



Legislation Passed October 28, 2014

The Tacoma City Council, at its regular City Council meeting of October 28, 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. 39036

A resolution setting Monday, November 17, 2014, at 5:00 p.m., as the date for a hearing by the Hearing Examiner regarding Local Improvement District (LID) 8661 for the placement of new asphalt and other improvements on Proctor Street from North 38th Street north to the dead end.

Resolution No. 39037

A resolution declaring surplus and authorizing the execution of a Quit Claim Deed, to convey approximately 3.2 acres of saltwater tidelands property located on Hood Canal in Mason County, owned by the Department of Public Utilities, to the Skokomish Tribe in exchange for the perpetual use of a portion of adjacent Tribe property.

Resolution No. 39038

A resolution approving the designation of the following four properties as historic landmarks and placing said properties on the Tacoma Register of Historic Places: McKinley Hill Elementary School located at 3720 McKinley Avenue, Oakland Elementary School located at 3319 South Adams Street, Hoyt Elementary School located at 2708 North Union, and Shaw House located at 2500 North Lawrence Street.

Resolution No. 39039

A resolution authorizing the execution of a Memorandum of Understanding with the Puyallup Tribe of Indians regarding project cooperation and construction for street overlay work at East Roosevelt Avenue and Wright Avenue, and the paving of an alley in the 3100 block of East Roosevelt Avenue.

Ordinance No. 28253

An ordinance requesting the Washington State Liquor Control Board to recognize the West End Alcohol Impact Area passed by Ordinance No. 28135; and imposing restrictions on off-premises alcohol sales to reduce chronic public inebriation.

[Lieutenant Mark Feddersen; Donald Ramsdell, Chief, Police Department]



ORDINANCE NO. 28253

1 AN ORDINANCE requesting the Washington State Liquor Control Board to
 2 recognize the West End Alcohol Impact Area adopted by the City Council on
 3 February 26, 2013, in Ordinance No. 28135; and imposing restrictions on
 off-premises alcohol sales.

4 WHEREAS the Washington Administrative Code (“WAC”) § 314-12-215
 5 provides that, upon satisfying certain conditions, a city may request the Washington
 6 State Liquor Control Board (“WSLCB”) to recognize an Alcohol Impact Area (“AIA”)
 7 that has previously been adopted by the city’s council, and
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9 WHEREAS, on February 26, 2013, the City Council enacted Ordinance
 10 No. 28135, adopting the West End AIA, and

11 WHEREAS voluntary efforts to reduce the effects of chronic public
 12 inebriation in the West End AIA have not been successful, and

13 WHEREAS, on August 14, 2014, the Public Safety, Human Services and
 14 Education Committee voted to forward to the City Council a proposal for
 15 consideration and approval to request the WSLCB to recognize the West End AIA
 16 and impose restrictions on off-premises alcohol sales; Now, Therefore,
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18 BE IT ORDAINED BY THE CITY OF TACOMA:
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20 Section 1. Having considered the August 2014 Tacoma Alcohol Impact Area
 21 Task Force Report, attached as Exhibit “A”; the record of the Committee meetings,
 22 including documents provided to the Public Safety, Human Services and Education
 23 Committee (“Committee”) and on file in the office of the City Clerk; as well as the
 24 testimony received by both the Committee and the City Council during public
 25 hearings and comment, the City Council makes the following findings of fact:
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1 1. That the West End Alcohol Impact Area (“AIA”) in the City of Tacoma,
2 adopted by Ordinance No. 28135, is described as follows:

3 That area within the city limits bounded on the north by the
4 waters of Puget Sound and Commencement Bay, on the east by
5 a line running due south from Commencement Bay to the
6 intersection of Schuster Parkway and North 30th Street, then
7 west on North 30th Street to North Alder Street, then South on
8 Alder Street to the Cedar Street transition and continuing south
9 to SR 16, on the south by the south side of SR 16 to South 19th
10 Street, then west on South 19th Street to the waters of Puget
11 Sound, on the west by the waters of Puget Sound and, then west
12 and north along 6th Avenue to North Jackson Avenue, then north
13 on Jackson Avenue to the Narrows Drive transition and
14 continuing north to North 26th Street, then east on North 26th
15 Street to Pearl Street/SR 163, then north on Pearl Street/SR 163
16 to the waters of Puget Sound. Any boundary formed by a street
17 includes the parcels on either side of the street.

18 2. The Tacoma-Pierce County Board of Health has declared, by resolution,
19 that chronic public inebriation is a public health problem of the highest order.

20 3. In 2001, the Washington State Liquor Control Board (“WSLCB”) approved
21 an AIA in the downtown area of Tacoma, and in 2008, approved an AIA in the
22 Lincoln District of Tacoma.

23 4. Citizens and neighborhood groups have raised concerns that the
24 problems associated with chronic public inebriation in the West End have been
25 increasing and have affected the health, safety, and welfare of residents of the
26 West End.

 5. Statistics from the Tacoma Fire Department and the Tacoma Police
Department show an increasing incidence of problems associated with chronic
public inebriation in the West End AIA.



6. Neighborhood groups in the affected area are in support of the establishment of the West End AIA, including the West End Neighborhood Council, North End Neighborhood Council, Central Neighborhood Council, Old Town Business District, Proctor Business District, 6th Avenue Business District, Tacoma Public Schools, Geiger Montessori Elementary School, Washington Hoyt Elementary School, University of Puget Sound, Tacoma Community College, Bellarmine Prep School, St. Charles Borromeo Catholic School, Pierce Transit, Tacoma Metro Parks, West End Kiwanis, Allenmore Ridge Condominium Association, St Joseph Hospital, and the Tacoma-Pierce County Health Director.

7. The City has adopted the Housing First model as part of its comprehensive strategy to reduce chronic public inebriation, which aims to eliminate homeless encampments and house chronically homeless individuals and provide case management services to homeless individuals, including those with alcohol problems, with encampments in and adjacent to the West End AIA being part of this effort.

8. In August 2004, the City, Pierce County, Metropolitan Development Council, Franciscan Health System, and MultiCare Health System created the Sobering Center of Tacoma to provide alternative care for chronic public inebriants ("CPIs") as part of the City's comprehensive strategy to reduce chronic public inebriation. The Sobering Center was officially closed March 31, 2014, because both Franciscan Health and MultiCare now offer alternative care that replaces that offered by the Sobering Center. The Detox Center remains open and running at or near capacity daily. The City subsidizes services for CPIs which



1 include housing, mental health services, detox services, health care, and
2 counseling.

3 9. An important element in the plan to reduce chronic public inebriation is to
4 restrict the availability of alcohol sold to CPIs in areas where such sales threaten
5 the health, safety, and welfare of the public and that of CPIs.

6 10. In August 2011, the City established an Alcohol Impact Area Task Force
7 ("Task Force"). The Task Force was charged with planning and successfully
8 implementing all requirements for Tacoma's third AIA, as detailed in Washington
9 Administrative Code ("WAC") 314-12-215.
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11 11. In August 2013, the City sent all 41 off-premise licensees in the
12 proposed AIA area a formal letter, informing them of the City's decision to work with
13 the WSLCB and conduct activities for establishing a third AIA in Tacoma. The letter
14 asked all of these licensees to consider signing and complying with a Voluntary
15 Good Neighbor Agreement ("Good Neighbor Agreement") and the accompanying
16 malt and wine product line list, attached hereto as Exhibit "B." This communication
17 also included copies of Tacoma City Ordinance No. 27602, WAC 314-12-210, and
18 WAC 314-12-215.
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20 12. In the follow-up to the letter, licensees were personally contacted by
21 members of the Task Force – some repeatedly – in an effort to have them agree to
22 voluntary restrictions. Beginning in August 2013, members of the Task Force
23 undertook a continuous outreach and education effort directed to the AIA retailers in
24 collaboration. They endeavored to establish ongoing relationships with licensees
25 by regularly engaging and educating them on the AIA. They promoted an approach
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1 that encouraged retailers to work with the community to improve public health and
2 safety by signing and complying with the Good Neighbor Agreement. Only one of
3 the 41 retailers offered to sign the Good Neighbor Agreement.

4 13. In September 2012, members of the AIA Task Force invited
5 representatives from local alcohol distributors to a briefing on the proposed new AIA
6 and other issues, such as MSRA infections, related to our local CPI population.

7 14. Months of consistent outreach by the AIA Task Force failed to obtain
8 significant compliance within the AIA, with less than 40 percent of the licensees
9 agreeing to comply with the proposed AIA conditions (38.5 percent compliance at
10 the end of the voluntary compliance period).

11 15. The AIA Task Force was unable to obtain voluntary compliance by
12 licensees in the West End AIA; therefore, the community is denied the
13 demonstrated public health and safety benefits.

14 16. A pervasive pattern of public intoxication and public consumption of
15 alcohol have been documented in the West End AIA, and this area has experienced
16 a deterioration of the general quality of life due to public intoxication, as
17 documented in this report. The welfare, health, peace, and safety of the area's
18 visitors and occupants, including school children, have been compromised by this
19 pattern of public intoxication.

20 21. The AIA Task Force has worked since September 2012 to obtain
22 voluntary compliance, but those efforts have not been successful. Most off-premise
23 licensees continue to sell cheap, high-alcohol beer and wine to CPIs and the West
24 End AIA continues to suffer from the effects of public intoxication.



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18. The restriction of off-premise alcohol sales in the West End AIA would promote the public health, safety, and welfare and reduce the detrimental effects of chronic public inebriation.

Section 2. That the Tacoma Police Chief is directed to request the Washington State Liquor Control Board, pursuant to Washington Administrative Code § 314-12-215, to restrict the sale of alcohol products identified in Exhibit "B" in the West End AIA.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form and legality:

Deputy City Attorney



EXHIBIT "A"

TACOMA WEST END ALCOHOL IMPACT AREA (AIA)
REPORT ON VOLUNTARY COMPLIANCE
REQUEST FOR MANDATORY

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EXHIBIT "B"

PROPOSED AIA PRODUCT LIST

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Proposed AIA Product List

The latest current list is from 2009 after the Lincoln District AIA went into effect. This list has been updated and should apply to all three AIAs in Tacoma.

The new products are highlighted in red.

Consolidated Banned Products List - City of Tacoma Alcohol Impact Areas

New Products* Effective July 1, 2014

All Flavors and Container Sizes

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WINE

- Cisco
- MD 20/20
- Night Train Express
- Richard’s Wild Irish Rose
- Thunderbird

ENERGY DRINKS

- 3 Sum
- Four Loko
- Four Max
- Hard Wire X
- Joose
- Liquid Charge
- Rize Up!
- Rock Star 21
- Sparks
- Tilt

MALT BEVERAGE

- Big Bear
- Blast by Colt 45***
- Bud Ice
- Bull Ice
- Bush Ice
- Camo
- Colt 45 Ice
- Colt 45 Malt Liquor & **HG***
- Core High Gravity
- Dog Bite***
- Earthquake HG***
- Edge by Ice House***
- Hurricane High Gravity
- HG 800
- Hurricane Ice Malt Liquor
- Ice House
- Keystone Ice
- King Cobra Malt Liquor
- Labatt Max Ice
- Mike’s Harder Lemonade (or other flavors)
- Mickey’s Ice Brewed Ale
- Milwaukee’s Best Ice
- Milwaukee’s Best Premium Ice Beer
- Molson Ice
- Natty Daddy***
- Natural Ice
- Old Milwaukee Ice
- Olde English 800
- Rainier Ale
- Red Dog
- Schlitz High Gravity
- Schmidt’s Ice
- Smirnoff Ice Black***
- Special 800 Reserves
- Stack HG***
- St Ide’s Liquor and Special Brews
- Steel Reserve



RESOLUTION NO. 39036

1 A RESOLUTION relating to public works and improvements; setting the date of
2 November 17, 2014, as the date for a hearing by the Hearing Examiner to
3 consider the construction of certain improvements and to form Local
4 Improvement District No. 8661, in order to provide long-term financing for
5 the improvements.

6 WHEREAS the existing street improvements on Proctor Street, from
7 North 38th Street northerly to the dead end, were constructed in 1912, and the
8 surface is badly fractured and in need of replacement, and

9 WHEREAS the water and wastewater mains within the neighborhood are
10 being replaced as part of Tacoma Water Project MRP 2012-25 and Environmental
11 Services Project ENV-04011-11, and, through an informational town hall meeting,
12 property owners in the area requested solutions to pave the remaining street
13 surface and opted to support the formation of a Local Improvement District ("LID"),
14 and

15 WHEREAS this project would partner with Tacoma Water, Environmental
16 Services, and neighborhood citizens to restore the street surface, leaving intact
17 the existing brick gutters and concrete curbs, and will enhance the neighborhood
18 by retaining some of the 100-year old charm of the existing street with a restored
19 asphalt surface, and

20 WHEREAS Advisory Survey No. 8467 was returned to the Public Works
21 Department with support from 68.16 percent of property owners within the
22 proposed LID; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That it is the intention of the City Council to order the local improvements described below and to pay the cost of such improvements by imposing and collecting special assessments upon the real property that will receive special benefit from the improvements.

Section 2. That the improvements shall consist of grinding the existing asphalt surface and to place new asphalt over the existing structural section, between the existing concrete curbs and brick gutters, modifying the existing storm drain lines, and storm water catch basins, where needed, on Proctor Street from North 38th Street north to the dead end. Such improvements may include driveway entrances; sanitary sewer connections from the sewer main to the property line; the removal and planting of trees; and all work necessary to complete the improvement in full accordance with the plans and specifications to be prepared by the City Engineer.

Section 3. That the real property to be benefited by the improvements and which will constitute Local Improvement District No. 8661 is described as follows:

Proctor Street from North 38th Street north to the dead end

That portion of the Southeast Quarter of the Northeast Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 4 through 9, Block 12; Lots 1 through 4, Block 13; Map of Law's Addition To Tacoma City, as per plat recorded in Volume 1, Page 23, filed January 3, 1870, records of Pierce County Auditor.



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That portion of the Northeast Quarter of the Northeast Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

That portion of Wallace's Addition to Tacoma City, as per plat recorded in Volume 1, Page 61, filed July 11, 1883, records of Pierce County Auditor, lying southerly of the following described line;

Commencing at the Southwest corner of said plat; Thence North 01°34'54"East along west line of said Wallace's Addition, a distance of 60.00 feet to the Point of Beginning of this described line;

Thence North 66° 38' 20" East, 217.41 feet, to a point on the northwesterly line of Lot 10, Block 10, of aforementioned Wallace's Addition, said point being 54.83 feet northeasterly of the Southwest corner of said Lot 10;

Thence South 57° 51' 59" East, 296.69 feet to the intersection of the northerly line of Block 10 of said plat and the South line of the Northeast quarter of the Northeast quarter of said Section 25 and the Terminus of this described line.

Together with vacated streets lying southerly of the above described line and the northerly line of Map of Law's Addition of Tacoma City;

Also together with that portion of land lying between the northerly line of Map of Law's Addition to Tacoma City and the southerly line of Wallace's Addition to Tacoma City.

All land Situate in the City of Tacoma, County of Pierce, state of Washington.

Actual assessments may vary from assessment estimates so long as the assessments do not exceed the increased true and fair value the improvements add to the property being assessed. At the option of the property owners, the assessments levied against the property shall become due and payable in cash, without interest, within 30 days after publication of notice of assessment, or in



1 ten equal annual installments with interest on deferred payments at a rate to be
2 hereafter fixed, but in no event greater than one-half percent above the rate of
3 interest fixed upon sale of bonds for the district.

4 Section 4. That the Hearing Examiner of the City of Tacoma shall conduct
5 a hearing to consider the creation of the proposed local improvement district
6 described herein. That such hearing shall be held in the City Council Chambers
7 on the first floor in the Tacoma Municipal Building, at 747 Market Street, on
8 November 17, 2014, at 5:00 p.m. That all persons who may desire to object to
9 the construction of the improvements shall do so in writing and file such complaint
10 with the City Clerk before 5:00 p.m. on Monday, November 17, 2014, or shall
11 appear and present their objections at the hearing.

12 Section 5. That the Director of Public Works shall submit to the Hearing
13 Examiner, at a date prior to November 17, 2014, the estimated cost of the
14 improvements; a statement of the proportionate amount thereof, which should be
15 borne by the property within the proposed Local Improvement District; a statement
16 of the aggregate actual value of the real estate, including 25 percent of the actual
17 value of the improvements thereon within the district, according to the valuation
18 last placed upon it for the purpose of general taxation; a statement in detail of the
19 local improvement assessments outstanding and unpaid against the property
20 within the district, together with a diagram or print showing the lots, tracts, and
21 parcels of land that will be specially benefited by the improvement; and the
22 estimated amount of the cost and expense of the improvements to be borne by
23 each parcel of property.



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Section 6. That the City Clerk shall publish this resolution in the official newspaper of the City of Tacoma, as required by law.

Section 7. That the Director of Public Works shall give notice of the hearing, as required by law.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department



RESOLUTION NO. 39037

1 A RESOLUTION related to surplus property; authorizing the conveyance of
2 approximately 3.2 acres of saltwater tidelands property located on Hood
3 Canal, in Mason County, Washington, owned by the Department of Public
4 Utilities, Light Division (d.b.a. "Tacoma Power") and now surplus to its
5 needs, to the Skokomish Tribe in exchange for the perpetual use of a
6 portion of adjacent Tribe property.

7 WHEREAS, in December 2008, the City of Tacoma, Department of Public
8 Utilities, Light Division (d.b.a. "Tacoma Power"), entered into a Settlement
9 Agreement with the Skokomish Tribe ("Tribe") as part of the Cushman Project
10 relicensing requirements, and

11 WHEREAS, as part of the settlement, real estate was conveyed to the
12 Tribe, including a portion of the area commonly known as "Saltwater Park," which
13 is located on Hood Canal in Mason County, Washington, and

14 WHEREAS 3.2 acres of tideland in front of the park ("Saltwater Tidelands
15 Property") were not conveyed at that time, and neither was the southernmost part
16 of the park, which was retained to construct a hatchery, and

17 WHEREAS, since that time, Tacoma Power has determined that it requires
18 the use of a portion of Saltwater Park property owned by the Tribe, and has agreed
19 to convey the Saltwater Tidelands Property to the Tribe in exchange for perpetual
20 use of said property, and

21 WHEREAS, since the Tribe owns the adjacent waterfront property, the
22 conveyance of the Saltwater Tidelands Property will ensure consistent ownership,
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1 WHEREAS Tacoma Power will retain the area where the Cushman No. 2
tailrace enters Hood Canal, so its operations will not be negatively impacted, and

2 WHEREAS, on September 24, 2014, by adoption of Public Utility Board
3 Resolution No. U-10722, the Saltwater Tidelands Property was declared surplus to
4 the needs of Tacoma Power, pending confirmation from the City Council, and
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6 WHEREAS, as required by state law, a public hearing was held on
7 October 14, 2014, to allow the public to comment on the proposed sale, and no
8 objections were received, and

9 WHEREAS, there being no foreseeable need for continued City ownership
10 of the Saltwater Tidelands Property, a declaration of surplus and negotiated
11 disposition of the property in fee simple to the Tribe appears to be in the best
12 interests of the City, pending final approval from the City Council; Now, Therefore,

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

14 Section 1. That continued ownership of the City property, consisting of
15 approximately 3.2 acres of saltwater tideland property located on Hood Canal in
16 Mason County, Washington, is not essential to the needs of the City and is hereby
17 declared surplus property pursuant to RCW 35.22.020 and Article I, Section 1.2,
18 and Article IX of the Tacoma City Charter.
19

20 Section 2. That the proper officers of the City are hereby authorized to
21 execute a Quit Claim Deed to convey approximately 3.2 acres of saltwater tideland
22 property located on Hood Canal, in Mason County, owned by the Department of
23 Public Utilities, Light Division (d.b.a. "Tacoma Power") and now surplus to its
24 needs, to the Skokomish Tribe in exchange for perpetual use of a portion of the
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adjacent Tribe property, said document to be substantially in the form of the Quit
1 Claim Deed on file in the office of the City Clerk.

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3 Adopted _____

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6 Mayor

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9 City Clerk

10 Approved as to form:
11 _____
12 Chief Deputy City Attorney

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14 Requested by Public Utility Board
15 Resolution No. U-10722
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RESOLUTION NO. 39038

1 A RESOLUTION relating to historic preservation; adding the proposed landmarks
2 to the Tacoma Register of Historic Places and imposing controls for the
3 following properties: (1) McKinley Hill Elementary School, located at 3720
4 McKinley Avenue; (2) Oakland Elementary School, located at 3319 S
5 Adams Street; (3) Hoyt Elementary School, located at 2708 N Union
6 Street; and (4) Shaw House, a private residence, located at 2500 N
7 Lawrence Street; such landmarks designated by the Landmarks
8 Preservation Commission under Chapter 13.07 of the Tacoma Municipal
9 Code.

10 WHEREAS the Tacoma Landmarks and Historic Districts Code,
11 Chapter 13.07 of the Tacoma Municipal Code ("TMC"), establishes a procedure for
12 the designation and preservation of structures and areas having historical, cultural,
13 architectural, archaeological, engineering, or geographic importance, and

14 WHEREAS, pursuant to TMC 13.07.050, the nominations of McKinley Hill
15 Elementary School, located at 3720 McKinley Avenue, Oakland Elementary School,
16 located at 3319 S Adams Street, Hoyt Elementary School, located at 2708 N Union
17 Street, were submitted by Historic Tacoma, an independent citizen based
18 advocacy group, based upon previous research conducted by Historic Tacoma,
19 the Tacoma School District and the Landmarks Preservation Commission, and

20 WHEREAS all three schools are considered to be "high priority" for historic
21 designation by Historic Tacoma, based upon architecture and/or their architects,
22 era of origination, and association with educational and social trends of the time,
23 and

24 WHEREAS, pursuant to TMC 13.07, 050, the nomination of Shaw House, a
25 private residence located at 2500 N. Lawrence Street, was submitted by the owners
26 of the property, Kendall Reid and Sharon Winters, for its association with architect



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Stanley T. Shaw, a Tacoma architect who designed numerous Tacoma buildings between 1919 and 1957, and who was active in many progressive social movements, for inclusion on the Tacoma Register of Historic Places, along with the requisite application materials, and

WHEREAS the Landmarks Preservation Commission (“Commission”) held a public hearing on July 9, 2014, to receive public comment and consider the historic significance of the Properties, and

WHEREAS, according to TMC 13.07.040, the Commission found that the Properties meet the eligibility requirements for listing on the Tacoma Register of Historic Places, and

WHEREAS, based upon said findings, the City Council believes that it would be in the best interest of the City to designate the Properties described below as historic landmarks and place them on the Tacoma Register of Historic Places; Now, Therefore,

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

Section 1. Designation. That, pursuant to the provisions of Chapter 13.07 of the Tacoma Municipal Code (“TMC”), the City Council of Tacoma approves the designation of the following properties as historic landmarks and places said properties on the Tacoma Register of Historic Places:



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(1) McKinley Hill Elementary School

More particularly described as: 3720 McKinley Avenue, Tacoma, WA

Parcel: 7470010230

THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 03 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BLOCK 3, AMENDED MAP OF FIRST SCHOOL LAND ADDITION TO THE CITY OF TACOMA AS RECORDED IN VOLUME 7 OF PLATS AT PAGES 76 AND 77, RECORDS OF THE PIERCE COUNTY AUDITOR.

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

Based upon satisfaction of the following standards of TMC 13.07.040:

[the property]

- A. Is associated with events that have made a significant contribution to the broad patterns of our history;
- B. Is associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and
- F. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

(2) Oakland Elementary School

More particularly described as: 3319 S. Adams Street, Tacoma, WA



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Parcel: 6445001880 and 6445002380

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 20 NORTH, RANGE 02 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 6 THROUGH 19, INCLUSIVE, BLOCK 2702 AND ALL OF BLOCK 2802, OAKLAND ADDITION TO TACOMA, W.T. AS RECORDED IN VOLUME 1 OF PLATS AT PAGE 119, RECORDS OF PIERCE COUNTY AUDITOR.

TOGETHER WITH THE ABANDONED PACIFIC TRACTION COMPANY'S RIGHT OF WAY WITHIN THE ABOVE DESCRIBED PARCEL.

ALSO TOGETHER WITH VACATED WRIGHT AVENUE ABUTTING SAID BLOCKS 2702 AND 2802 AS VACATED BY CITY OF TACOMA ORDINANCE NO. 9260

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

Based upon satisfaction of the following standards of TMC 13.07.040:

[the property]

- A. Is associated with events that have made a significant contribution to the broad patterns of our history;
- B. Is associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and
- F. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.



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(3) Hoyt Elementary School

More particularly described as: 2708 N. Union Street Tacoma, WA

Parcel: 7475010820, 7475010860, 7040000710 and 747501810

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 02 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 6, INCLUSIVE, BLOCK 16 OF PUGET PARK ADDITION TO TACOMA, W.T. AS RECORDED IN VOLUME 2 OF PLATS AT PAGE 67 RECORDS OF PIERCE COUNTY AUDITOR;

TOGETHER WITH THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 02 EAST, W.M. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 59.066 FEET OF THE EAST 140 FEET OF BLOCK 14, THE AMENDED MAP OF SECOND SCHOOL LAND ADDITION TO THE CITY OF TACOMA AS RECORDED IN VOLUME 7 OF PLATS AT PAGES 78 AND 79, RECORDS OF PIERCE COUNTY AUDITOR;

ALSO TOGETHER WITH THE EAST 130 FEET OF THE SOUTH 50 FEET OF AFOREMENTIONED BLOCK 14.

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

Based upon satisfaction of the following standards of TMC 13.07.040:

[the property]

- A. Is associated with events that have made a significant contribution to the broad patterns of our history;
- B. Is associated with the lives of persons significant in our past;
- C. Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and



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F. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

(4) Shaw House

More particularly described as: 2500 N. Lawrence Street, Tacoma, WA

Parcel: 9150000120

LOT 7 AND THE EAST 12.6 FEET OF LOT 8 IN BLOCK 2 OF UNION ADDITION TO THE CITY OF ACOMA, ACCORDING TO PLAT RECORDED IN BOOK 1 OF PLATS AT PAGE 17, IN TACOMA, PIERCE COUNTY, WASHINGTON.

AND THE FOLLOWING DESCRIBED TRACT LYING NORTHERLY FROM THE ABOVE PROPERTY DESCRIBED AS FOLLOWING:

THE EAST 61.5 FEET OF THE FOLLOWING:

BEGINNING AT THE NORTHEAST CORNER OF LOT 7 IN BLOCK 2;

THENCE NORTH TO THE SOUTH LINE OF THE ALLEY, WHICH RUNS BETWEEN SAID BLOCK 2 OF UNION ADDITION AND BLOCK 31 OF PUGET PARK ADDITION TO TACOMA, W.T.; ACCORDING TO PLAT RECORDED IN BOOK 2 OF PLATS AT PAGE 67;

THENCE WESTERLY ALONG THE SOUTH LINE OF SAID ALLEY TO A POINT WHERE THE WEST LINE OF LOT 8 IN BLOCK 2 PRODUCED NORTHERLY WOULD INTERSECT THE SOUTH LINE OF SAID ALLEY;

THENCE SOUTH TO THE NORTHWEST CORNER OF SAID LOT 2 OF UNION ADDITION;

THENCE EAST ALONG THE NORTH LINE OF SAID LOTS 8 AND 7 IN BLOCK 2 OF UNION ADDITION TO THE PLACE OF BEGINNING.

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



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Based upon satisfaction of the following standards of TMC 13.07.040:

[the property]

B. Is associated with the lives of persons significant in our past;

Section 2. Controls. A Certificate of Approval must be obtained from the Landmarks Preservation Commission, pursuant to TMC 13.05.047 et seq., or the time for denying an application for a Certificate of Approval must have expired before the owners may make alterations or changes to the following properties:

- 1. **McKinley Hill Elementary School:** Specifically, changes to the exterior of the primary structure, but exempting changes to the site and the non-historic 1957 addition.
- 2. **Oakland Elementary School:** Specifically, changes to the exterior of the primary structure, but exempting changes to the site and the non-historic 1958 addition.
- 3. **Hoyt Elementary School:** Specifically, changes to the exterior of the primary structure, but exempting changes to the site.
- 4. **Shaw House:** Specifically, changes to the exterior of the primary structure, but exempting changes to the site.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Legal Description Approved:

Chief Surveyor
Public Works Department



RESOLUTION NO. 39039

1 A RESOLUTION authorizing a Memorandum of Understanding with the Puyallup
2 Tribe of Indians regarding project cooperation and construction for street
3 overlay work at East Roosevelt Avenue and Wright Avenue, and the paving
4 of an alley in the 3100 block of East Roosevelt Avenue.

4 WHEREAS the City is responsible for maintenance of right-of-way within the
5 municipal boundaries of the City of Tacoma, and

6 WHEREAS the Puyallup Tribe ("Tribe") receives federal funds specifically
7 for the maintenance of roads that serve the Puyallup Indian Reservation, and
8

9 WHEREAS the City and the Tribe recognize and acknowledge that
10 opportunities exist for cooperation in street overlay work within City limits, in and
11 around Tribe facilities and tribal residential areas, and

12 WHEREAS, within overlapping areas of interest within the City, the City and
13 the Tribe have identified right-of-way areas that both parties agree are in need of
14 maintenance, and have mutually agreed to advance certain right-of-way
15 maintenance projects that can be completed within the funding and scheduling
16 parameters of each party, and
17

18 WHEREAS the Tribe has agreed to pay for the street and alley work, which
19 will be performed in 2015, and
20

21 WHEREAS the City and the Tribe seek to memorialize the terms and
22 conditions under which the parties will cooperatively work to complete
23 maintenance and overlay work at East Roosevelt Avenue and Wright Avenue, and
24 the paving of an alley in the 3100 block of East Roosevelt Avenue, as more
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specifically set forth in the Memorandum of Understanding on file in the office of the City Clerk; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

That the proper officers of the City are hereby authorized to execute a Memorandum of Understanding with the Puyallup Tribe of Indians regarding project cooperation and construction for street overlay work at East Roosevelt Avenue and Wright Avenue, and the paving of an alley in the 3100 block of East Roosevelt Avenue, said document to be substantially in the form of the proposed Memorandum of Understanding on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney