



Legislation Passed March 4, 2014

The Tacoma City Council, at its regular City Council meeting of March 4, 2014, 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. 38854

A resolution authorizing the execution of an amendment to the agreement with Northwest Cascade, Inc., in the amount of \$95,000, plus sales tax, for a cumulative total of \$737,972.28, budgeted from the Transportation Capital Fund, to increase the contract for safety and mobility improvements along Pacific Avenue - Specification No. PW12-0469F. [Darius Thompson, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 38855

A resolution authorizing the execution of an amendment to the agreement with Totem Electric of Tacoma, Inc., in the amount of \$98,000, sales tax not applicable, for a cumulative total of \$1,019,999.13, budgeted from the Transportation Capital Fund, to increase and extend the contract for design and construction services required to improve the South 25th Street Corridor - Specification No. PW13-0012F. [Said Seddiki, Senior Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 38856

A resolution authorizing the execution of a Letter of Agreement with Teamsters Local Union No. 117, General Unit, to provide for an application of rate of 5 percent for employees working in the classification of Heavy Equipment Operator, when scheduled to train a Solid Waste Worker or an Equipment Operator on specialized Solid Waste equipment. [David Topaz, Labor Negotiator; Joy St. Germain, Director, Human Resources]

Ordinance No. 28205

An ordinance amending Chapter 8.44 of the Municipal Code, relating to Offenses Against Property, by enacting a new Section 8.44.160, to be entitled "Criminal Mischief", changing the crime of "Riot" to the crime of "Criminal Mischief", to comply with state law. [Keith Echterling, Deputy City Attorney; Elizabeth Pauli, City Attorney]

Ordinance No. 28206

An ordinance approving and confirming the Assessment Roll for Local Improvement District No. 7723 for the conversion of the overhead primary electrical distribution, utilities, telephone and cable-television systems to underground along the alley between North 29th and North 30th Streets from White to Junett Streets and North 30th Street east of White Street to Junett Street. [Ralph Rodriguez, L.I.D. Administrator; Kurtis D Kingsolver, P.E., Director, Public Works]



RESOLUTION NO. 38854

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the increase of Contract
3 No. 4600009013 with Northwest Cascade, Inc., in the amount of \$95,000,
4 plus sales tax, for a cumulative total of \$737,972.28, plus sales tax,
5 budgeted from the Transportation Capital Fund, to increase the contract
6 for safety and mobility improvements along Pacific Avenue pursuant to
7 Specification No. PW12-0469F.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 increase Contract No. 4600009013 with Northwest Cascade, Inc., in the amount
20 of \$95,000, plus sales tax, for a cumulative total of \$737,972.28, plus sales tax,
21 budgeted from the Transportation Capital Fund, to increase the contract for
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1 safety and mobility improvements along Pacific Avenue pursuant to
2 Specification No. PW12-0469F, consistent with Exhibit "A."

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4 Adopted _____

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Mayor

7 Attest:

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9 _____
City Clerk

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11 Approved as to form:

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City Attorney

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TO: Board of Contracts and Awards
FROM: Kurtis D. Kingsolver, P.E., Public Works Director / *KS*
Darius Thompson, Project Manager, Public Works Engineering
COPY: City Council, City Manager, City Clerk, SBE Coordinator, and Chuck
Blankenship, Finance/Purchasing
SUBJECT: Pacific Avenue Safety and Mobility Improvements Phase 2 - Request for Contract
Increase, PW12-0469F, Contract No. 4600009013 - March 4, 2014
DATE: February 18, 2014

SUMMARY:

The Public Works Engineering Division requests approval to increase Contract No. 4600009013 with Northwest Cascade, Inc., Puyallup, WA, by \$95,000, plus sales tax, for additional costs incurred for the Pacific Avenue Safety and Mobility Improvements Phase 2 project. This increase will bring the contract to a cumulative amount of \$737,972.28, plus sales tax.

STRATEGIC POLICY PRIORITY:

- Plan for and improve public infrastructure that meets the transportation needs of all Tacoma residents and visitors.

This project will improve roadway surfaces for pedestrian and bicycle access between neighborhood business districts and downtown Tacoma. Installing new ADA ramps in high traffic areas, UW Tacoma, and high traffic pedestrian locations will enhance safety and attract more people to Tacoma. This project also constructs a 20-foot wide sidewalk on the north side of South 25th Street that will also serve as part of Prairie Line Trail.

BACKGROUND:

ISSUE: This contract provides for the improvement of new cement concrete sidewalk and driveways, curb, gutter, ADA curb ramps, storm and sewer improvements, and repaving of South 25th Street. A number of unknown utility conflicts were encountered and additional work by the contractor was required to install the sewer line and relocate storm drainage structures. In addition, during construction a collapsed storm line was discovered and repaired as part of this contract. The existing roadway was badly deteriorated resulting in increased removal and paving costs. Two existing railroad crossing arms had to be removed to install the sewer. The City had planned to remove the railroad crossing arms later when building the Water Ditch Trail.

ALTERNATIVES: The alternative course of action would be to hire a different contractor. The consequence of hiring a different contractor would be the loss of continuity, additional time needed to bring the contractor up to speed on the project and increased costs.

COMPETITIVE SOLICITATION: The original contract was awarded to Northwest Cascade, Inc. as a result of Request for Bids Specification No. PW12-0469F in May 2013. The contractor



has agreed to construct the work at the same contract prices, terms, and conditions as the original contract.

CONTRACT HISTORY: The contract was awarded by Resolution No. 38676, in the amount of \$584,520.25, sales tax not applicable, plus a 10% contingency, for a cumulative amount of \$642,972.28, sales tax not applicable, on May 21, 2013. This is the first amendment to the contract. The increase of \$95,000.00, sales tax not applicable, will bring the contract to a cumulative amount of \$737,972.28, sales tax not applicable.

RECOMMENDATION:

The Public Works Department recommends approving this increase to improve the Pacific Avenue Safety and Mobility Improvements Phase 2 project.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Transportation Capital Fund 1060	PWK-00511	5600000	\$95,000
TOTAL			\$95,000

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Motor Vehicle Fuel Tax (MVFT)	PWK-00511	4335410	\$95,000
TOTAL			\$95,000

POTENTIAL POSITION IMPACT: N/A

POSITION TITLE	PERMANENT/ PROJECT TEMPORARY POSITION	FTE IMPACT	POSITION END DATE
N/A			
TOTAL			

This section should only be completed if a subsequent request will be made to increase or decrease the current position count.

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$95,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

N/A



RESOLUTION NO. 38855

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the increase of Contract
3 No. 4600009056 with Totem Electric of Tacoma, Inc., in the amount of
4 \$98,000, sales tax not applicable, for a cumulative total of \$1,019,999.13,
5 sales tax not applicable, budgeted from the Transportation Capital Fund,
6 to increase the contract for design and construction services required to
7 improve the South 25th Street Corridor pursuant to Specification
8 No. PW13-0012F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 increase Contract No. 4600009056 with Totem Electric of Tacoma, Inc., in the
21 amount of \$98,000, sales tax not applicable, for a cumulative total of
22 \$1,019,999.13, sales tax not applicable, budgeted from the Transportation
23 Capital Fund, to increase the contract for design and construction services
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1 required to improve the South 25th Street Corridor pursuant to Specification
2 No. PW13-0012F, consistent with Exhibit "A."

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

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Approved as to form:

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City Attorney

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TO: Board of Contracts and Awards
FROM: Kurtis D. Kingsolver, P.E., Director, Public Works Department / *WDC*
Said Seddiki, P.E., Public Works Engineering
COPY: City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator,
and Chuck Blankenship, Finance/Purchasing
SUBJECT: Increase for additional project work on the South 25th Street Corridor Signal
Improvements - Request for Bid Specification No. PW13-0012F, Contract
No. 4600009056 – March 4, 2014
DATE: February 18, 2014

SUMMARY:

The Public Works Engineering Division requests approval to increase and extend Contract No. 4600009056 with Totem Electric of Tacoma, Inc., Tacoma, WA, by \$98,000, sales tax not applicable, for additional project work and allow for an additional 20 working days. This increase will bring the contract to a cumulative amount of \$1,019,999.13, sales tax not applicable.

STRATEGIC POLICY PRIORITY:

- Plan for and improve public infrastructure that meets the transportation needs of all Tacoma residents and visitors.

This project improves the safety and well-being of citizens by constructing a new traffic signal at South 25th and J Streets and upgrading the existing traffic signals on South 25th Street at the intersections of South Yakima Avenue and Tacoma Avenue South.

BACKGROUND:

ISSUE: This project will result in signal upgrades including vehicle detection and electronic signal controllers with conflict safety monitors. In addition, pedestrian crossings and access will be improved by constructing ADA compliant ramps. A contract increase is required for the following additional work:

1. Repair interconnect conduits that were damaged before project began. This was an unknown site condition during design.
2. Replacement of sidewalk at two locations, relocation of pedestrian push buttons, and added handrails to provide a better connection to the ADA ramps and enhance pedestrian safety.
3. Increase in erosion control costs due to storm event.
4. Increase in asphalt and concrete quantities due to differing subgrade elevations and asphalt thickness.

ALTERNATIVES: The alternative course of action would be to hire a different contractor. The consequences of hiring a different contractor would be the loss of continuity and increased costs, as the new contractor would need to start from the beginning and additional time would be needed to procure the contractor. Both of these consequences would be undesirable for the project.



COMPETITIVE SOLICITATION: This contract was originally awarded to Totem Electric of Tacoma, Inc. as a result of Request for Bids Specification No. PW13-0012F in June 11, 2013. The contractor has agreed to increase and extend the contract at the same prices, terms, and conditions as the original contract.

CONTRACT HISTORY: The original contract for \$921,999.13, sales tax not applicable, was approved by City Council Resolution No. 38679 on June 11, 2013. This increase will bring the contract to a cumulative amount of \$1,019,999.13, sales tax not applicable. This is the first amendment to the contract.

RECOMMENDATION:

The Public Works Department recommends an increase and extension of the contract be awarded to Totem Electric of Tacoma, Inc. for design and construction services required to improve the South 25th Street Corridor as outlined above.

FISCAL IMPACT:

EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Transportation Capital Fund 1060	PWK-00247	5600000	\$98,000
TOTAL			\$98,000

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Motor Vehicle Fuel Tax (MVFT)	PWK-00247	4335410	\$98,000
TOTAL			\$98,000

POTENTIAL POSITION IMPACT: N/A

POSITION TITLE	PERMANENT/ PROJECT TEMPORARY POSITION	FTE IMPACT	POSITION END DATE
N/A			
TOTAL			

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$98,000

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A



RESOLUTION NO. 38856

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and
3 Teamsters Local Union No. 117, General Unit.

4 WHEREAS the City has, for years, adopted the policy of collective
5 bargaining between the various labor organizations representing employees
6 and the administration, and

7 WHEREAS Resolution No. 38519, adopted August 28, 2012, authorized
8 the execution of the 2011-2014 Collective Bargaining Agreement between the
9 City of Tacoma and Teamsters Local Union No. 117, General Unit ("Union"), on
10 behalf of the employees represented by said Union, and
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12 WHEREAS the City and the Union negotiated a Letter of Agreement
13 which provides for an application of rate of 5 percent for employees working in
14 the classification of Heavy Equipment Operator when scheduled to train either
15 a Solid Waste Worker or Equipment Operator on specialized Solid Waste
16 equipment, said application of rate to be paid only for actual hours worked, and
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18 WHEREAS it appears in the best interest of the City that the proposed
19 Letter of Agreement negotiated by said Union and the City be approved; Now,
20 Therefore,

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

22 That the proper officers of the City are hereby authorized to execute the
23 Letter of Agreement negotiated between the City of Tacoma and Teamsters
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1 Local Union No. 117, General Unit, said document to be substantially in the
2 form of the proposed agreement on file in the office of the City Clerk.

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4 Adopted _____

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6 _____
7 Mayor

8 Attest:
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10 City Clerk

11 Approved as to form:
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13 Deputy City Attorney

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ORDINANCE NO. 28205

1 AN ORDINANCE relating to public safety and morals; amending Chapter 8.44 of
 2 the Tacoma Municipal Code by enacting a new Section 8.44.160, entitled
 3 "Criminal Mischief," to adopt the changes to RCW 9A.84.010, changing the
 crime of "Riot" to the crime of "Criminal Mischief."

4 WHEREAS Substitute Senate Bill No. 5021, which became effective
 5 January 1, 2014, amends Section 9A.84.010 of the Revised Code of Washington
 6 ("RCW"), changing the crime of "Riot" to the crime of "Criminal Mischief," and
 7

8 WHEREAS the City must adopt the change in order to ensure compatibility
 9 with state law and enable enforcement within the City of Tacoma; Now, Therefore,

10 BE IT ORDAINED BY THE CITY OF TACOMA

11 Section 1. That Chapter 8.44 of the Tacoma Municipal Code is hereby
 12 amended by enacting a new Section 8.44.160, entitled "Criminal Mischief," to
 13 adopt the changes to RCW 9A.84.010, changing the crime of "Riot" to the crime of
 14 "Criminal Mischief," as set forth in the attached Exhibit "A."
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16 Passed _____
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18 _____
 Mayor

19 Attest:
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 21 _____
 City Clerk

22 Approved as to form:
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 25 Deputy City Attorney
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EXHIBIT "A"

Chapter 8.44

PROPERTY – OFFENSES AGAINST

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Sections:

- 8.44.010 Expectoration in public places.
- 8.44.020 Reckless burning.
- 8.44.030 Library – Defacing, or failing to return, books.
- 8.44.040 Library – Taking books without permission.
- 8.44.050 *Repealed*
- 8.44.056 Throwing of rocks – Damage or injury.
- 8.44.060 Monuments and survey markers.
- 8.44.065 Trespassing on posted public property.
- 8.44.070 Official signs and notices.
- 8.44.075 Political signs and notices.
- 8.44.090 Railroad tracks – Obstructing.
- 8.44.100 Utilities property – Light plant.
- 8.44.110 Utilities property – Reward.
- 8.44.120 Utilities property – Water main bridges.
- 8.44.130 Malicious Mischief in the Third Degree.
- 8.44.140 Malicious Mischief – “Physical damage” defined.
- 8.44.150 *Repealed.*
- 8.44.160 Criminal mischief.

8.44.010 Expectoration in public places.

No person shall expectorate on the floor of any motor bus or other public conveyance or public building, or on any sidewalk in the City of Tacoma. Violation is a misdemeanor.

8.44.020 Reckless burning.

RCW 9A.48.050 and RCW 9A.48.060, as now enacted or hereinafter amended, are hereby adopted by reference as if fully set forth herein, including penalties; except that conduct constituting a felony, as determined by the prosecutor, is excluded.

8.44.030 Library – Defacing, or failing to return, books.

It shall be unlawful to fail to return any book, newspaper, magazine, pamphlet, manuscript, or other property belonging in or to any public library or any branch, reading room, deposit station, museum, or institution operated in connection therewith, for a period exceeding 30 days after the mailing to the borrower's address, on file with said library, of a notice in writing to return the same, given after the expiration of the time which, by the rules of such institution, such article or other property may be kept; which notice so mailed shall bear on its face a copy of this section. Violation is a misdemeanor.

8.44.040 Library – Taking books without permission.

It shall be unlawful to take: without the permission of the librarian or an assistant; by making use of a borrower's card belonging to another without the permission of the owner thereof and the librarian or an assistant, or by color or aid of any fraud or false representation, impersonation or pretense, or by any false token, or writing, or by any device or trick, from any public library, or any branch, reading room, deposit station, museum or institution operated in connection therewith, any property belonging therein or thereto. Violation is a misdemeanor.



8.44.050 Library – Penalty for violation of Sections 8.44.020 - 8.44.040. *Repealed by Ord. 27842*

8.44.056 Throwing of rocks – Damage or injury.

It shall be unlawful for any person to throw, place, or cause to be thrown or placed, or to aid and abet the throwing or placing in, into, over or onto any public place, rocks, broken glass, bottles, containers, tacks, nails, garbage, rubbish, offal, discarded matter or any other article, object or thing that damages or may damage or tend to damage any property, building, vehicle or other thing of value belonging to or under the control and care of the City of Tacoma, County of Pierce, Metropolitan Park District or other political subdivision of the State of Washington, or that injures or may injure or tend to injure any person, animal or living thing upon said property. Violation is a gross misdemeanor.

8.44.060 Monuments and survey markers.

It shall be unlawful for any person or persons within the city limits of the City of Tacoma to remove, change, pull up or destroy, or in any manner interfere with any monument, stake, post or peg established or set by the City Engineer of the City of Tacoma, or by any of his assistants in the performance of his or their duties as such engineer or assistant; provided, however, that this section shall not apply to any contractor who may be obliged to remove such monument, stake, post, or peg in the performance of his contract, provided said contractor shall first notify the City Engineer of the necessity for such removal and obtain permission from him so to do. Violation is a misdemeanor.

8.44.065 Trespassing on posted public property.

Any person who shall go upon the premises or land owned by, under the control and care of, or in the possession of, the City of Tacoma, County of Pierce, Metropolitan Park District or other political subdivision of the State of Washington, with intent to vex the owner or occupant thereof or to commit any unlawful act, or shall willfully go on or remain in or upon said premises or land after having been warned by the owner or occupant thereof, occupant's agent, or a security or peace officer not to enter therein or not to remain thereon, shall be guilty of a misdemeanor.

The City, County, Metropolitan Park District or other political subdivision of the State of Washington shall be deemed to have given sufficient warning against trespassing within the meaning of this section, after having posted in a conspicuous manner upon or near the boundary of each side of any unenclosed lot or parcel of land, or near the entrance to any building, dwelling house or premises, a sign or signs legibly printed or painted in the English language, substantially as follows: "WARNING – PUBLIC PROPERTY – NO TRESPASSING."

8.44.070 Official signs and notices.

It shall be unlawful for any person to efface, destroy or remove any official sign or notice which has been posted by authority of the City of Tacoma in any public place or upon any building or other structure within the City by its officers or agents while the warning of such signs and notices shall be in force; provided that this chapter shall not apply to any sign or notice posted under any health or quarantine ordinance or regulation. Violation is a misdemeanor.

8.44.075 Political signs and notices.

It shall be unlawful for any person to efface, destroy or remove any bona fide political sign from its location within the City of Tacoma during the period preceding a political election; provided, however, this shall not impair the right of a person or owner in lawful occupancy of real property from removing any political sign placed without his or her consent upon his or her property or upon property over which he or she asserts dominion and control. Violation is a misdemeanor.

8.44.090 Railroad tracks – Obstructing.

It shall be unlawful for any person or persons to willfully place or cause to be placed upon or adjacent to the track or between the rails of any street railway company or any railroad company operating street cars or railroad trains in the City of Tacoma any obstacle whatever. Violation is a misdemeanor.



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8.44.100 Utilities property – Light plant.

It is unlawful for any person to, in any manner, injure, mutilate, destroy, remove, disconnect, or in any wise interfere, or tamper with, any of the machinery, poles, wires, meters, lamps, or other appliances belonging to, or in any manner connected with, the Light and Power Plant of the City of Tacoma. Violation is a gross misdemeanor.

8.44.110 Utilities property – Reward.

The Director of Utilities is hereby authorized to offer, and the proper officers of the City are authorized to pay, a reward of \$10.00 out of the Light Fund to any person who shall furnish information to the Director which shall result in the conviction of any person for the violation of Section 8.44.100; provided, that not more than one reward shall be paid in any one case.

8.44.120 Utilities property – Water main bridges.

It is unlawful for any person to walk upon or use as a passageway any bridge or structure erected for the maintenance of sewer or water pipes in the City of Tacoma, or to molest, destroy, or in any manner interfere with, any gate or barrier connected thereto. Violation is a misdemeanor.

8.44.130 Malicious Mischief in the Third Degree.

RCW 9A.48.090, as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein, including penalties; except that conduct constituting a felony, as determined by the prosecutor, is excluded.

8.44.140 Malicious Mischief – “Physical damage” defined.

RCW 9A.48.100, as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein.

8.44.150 Violation – Penalties. *Repealed by Ord. 27842.*

8.44.160 Criminal Mischief.

RCW 9A.84.010, as now enacted or hereinafter amended, is hereby adopted by reference as if fully set forth herein, including penalties; except, that conduct constituting a felony, as determined by the prosecutor, is excluded.



ORDINANCE NO. 28206

L.I.D. No. 7723

1 AN ORDINANCE approving and confirming the Assessment Roll for Local
2 Improvement District No. 7723 for the conversion of overhead electrical
3 primary, telephone, and cable television lines to an underground system
4 along the alley between North 29th Street and North 30th Street from White
5 Street to Junett Street, and also along North 30th Street from 250 feet,
6 more or less, east of White Street to Junett Street.

7 WHEREAS the assessment roll for Local Improvement District No. 7723 has
8 been prepared and filed with the City Clerk on or about June 18, 2013, and public
9 hearings thereon have been held before the Hearing Examiner of the City on
10 August 15, 2013, as required by law, with one additional hearing held on
11 October 10, 2013, and

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

16 BE IT ORDAINED BY THE CITY OF TACOMA:

17 Section 1. That any objections to said assessment or assessment roll be
18 and the same are hereby overruled, and that the assessment and assessment roll
19 filed in the office of the City Clerk on June 18, 2013, for the cost of the conversion
20 of the existing overhead electrical primary, telephone, and cable television lines to
21 underground along the alley between North 29th Street and North 30th Street from
22 White Street to Junett Street, and also along North 30th Street from 250 feet, more
23 or less, east of White Street to Junett Street, and work necessary pursuant to the
24 provisions of Ordinance No. 27236, passed May 11, 2004, and the levy and
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1 charge of the cost of said improvements, as shown on said assessment roll and
2 thereby apportioned upon said parcels of land specially benefited in accordance
3 with the laws of the state of Washington and the ordinances of the City of Tacoma,
4 are hereby approved and confirmed in all respects to the assessment; and the City
5 Treasurer is hereby directed to collect said assessments which may be paid
6 without interest or penalty within 30 days after due notice shall have been given to
7 the owners of the property within said assessment district, all in the manner
8 provided by law, and if assessment be not paid within 30 days from the date of first
9 publication of said notice, the same shall thereafter bear interest at the estimated
10 rate of 6.25 percent per annum, the actual interest rate to be fixed by the
11 ordinance authorizing the issuance and sale of bonds for the district.
12

13 Section 2. That the moneys collected upon said assessment approved and
14 confirmed by this ordinance are hereby ordered to be placed in Fund District
15 No. 7723, the special fund created by Ordinance No. 27236. Under provisions of
16 the laws of the state of Washington and amendments thereto, and this ordinance,
17 there shall be issued an installment note, or notes, in payment of the cost and
18 expense of Local Improvement District No. 7723 payable out of said local
19 improvement district fund. Such notes shall bear interest at the estimated rate of
20 6.25 percent per annum, the actual interest rate to be fixed by the ordinance
21 authorizing the issuance and sale of bonds for this district; and shall be redeemed
22 in cash from said local improvement district fund or by other notes, and the notes
23 shall be sold, as provided by law, by the proper officers of the City of Tacoma to
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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