12 hereby adopts the Hearing Examiner's recommendation; Now, Therefore,  
13

14 BE IT ORDAINED BY THE CITY OF TACOMA:

15 Section 1. That any objections to said assessment or assessment roll be  
16 and the same are hereby overruled, as more fully set forth in the Findings of Fact,  
17 Conclusions of Law and Recommendation of the Hearing Examiner, filed with the  
18 City Clerk under cover of the Examiner's letter, dated August 30, 2013.  
19

20 Section 2. That the assessment and assessment roll filed in the office of  
21 the City Clerk on May 24, 2013, for the installation of underground primary  
22 electrical distribution, utilities, telephone, and cable TV lines within utility  
23 easements parallel with the northerly lot line of Parcel "A" and Parcel "B" Boundary  
24 Line Adjustment MPD 2004-40000137475, recorded under Pierce County  
25  
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1 Auditor's File No. 2010-05-11-5001, and also along the westerly lot line of Parcel  
2 "A", together with all work necessary pursuant to the provisions of Ordinance No.  
3 27993, passed June 7, 2011, and the levy and charge of the cost of said  
4 improvements, as shown on said assessment roll and thereby apportioned upon  
5 said parcels of land specially benefited in accordance with the laws of the state of  
6 Washington and the ordinances of the City of Tacoma, are hereby approved and  
7 confirmed in all respects to the assessment; and the City Treasurer is hereby  
8 directed to collect said assessments which may be paid without interest or penalty  
9 within 30 days after due notice shall have been given to the owners of the property  
10 within said assessment district, all in the manner provided by law, and if  
11 assessment be not paid within 30 days from the date of first publication of said  
12 notice, the same shall thereafter bear interest at the estimated rate of 7% per  
13 annum, the actual interest rate to be fixed by the ordinance authorizing the  
14 issuance and sale of bonds for the district.  
15

16  
17 Section 3. That the moneys collected upon said assessment approved and  
18 confirmed by this ordinance are hereby ordered to be placed in Fund District  
19 No. 7729, the special fund created by Ordinance No. 27993. Under provisions of  
20 the laws of the state of Washington and amendments thereto, and this ordinance,  
21 there shall be issued an installment note, or notes, in payment of the cost and  
22 expense of Local Improvement District No. 7729 payable out of said local  
23 improvement district fund. Such notes shall bear interest at the estimated rate of  
24 7% per annum, the actual interest rate to be fixed by the ordinance authorizing the  
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issuance and sale of bonds for this district; and shall be redeemed in cash from  
said local improvement district fund or by other notes, and the notes shall be sold,  
as provided by law, by the proper officers of the City of Tacoma to repay the loans  
heretofore made to said Fund 4700, Cost Center 560900, in order to defray  
expenses of said construction heretofore paid, and further, to pay such additional  
costs and expenses of said improvement as may exist, all in accordance with and  
pursuant to the provisions of the laws of the state of Washington relating thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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