



## Legislation Passed March 31, 2015

The Tacoma City Council, at its regular City Council meeting of March 31, 2015, 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. 39147**

A resolution setting Tuesday, April 14, 2015, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the 2015-2019 Consolidated Plan and the 2015-2016 Annual Action Plan for housing and community development.

[Carey Jenkins, Housing Programs Manager; Ricardo Noguera, Director, Community and Economic Development]

### **Substitute Resolution No. 39148**

A resolution setting Thursday, May 14, 2015, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the petition of Narrows Marina, LLC, to vacate the Northerly 24 feet of the 19th Street West right-of-way, lying westerly of the BNSF railroad right-of-way and the terminus of City right-of-way, for future improvements to pedestrian accessways and boat launch parking. (Narrows Marina, LLC; File No. 124.1351)

[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39149**

A resolution setting Thursday, May 21, 2015, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South Stevens Street lying north of South 64th Street to Brad Currah and Deborah McNamara, for a private driveway entrance, garden and landscaping. (Brad Currah and Deborah McNamara; File No. 124.1344)

[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39150**

A resolution authorizing the execution of an Interlocal Agreement with the Metropolitan Park District, in the amount of \$1,740,000; accepting and depositing said sum into the 2009 LTGO Bond Capital Projects Fund, to construct the People's Community Center pool.

[Justin E. Davis, Facilities Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39151**

A resolution awarding a contract to C.E. & C., Inc., in the amount of \$5,164,460, plus a 10 percent contingency, for a cumulative total of \$5,680,906, plus sales tax, budgeted from the 2009 LTGO Bond Capital Projects Fund, to construct a new pool at the People's Community Center - Specification No. PW14-0721F.

[Justin E. Davis, Facilities Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39152**

A resolution awarding a contract to Miles Resources LLC, in the amount of \$214,112.95, plus a 20 percent contingency, for a cumulative total of \$256,936.00, sales tax not included, budgeted from the Transportation Capital Fund, for completing a grind and overlay of Milwaukee Way from 600 feet south of Marshall Avenue to the north State Route 509 Frontage Road - Specification No. PW15-0016F.

[Tom Rutherford, P.E., Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39153**

A resolution awarding a contract to Wm. Dickson Co., in the amount of \$132,050, plus sales tax, budgeted from the Asphalt Plant Fund, for the purchase of hot mix asphalt aggregate blend, for the period of April 1, 2015 through March 31, 2016, with the option to renew for four additional one-year periods, for a projected contract total of \$660,250 - Specification No. PW15-0058F.

[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39154**

A resolution awarding a contract to West Company, Inc., in the amount of \$1,672,727.50, plus a 15 percent contingency, for a cumulative total of \$1,923,636.63, sales tax not included, budgeted from the Transportation Capital Fund, for improving the surfaces of the Union Avenue Viaduct and Schuster Parkway Bridge - Specification No. PW14-0552F.

[Chris Larson, P.E., Engineering Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39155**

A resolution authorizing the execution of a one-year renewable license agreement with Landis + Gyr Midwest Incorporated, to construct, operate, maintain, remove, replace, and repair automated meter reading communications electronics and infrastructure in public right-of-way areas within the City.

[Jeff Lueders, Cable Communications and Franchise Services Manager;  
T.C. Broadnax, City Manager]

**Resolution No. 39156**

A resolution granting an easement to the Henry Foss Group LLC, for the installation of a private water line, fire supply line, and storm drain line on City-owned property located at 1955 Dock Street.

[Justin E. Davis, Facilities Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 39157**

A resolution authorizing the execution of a Collective Bargaining Agreement with the Sheet Metal, Air, Rail, and Transportation Union, Transportation Division, retroactive to January 1, 2015 through June 30, 2017.

[Robin Koch, Labor Relations Manager; Joy St. Germain, Director, Human Resources]

**Resolution No. 39158**

A resolution approving the establishment of two for-hire vehicle stands to be added to existing loading zones located at 716 and 950 Pacific Avenue.

[Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]

**Resolution No. 39159**

A resolution authorizing the execution of an agreement with the Pierce County AIDS Foundation, in the amount of \$50,000, budgeted from the City Council Contingency Fund, to support the final phase of the capital campaign to provide increased capacity and space for services related to HIV/AIDS prevention and outreach.

[Council Members Mello, Walker, and Woodards]

**Resolution No. 39160**

A resolution approving the City of Tacoma Strategic Direction for 2015, including policy priorities and objectives.

[Mayor Strickland]

**Ordinance No. 28289**

An ordinance continuing the downtown Business Improvement Area (BIA) for the 28th year, providing for the levy of assessments and other projected income in the amount of \$858,318; and approving the renewed BIA work plan, budget, and assessment rates from May 1, 2015 through April 30, 2016.

[Debbie Bingham, Program Development Specialist; Ricardo Noguera, Director, Community and Economic Development]

**Ordinance No. 28290**

An ordinance providing for the issuance and sale of water system revenue and refunding bonds, in an amount not to exceed \$30,600,000, to refund and defease all or a portion of the Water System Revenue and Refunding Bonds, 2005, fixing or setting parameters with respect to certain terms of the bonds, and delegating the authority to approve the final terms of the bonds.

[Sean Senescall, Rates and Financial Planning Manager; Linda McCrea, Water Superintendent]



## RESOLUTION NO. 39147

1 A RESOLUTION setting April 14, 2015, as the date for a public hearing on the  
2 recommendations of the Community and Economic Development  
3 Department for the City's proposed 2015-2019 Consolidated Plan and  
4 proposed 2015-2016 Annual Action Plan for Housing and Community  
5 Development.

6 WHEREAS the Consolidated Plan for Housing and Community  
7 Development consists of a five-year Housing and Community Development  
8 Strategic Plan and Annual Action Plan, which combines the submission of  
9 applications for Community Development Block Grant ("CDBG"), HOME  
10 Investment Partnership ("HOME"), and Emergency Solutions Grant ("ESG")  
11 funding, and

12 WHEREAS, based on guidance by the U.S. Department of Housing and  
13 Urban Development ("HUD"), the City anticipates that it will be entitled to apply to  
14 HUD for entitlement grant allocations as follows: (1) CDBG, in the amount of  
15 \$2,234,649; (2) HOME, in the amount of \$943,877; and (3) ESG, in the amount of  
16 \$199,158, and

17 WHEREAS the City intends to reallocate \$862,095 in existing CDBG funds,  
18 as set forth in the Annual Action Plan, and

19 WHEREAS, because the City of Lakewood ("Lakewood") does not qualify  
20 to apply for HOME funds independently, the City and Lakewood formed a  
21 consortium in 1999 for the HOME Program, and

22 WHEREAS the City's share of the estimated HOME program grant funds is  
23 expected to be \$765,484, and Lakewood's share is \$178,393, based on last  
24 year's funding allocation, and  
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WHEREAS, during January and February 2015, the Tacoma Community Redevelopment Authority and Human Services Commission reviewed applications for funding, heard presentations by agencies applying for funding, considered the historic performance of those agencies and the needs of the community, and prepared funding recommendations based thereon, and

WHEREAS the funding recommendations were presented to the City Council at the March 31, 2015, Study Session, and

WHEREAS, before submission of the Annual Action Plan to HUD, the City must fulfill certain citizen participation requirements, including holding a public hearing on the proposed plan, and

WHEREAS the draft Annual Action Plan will be available for public review for a period of 30 days beginning April 1, 2015, and ending April 30, 2015; Now, Therefore,

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

Section 1. That Tuesday, April 14, 2015, at approximately 5:30 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the recommendations of the Community and Economic Development Department for the City's proposed 2015-2019 Consolidated Plan and 2015-2016 Annual Action Plan for Housing and Community Development.



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Section 2. That the City Clerk shall give proper notice of the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
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City Clerk

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



**SUBSTITUTE  
RESOLUTION NO. 39148**

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A RESOLUTION relating to the vacation of City right-of-way; setting Thursday, May 14, 2015, at 9:00 a.m., as the date for a hearing before the City of Tacoma Hearing Examiner on the petition of Narrows Marina, LLC, to vacate the Northerly 24 feet of the 19th Street West right-of-way, lying westerly of the BNSF railroad right-of-way and the terminus of City right-of-way, for future improvements to pedestrian accessways and boat launch parking.

WHEREAS Narrows Marina, LLC, having received the consent of the owners of more than two-thirds of the properties abutting the 19th Street West right-of-way, lying westerly of the BNSF railroad right-of-way and the terminus of City right-of-way, has petitioned for the vacation of the following legally described right-of-way area:

The Northerly 24 feet of the following:

Beginning at the intersection of the northerly margin of 19<sup>th</sup> Street West and the westerly margin of the Burlington Northern Santa Fe railroad right of way, within the Southwest Quarter of the Southeast Quarter of Section 04, Township 20 North, Range 02 East of the W.M.; thence North 88°07'14" West a distance of 356.38 feet, more or less, to the West meander line of the W.B. Wilton D.C.; thence South 30°21'36" East, along said meander line, a distance of 35.47 feet, more or less to the centerline of 19<sup>th</sup> Street West and the city limit line of the City of Tacoma; thence South 88°05'55" East, along the 19<sup>th</sup> Street West centerline, a distance of 320.59 feet, more or less, to the westerly margin of said railroad right of way; thence North 31°08'16" East, along the westerly margin of said railroad right of way, a distance of 34.53 feet, more or less, to the Point of Beginning.

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

Now, Therefore,

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



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Section 1. That Thursday, May 14, 2015, at 9:00 a.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where said request will be heard by the Hearing Examiner and her recommendations thereafter transmitted to the Council of the City of Tacoma.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Property description approved:

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

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

Location: The northerly 24 feet of the 19th Street West right-of-way, lying westerly of the BNSF railroad right-of-way and the terminus of City right-of-way

Petitioner: Narrows Marina, LLC

File No.: 124.1351





## RESOLUTION NO. 39149

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 May 21, 2015, at 9:00 a.m., as the date for a hearing before the City of  
3 Tacoma Hearing Examiner on the petition of Brad Currah and Deborah  
4 McNamara, to vacate a portion of South Stevens Street lying northerly of  
5 South 64th Street, for a private driveway entrance, garden and landscaping.

6 WHEREAS Brad Currah and Deborah McNamara, having received the  
7 consent of the owners of more than two-thirds of the properties abutting a  
8 portion of South Stevens Street lying northerly of South 64th Street, have  
9 petitioned for the vacation of the following legally described right-of-way area:

10 Beginning at the Northwest corner of Lot 10, Block 18, Manito Park,  
11 Pierce County, according to the Plat thereof recorded in Volume 8 of  
12 Plats at Page 82, in Pierce County, Washington; thence North 88°35'14"  
13 West, along the Westerly extended North line of said Lot 10, a distance  
14 of 70.00 feet to the Easterly line of Block 19; thence South 01°27'43"  
15 West, along the East line of said Block 19, a distance of 85 feet, more or  
16 less, to the Northerly margin of South 64<sup>th</sup> Street; thence South  
17 88°36'11" East, along said northerly margin, a distance of 70.00 feet to  
18 the West line of said Block 18; thence North 01°27'43" East, along said  
19 west line, a distance of 85 feet, more or less to the Point of Beginning.

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

21 Now, Therefore,

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

23 Section 1. That Thursday, May 21, 2015, at 9:00 a.m., is hereby fixed as  
24 the date and time, and the Council Chambers on the first floor of the Tacoma  
25 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when  
26 and where said request will be heard by the Hearing Examiner and her  
recommendations thereafter transmitted to the Council of the City of Tacoma.



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Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

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

Location: A portion of South Stevens Street lying northerly of South 64th Street  
Petitioner: Brad Currah and Deborah McNamara  
File No.: 124.1344



## RESOLUTION NO. 39150

1 A RESOLUTION relating to education and recreation programs; authorizing the  
2 execution of an interlocal agreement with the Metropolitan Park District of  
3 Tacoma, for a cumulative amount of \$1,740,000; accepting and depositing  
4 said sum into the 2009 LTGO Bond Capital Projects Fund 3218 for the  
purpose of constructing the People's Community Center pool  
improvements.

5 WHEREAS People's Community Center ("Center") is a City-owned facility  
6 operated by the Metropolitan Park District of Tacoma ("Metro Parks"), and  
7

8 WHEREAS the Center was built in the Hilltop neighborhood in 1978, and

9 WHEREAS, in 2008, after an engineering assessment, the Center's pool  
10 was closed due to structural concerns, and

11 WHEREAS the City and Metro Parks, in cooperation with community  
12 stakeholders and aquatic professionals, have worked to design improvements for a  
13 new pool and aquatic facility which will include a passive swim area, lap lanes,  
14 indoor spray pad, lily pad walk, current channel with vortex, party rooms, and  
15 changing rooms, and  
16

17 WHEREAS the parties agree that the pool is a significant and important  
18 recreational resource to the community, and should be retained, and

19 WHEREAS City staff recommends entering into an Interlocal Agreement,  
20 which will supersede and replace the interlocal agreement entered into between  
21 the parties on July 13, 2013, to provide for additional funding for a cumulative  
22 amount of \$1,740,000 from Metro Parks for said improvements; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the proper officers of the City are hereby authorized to execute an interlocal agreement with the Metropolitan Park District of Tacoma, in the cumulative amount of \$1,740,000, and accepting and depositing said sum into the 2009 LTGO Bond Capital Projects Fund 3218 for the purpose of constructing the People’s Community Center pool improvements, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Section 2. That this Interlocal Agreement hereby supersedes and replaces the Interlocal Agreement between the City and the Metropolitan Park District of Tacoma dated July 13, 2013.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39151

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract with  
3 C.E. & C., Inc., Tacoma, WA, in the amount of \$5,164,460, plus a  
4 10 percent contingency, for a cumulative total of \$5,680,906, plus  
5 applicable sales tax, budgeted from the 2009 LTGO Bond Capital  
6 Projects, Fund 3218, to construct a new pool at the People's Community  
7 Center, pursuant to Specification No. PW14-0721F.

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 enter into a contract with C.E. & C., Inc., Tacoma, WA, in the amount of  
20 \$5,164,460, plus a 10 percent contingency, for a cumulative total of  
21 \$5,680,906, plus applicable sales tax, budgeted from the 2009 LTGO Bond  
22 Capital Projects, Fund 3218, to construct a new pool at the People's  
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Community Center, pursuant to Specification No. PW14-0721F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39152

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract with  
3 Miles Resources LLC, in the amount of \$214,112.95, plus approximately  
4 20 percent contingency, for a cumulative amount of \$256,936.00, sales  
5 tax not applicable, budgeted from the Transportation Capital Fund, for  
6 completing a grind and overlay of Milwaukee Way from 600 feet south of  
7 Marshall Avenue to the north SR 509 frontage road, pursuant to  
8 Specification No. PW15-0016F.

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

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14 recommendation for award as set forth in Exhibit "A"; Now, Therefore,

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20 enter into a contract with Miles Resources LLC, in the amount of \$214,112.95,  
21 plus approximately 20 percent contingency, for a cumulative amount of  
22 \$256,936.00, sales tax not applicable, budgeted from the Transportation  
23 Capital Fund, for completing a grind and overlay of Milwaukee Way from 600  
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feet south of Marshall Avenue to the north SR 509 frontage road, pursuant to Specification No. PW15-0016F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## RESOLUTION NO. 39153

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract with  
3 Wm. Dickson Co., in the amount of \$132,050, plus applicable sales tax,  
4 for an initial contract term of one year plus four additional one-year  
5 renewal options, for a projected contract amount of \$660,250, plus  
6 applicable sales tax, budgeted from the Asphalt Plant Fund 5453, for the  
7 purchase of Hot Mix Asphalt (HMA) Aggregate blend, pursuant to  
8 Specification No. PW15-0058F.

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  
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19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Wm. Dickson Co., in the amount of \$132,050, plus  
21 applicable sales tax, for an initial contract term of one year plus four additional  
22 one-year renewal options, for a projected contract amount of \$660,250, plus  
23 applicable sales tax, budgeted from the Asphalt Plant Fund 5453, for the  
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purchase of Hot Mix Asphalt (HMA) Aggregate blend, pursuant to Specification  
No. PW15-0058F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39154

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract with  
3 West Company, Inc., in the amount of \$1,672,727.50, sales tax not  
4 applicable, plus a 15 percent contingency, for a cumulative amount of  
5 \$1,923,636.63, sales tax not applicable, budgeted from the  
6 Transportation Capital Fund, for improving the bridge surfaces of the  
7 Union Avenue Viaduct and Schuster Parkway Bridge, pursuant to  
8 Specification No. PW14-0552F.

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 enter into a contract with West Company, Inc., in the amount of \$1,672,727.50,  
21 sales tax not applicable, plus a 15 percent contingency, for a cumulative  
22 amount of \$1,923,636.63, sales tax not applicable, budgeted from the  
23 Transportation Capital Fund, for improving the bridge surfaces of the Union  
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1 Avenue Viaduct and Schuster Parkway Bridge, pursuant to Specification  
2 No. PW14-0552F, consistent with Exhibit "A."  
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4 Adopted \_\_\_\_\_  
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7 Mayor

8 Attest:  
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11 City Clerk

12 Approved as to form:  
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15 Deputy City Attorney  
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## RESOLUTION NO. 39155

1 A RESOLUTION relating to media and communications; authorizing execution  
2 of a one-year renewable license agreement with Landis + Gyr Midwest  
3 Incorporated to construct, operate, maintain, remove, replace, and repair  
4 Automated Meter Reading Communications Electronics and  
5 Infrastructure within public right-of-way areas within the City of Tacoma.

6 WHEREAS, in 2001, the City adopted Resolution No. 35356, authorizing  
7 entry into a one-year license agreement with nine one year renewal options  
8 (“Agreement”) with Schlumberger Resource Management Services and  
9 subsequently Cellnet Technology Midwest, Inc., both predecessors in interest to  
10 Landis + Gyr Midwest Incorporated, to construct, operate, maintain, remove,  
11 replace, and repair Automated Meter Reading Communications Electronics and  
12 Infrastructure (“AMR”) within public right-of-way areas within the City of Tacoma,  
13 and

14 WHEREAS the Agreement expired without further ability to renew on  
15 February 15, 2015, and

16 WHEREAS Landis + Gyr Midwest Incorporated desires to continue to  
17 provide AMR for TPU as they have done since the initial agreement in 2001, and

18 WHEREAS, pursuant to Title 16 of the Tacoma Municipal Code, a company  
19 providing AMR service must have a Telecommunications License Agreement with  
20 the City of Tacoma in order to gain permits and operate within City public rights-of-  
21 way, and

22 WHEREAS, on March 18, 2015, the proposed Agreement was brought  
23 before the Government Performance and Finance Committee (“Committee”), and

24 WHEREAS the Committee believes it is in the best interest of the City and  
25 recommends approval of a one-year license agreement with nine automatic (unless  
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either party elects to not renew) renewals to Landis + Gyr Midwest Incorporated to construct, operate, maintain, remove, replace, and repair Automated Meter Reading Communications Electronics and Infrastructure within public right-of-way areas within the City of Tacoma; 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 one-year license agreement with nine automatic (unless either party elects to not renew) renewals to Landis + Gyr Midwest Incorporated to construct, operate, maintain, remove, replace, and repair Automated Meter Reading Communications Electronics and Infrastructure within public right-of-way areas within the City of Tacoma, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



## RESOLUTION NO. 39156

1 A RESOLUTION relating to City-owned real property; granting the execution of an  
2 easement to the Henry Foss Group LLC, for the installation of a private water  
3 line, fire supply line, and storm drain line on City-owned property located at  
1955 Dock Street.

4 WHEREAS the redevelopment of property along the Thea Foss Waterway  
5 includes shops, housing, offices, and water-related activities which are enjoyed by  
6 the entire community, and

7 WHEREAS the Foss Waterway Development Authority (“FWDA”), through  
8 its design review process, allows certain infrastructure needs supporting private  
9 development to occur on the public land when a mutual and offsetting benefit is  
10 received, and  
11

12 WHEREAS the City encourages development of buildings along the Thea  
13 Foss Waterway and, when in the public interest, has allowed private use of City  
14 property, along with view corridors and public rights-of-way, to provide connectivity  
15 from Dock Street to the public esplanade, and  
16

17 WHEREAS the Henry Foss Group LLC, a Washington limited liability  
18 company (“Henry Foss Group”), is constructing a project known as “The Henry,” a  
19 building that will include approximately 10,400 square feet of retail space and  
20 161 residential units, and  
21

22 WHEREAS the public park adjacent to The Henry is receiving an additional  
23 20 feet of landscaping and illumination improvements to the park area and public  
24 access corridor, and the north side of the site is also receiving its permanent  
25 remedial cap, landscaping and lighting, all at the Henry Foss Group’s expense, and  
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WHEREAS the Henry Foss Group has requested the execution and granting of an easement for the installation of a private water line, fire supply line, and storm drain line on City-owned property located at 1955 Dock Street, and

WHEREAS granting said easement will allow The Henry to maximize its footprint along Dock Street and facilitate retail and commercial space, and

WHEREAS the Public Works Department recommends that the City Council authorize the execution and granting of an easement to the Henry Foss Group for said purposes; 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 an easement to the Henry Foss Group LLC, for the installation of a private water line, fire supply line, and storm drain line on City-owned property located at 1955 Dock Street, said easement to be substantially in the form of the document on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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





## RESOLUTION NO. 39157

1 A RESOLUTION related to collective bargaining; authorizing the execution of a  
2 collective bargaining agreement between the City and the Sheet Metal, Air,  
3 Rail, and Transportation Union, Transportation Division, effective  
retroactive to January 1, 2015, through June 30, 2017.

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

7  
8 WHEREAS this resolution allows for the execution of the proposed two and  
9 one-half year (2015-2017) Collective Bargaining Agreement (“CBA”) between the  
10 City and Sheet Metal, Air, Rail, and Transportation Union, Transportation Division  
11 (“Union”), on behalf of employees represented by said Union, consisting of  
12 approximately 41 budgeted, full-time equivalent positions assigned to the  
13 Department of Public Utilities, Beltline Division (d.b.a. “Tacoma Rail”), and

14  
15 WHEREAS the bargaining unit was previously covered by the United  
16 Transportation Union, Switch Crew Unit, and

17  
18 WHEREAS, under the proposed CBA, the two classifications in the  
19 bargaining unit, Railway Switch Operator and Railway Switch Supervisor, will be  
20 consolidated into a single classification entitled “Railway Conductor”, with the  
21 base rate of pay set at \$35.94, effective the first full pay period after City Council  
22 adoption of the agreement, and

23  
24 WHEREAS the proposed CBA provides for the following: (1) effective  
25 July 1, 2015, all special allowances provided in the prior agreement will be  
26 converted to a dollar amount and added to the Railway Conductor base pay,



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increasing the base pay for that classification to \$37.04; (2) two contract ratification incentive payments, each in the amount of \$2,800, to be paid in the pay periods that include July 1, 2015, and December 1, 2015, for 41 bargaining unit members; and (3) effective July 1, 2016, wages shall increase by a flat rate increase of \$1.10 per hour for all active employees, and

WHEREAS other CBA provisions include employee contributions to health care premiums at the same rates as other City employees; a deferred compensation match of up to 3 percent of employee base wages to a 457(b) account; a change in the annual safety footwear reimbursement of \$200 to an allowance of \$400; establishment of permanent bid jobs to replace daily job assignment board markups, which will provide more management flexibility in scheduling; and clarification on railroad staffing during holidays, and

WHEREAS, by adoption of Public Utility Board Resolution No. U-10763 on March 25, 2015, the proposed CBA was approved, pending confirmation from the City Council, and

WHEREAS it appears in the best interest of the City that the proposed CBA negotiated by said Union and the City be approved; 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 the Collective Bargaining Agreement between the City and the Sheet Metal, Air, Rail, and Transportation Union, Transportation Division, effective retroactive to



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January 1, 2015, through June 30, 2017, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39158

1 A RESOLUTION relating to for-hire vehicle stand locations; approving the  
2 establishment of two for-hire vehicle stand locations to be added to existing  
loading zones at 950 Pacific Avenue and 716 Pacific Avenue.

3 WHEREAS for-hire operators, businesses, or citizens may submit  
4 requests to the City for the establishment of new for-hire vehicle stand locations,  
5 and  
6

7 WHEREAS City staff is recommending the establishment of two new  
8 for hire vehicle stands to be added to existing loading zones located at  
9 (1) 950 Pacific Avenue and (2) 716 Pacific Avenue, and  
10

11 WHEREAS adjacent businesses to the new for-hire stands do not have  
12 any objections to the new stands, and

13 WHEREAS, if the proposed locations are approved, for-hires vehicles  
14 can be stationed at designated locations between the hours of 6:00 p.m. and  
15 8:00 a.m., rather than occupying other parking spots in the area, and  
16

17 WHEREAS the proposed locations will benefit local restaurants and bars,  
18 citizens, and the for-hire industry, and will provide a safe area for passenger  
19 loading and unloading, and

20 WHEREAS, in accordance with Section 6B.220.360 of the Tacoma  
21 Municipal Code, staff is recommending that the locations be established as  
22 non-exclusive stands; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

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That two non-exclusive for-hire vehicle stands, to be added to existing loading zones at 950 Pacific Avenue and 716 Pacific Avenue, are hereby approved.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## RESOLUTION NO. 39159

1 BY REQUEST OF COUNCIL MEMBERS MELLO, WALKER, AND WOODARDS

2 A RESOLUTION authorizing the execution of an agreement with the Pierce County  
3 AIDS Foundation, in the amount of \$50,000, budgeted from the City Council  
4 Contingency Fund, for the purpose of supporting the final phase of the  
5 Pierce County AIDS Foundation's Capital Campaign, in order to provide  
6 increased capacity and services related to HIV/AIDS prevention and  
7 outreach.

8 WHEREAS the Pierce County AIDS Foundation ("PCAF") is requesting  
9 one-time funding from the City, in the amount of \$50,000, to support the final phase  
10 of its capital campaign to complete final renovations on a new direct service center,  
11 and

12 WHEREAS over 2,200 people diagnosed with HIV/AIDS have sought  
13 services at PCAF, and thousands more have been reached through prevention  
14 messaging and outreach, and

15 WHEREAS, in 2014, PCAF served over 550 unduplicated clients in Pierce  
16 County, the majority of whom were Tacoma residents, and

17 WHEREAS PCAF purchased a new facility in August 2014, and completed  
18 all but final renovations by February 2015, and

19 WHEREAS the new center will improve the capacity to provide education  
20 and services to prevent HIV infection, assist those affected by HIV/AIDS, address  
21 related health problems, and combat associated stigma and discrimination, and

22 WHEREAS the new facility offers more space, including a larger reception  
23 area, six private meeting rooms, and several flexible meeting rooms used for  
24 support groups, educational workshops, and community events, and  
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WHEREAS PCAF has completed its initial relocation phase and is focused on final improvements and enhancements, including furnishing of the lobby and three conference rooms; equipping the kitchen; and outfitting the facility with audio/visual equipment, and

WHEREAS the overall project cost is estimated at \$1.6 million, and

WHEREAS PCAF has secured 86 percent of required funding through a 25-year STEP loan and over \$55,000 in contributions from individuals, and

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's contribution, and funding will be contingent upon PCAF securing other funding necessary to complete the project;

Now, Therefore,

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

Section 1. That one-time funding in the amount of \$50,000, budgeted from the City Council Contingency Fund, is hereby approved for the purpose of supporting the final phase of the Pierce County AIDS Foundation Capital Campaign.

Section 2. That the proper officers of the City are hereby authorized to enter into an agreement with the Pierce County AIDS Foundation for the purposes



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hereinabove enumerated, said agreement to be substantially in the form of the document on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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





## RESOLUTION NO. 39160

1 BY REQUEST OF MAYOR STRICKLAND

2 A RESOLUTION approving the City of Tacoma Strategic Direction for 2015,  
3 including Strategic Policy Priorities and 2015 Objectives.

4 WHEREAS the City Council participates in an annual work session for the  
5 purpose of acknowledging events and accomplishments of the prior year;  
6 identifying potential strategic priorities for the current year; setting the stage for  
7 strategic planning and work for the next year and beyond; and providing a clear  
8 sense of direction to the City Manager and City staff, and  
9

10 WHEREAS, on February 20, 2015, the City Council held its 2015 Planning  
11 Work Session to review significant events and accomplishments in 2014; to discuss  
12 emerging issues related to economic development; to review the City's newly  
13 adopted strategic plan, "*Tacoma 2025 shared vision/shared future*," and to begin  
14 development of a five-year action plan, and  
15

16 WHEREAS the City Council concluded its work session with a prioritization  
17 of objectives for 2015, as set forth in the attached Exhibit "A," and  
18

19 WHEREAS, by establishing a Strategic Direction, the City Council can focus  
20 its efforts and resources strategically and provide guidance to the City Manager in  
21 directing City staff, and  
22

23 WHEREAS it is beneficial for the City Manager and staff to have a clear  
24 understanding of the City Council's priorities and Strategic Direction so that staff  
25 and funding resources can be used to meet the City Council's objectives; Now,  
26 Therefore,



BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

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That the City of Tacoma Strategic Direction for 2015, including Strategic Policy Priorities and 2015 Objectives, as set forth in the attached Exhibit "A," are hereby approved.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## EXHIBIT "A"

### TACOMA CITY COUNCIL STRATEGIC DIRECTION

#### 2015 Strategic Policy Priorities

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.
- Encourage thriving residents with abundant opportunities for life-long learning.
- Cultivate a vibrant cultural sector that fosters a creative, cohesive community.
- Assure outstanding stewardship of the natural and built environment.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

#### Strategic Objectives 2015

1. Work with interested stakeholders to explore, review and identify potential sustainable funding sources to address the City's deferred street maintenance.
2. Establish and facilitate a Property Crimes Task Force to identify system improvements and strategies to reduce property crimes within the City.
3. Develop and implement a strategy to create Citywide digital equity for residents by exploring options and leveraging Click! Network.
4. Develop the Tacoma 2025 Five-year Action Plan to successfully implement Tacoma 2025.
5. Develop and conduct a city-wide business satisfaction and business climate survey to identify opportunities to better understand local businesses' needs and areas of improvement on the City's behalf.
6. Continue to partner with Sound Transit to identify, secure and leverage funding to support the design and construction of the \$165 million Tacoma Link expansion.



## ORDINANCE NO. 28289

1 AN ORDINANCE relating to community and economic development; continuing the  
2 downtown Business Improvement Area (“BIA”) for the 28th year; providing  
3 for the levy of assessments and other income, in the amount of \$858,318;  
4 and approving the renewed BIA work plan, budget, and assessment of rates  
5 from May 1, 2015, through April 30, 2016.

6 WHEREAS, on April 5, 1988, upon presentation of a petition from downtown  
7 property owners representing 50 percent or more of the property assessments, the  
8 City Council passed Ordinance No. 24058, establishing the Business Improvement  
9 Area (“BIA”) for a period of ten years, and

10 WHEREAS, in 1998, pursuant to Ordinance No. 26205, the BIA was  
11 renewed for a ten-year period, and in 2008, pursuant to Ordinance No. 27696, the  
12 BIA was reestablished for an additional ten years, through 2018, and

13 WHEREAS, on February 26, 2015, the Local Development Council held a  
14 ratepayers public meeting to review the work program and the annual budget of the  
15 BIA and to receive public testimony, and

16 WHEREAS this ordinance will authorize the levy of the 28th year of the  
17 renewed BIA annual assessment upon buildings and other real estate within the  
18 BIA boundaries for the period of May 1, 2015, through April 30, 2016; Now,  
19 Therefore,

20  
21 BE IT ORDAINED BY THE CITY OF TACOMA:

22 Section 1. TWENTY-EIGHTH ANNUAL DISTRICT ASSESSMENT. That all  
23 real property, inclusive of land and buildings, and the owners thereof, within the  
24 boundaries of the Business Improvement Area will be specially benefited by the  
25 programs, activities, and services hereinafter approved; and such property, and the  
26



1 owners thereof, shall be subject to a special assessment for the 28th annual period  
2 of May 1, 2015, through April 30, 2016 (hereinafter called the "28th annual period"),  
3 as authorized by chapter 35.87A RCW, the BIA Ordinance, and this ordinance. The  
4 property, and the owners thereof, will be assessed under the BIA Ordinance at the  
5 annual rate of \$0.1070 per square foot for the high rate and \$0.0530 per square  
6 foot for the low rate. The benefit to the property, and the owners thereof, subject to  
7 the 28th annual special assessment and to the BIA, as a whole, is a special benefit  
8 which would not otherwise be available but for the activities, programs, and special  
9 services carried out with funding provided by the special assessments authorized  
10 pursuant to the BIA Ordinance, and that such special benefits and the increase in  
11 value of the property in the BIA resulting therefrom, and the increased opportunity  
12 which is created for each property and the owner thereof within the BIA to benefit  
13 from the BIA programs, activities, and special services, is hereby found to be  
14 commensurate with or in excess of the amount of the assessment for the  
15  
16  
17 28th annual period.

18       Section 2. LEVY OF 28TH ANNUAL ASSESSMENT. To finance the  
19 programs, services, and activities approved for the 28th annual period, there is  
20 levied and shall be collected, in accordance with the BIA Ordinance and applicable  
21 state statutes, a special assessment for the 28th annual period upon the buildings  
22 and other real property within the BIA and the owners thereof, at the rates as herein  
23 provided.  
24

25       Section 3. APPROVAL OF EXPENDITURES. That the work plan, including  
26 activities, services, and programs to be funded with the special assessment



proceeds for the 28th annual period and the 28th annual budget, as set forth in the materials on file with the City Clerk, are hereby approved.

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Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



## ORDINANCE NO. 28290

1 AN ORDINANCE relating to the water system of the City of Tacoma; providing  
2 for the sale and issuance of water system revenue bonds in the aggregate  
3 principal amount of not to exceed \$30,600,000 to provide funds to refund  
4 and defease all or a portion of the Water System Revenue and Refunding  
5 Bonds, 2005, fixing or setting parameters with respect to certain terms of  
6 the bonds, and appointing the City’s designated representative to approve  
7 the final terms of the sale of the bonds.

8 WHEREAS the City of Tacoma, acting by and through the Department of  
9 Public Utilities (the “City”), owns and operates a water system (the “Water  
10 System”) for which capital improvements and other expenses may be financed  
11 through the issuance of water revenue bonds, and

12 WHEREAS, pursuant to Ordinance No. 27405, the City issued its  
13 \$46,550,000 Water System Revenue and Refunding Bonds, 2005 (the  
14 “2005 Bonds”), and

15 WHEREAS, pursuant to Ordinance No. 27837, the City issued its  
16 \$76,775,000 Water System Revenue Bonds, 2009 (Taxable Build America  
17 Bonds - Direct Payment) (the “2009 Bonds”), and

18 WHEREAS, pursuant to Ordinance No. 27902, the City issued its  
19 \$29,100,000 Water System Revenue Refunding Bonds, 2010A (the  
20 “2010A Bonds”) and its \$74,985,000 Water System Revenue Bonds, 2010B  
21 (Taxable Build America Bonds – Direct Payment) (the “2010B Bonds,” and  
22 collectively with the 2010A Bonds, the “2010 Bonds”), and  
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1 WHEREAS, pursuant to Ordinance No. 28138, the City issued its  
2 \$78,305,000 Water System Revenue and Refunding Bonds, 2013 (the  
3 "2013 Bonds," and collectively with the outstanding 2005 Bonds, 2009 Bonds,  
4 2010 Bonds and 2013 Bonds, the "Outstanding Parity Bonds"), and

5 WHEREAS, pursuant to the ordinances authorizing the Outstanding Parity  
6 Bonds (collectively, the "Parity Bond Authorizing Ordinances"), the City is  
7 authorized to issue water system revenue bonds for purposes of the Water System  
8 with a lien and charge on net revenue of the Water System equal to the lien and  
9 charge thereon of the Outstanding Parity Bonds, if specified conditions are met and  
10 complied with at the time of the issuance of those bonds, and

11  
12 WHEREAS the 2005 Bonds maturing in the years 2015 through 2025,  
13 inclusive (the "Refunding Candidates"), may be paid (in the case of the 2005 Bonds  
14 maturing in 2015), or called for redemption in advance of their scheduled maturity  
15 on or after December 1, 2015, in whole or in part on any date at 100 percent of the  
16 principal amount thereon plus accrued interest to the date of redemption, and

17  
18 WHEREAS the Public Utility Board (the "Board") has initiated and has  
19 recommended to the City Council for its approval the issuance of water revenue  
20 bonds in one or more Series (the "2015 Bonds"), together with other available  
21 money, to refund or defease all or a portion of the Refunding Candidates and to pay  
22 costs of issuance, and

23  
24 WHEREAS the City has determined that it is in the best interests of the City  
25 and its ratepayers to issue the 2015 Bonds, together with other available money, to  
26





1 refund or defease all or a portion of the Refunding Candidates to and pay the costs  
2 of issuance and sale of the 2015 Bonds; Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4 Section 1. Definitions. Capitalized terms used but not otherwise defined  
5 herein shall have the meanings set forth in Ordinance No. 28138. In addition, as  
6 used in this Ordinance, the following words shall have the following meanings:

7 (a) "Construction Fund" means the "2015 Water Division Construction  
8 Fund" created by this Ordinance.

9 (b) "Designated Representative" means the officer of the City  
10 appointed in Section 4 to serve as the City's representative in connection with the  
11 issuance and sale of the 2015 Bonds.

12 (c) "Escrow Agent" means the escrow agent or any successor escrow  
13 agent appointed pursuant to this Ordinance to carry out the Refunding Plan.

14 (d) "Escrow Agreement" means the Escrow Agreement between the  
15 City and the Escrow Agent executed pursuant to Section 8.

16 (e) "Final Terms" means the final terms of the 2015 Bonds as  
17 established pursuant to Section 5.

18 (f) "Issue Date" means, with respect to any Series of 2015 Bonds, the  
19 date of initial issuance and delivery of such Series to the purchaser in exchange for  
20 the purchase price thereof.

21 (g) "Plan of Refunding" means the deposit of proceeds of the  
22 2015 Bonds and other available money of the City with the Escrow Agent which will  
23 be sufficient, together with any investment earnings therefrom, to pay the principal  
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1 of and interest on the Refunded Bonds when due up to and including December 1,  
2 2015, and to pay or redeem on such date the Refunded Bonds then outstanding,  
3 and the payment of costs associated therewith.

4 (h) "Refunded Bonds" means the Refunding Candidates specified by  
5 the Designated Representative pursuant to Section 5.

6 Section 2. Parity and Other Findings.

7 (a) Parity Findings. In connection with the issuance of the  
8 2015 Bonds on a parity of lien with the Outstanding Parity Bonds, the City hereby  
9 makes the following findings, covenants and agreements:  
10

11 (1) There is, and as of the date of the issuance of the  
12 2015 Bonds there will be, no deficiency in the Bond Fund, and no Event of Default,  
13 as defined in Ordinance Nos. 27405, 27837, 27902 or 28138, has occurred or shall  
14 have occurred and will be continuing.

15 (2) All assessments and interest thereon that may be levied in  
16 any utility local improvement district created by the City for the purpose of paying, in  
17 whole or in part, the principal of and interest on the 2015 Bonds, shall be paid  
18 directly into the Bond Fund, except for any prepaid assessments permitted by law  
19 to be paid into a construction fund or account.  
20

21 (3) The principal of and interest on the 2015 Bonds shall be  
22 payable out of the Bond Fund as provided in and required by the Parity Bond  
23 Authorizing Ordinances.  
24

25 (4) Amounts shall be paid into the Bond Fund to meet  
26 mandatory sinking fund redemption requirements prior to maturity applicable to any



1 Term Bonds to be issued and for regular payments of the principal of such Term  
2 Bonds at maturity.

3 (5) There shall be deposited into the Reserve Account: (1) an  
4 amount, if any, from 2015 Bond proceeds or other available moneys; or (2) Reserve  
5 Insurance, in each case in a total amount necessary to fund the Reserve  
6 Requirement upon the issuance of the 2015 Bonds.

7 (6) On the date of issuance of the 2015 Bonds, there will be on  
8 file with the City a certificate of the Finance Director demonstrating that during any  
9 12 consecutive calendar months out of the immediately preceding 24 calendar  
10 months Net Revenue was at least equal to 1.25 times the projected Maximum  
11 Annual Debt Service for all Outstanding Parity Bonds plus the 2015 Bonds  
12 (excluding therefrom debt service on the Refunded Bonds).

13 (b) Finding as to Sufficiency of Gross Revenue. The City hereby  
14 finds and determines that the Gross Revenue of the Water System at the rates to  
15 be charged for water and other services and commodities from the Water System  
16 will be more than sufficient to meet all Operation and Maintenance Expenses and to  
17 permit the setting aside into the Bond Fund out of the Gross Revenue of amounts  
18 sufficient to pay the principal of and interest on the Parity Bonds, including the  
19 2015 Bonds, when due at maturity and upon any mandatory sinking fund  
20 redemption thereof. The City further finds and determines that in creating the Bond  
21 Fund and in fixing the amounts to be paid into the Bond Fund, it has exercised due  
22 regard for Operation and Maintenance Expenses, and the City has not bound and  
23 obligated itself to set aside and pay into the Bond Fund a greater amount or  
24  
25  
26



1 proportion of the Gross Revenue than in the judgment of the City will be available  
2 over and above the Operation and Maintenance Expenses.

3 Section 3. Authorization and Description of 2015 Bonds. For the purpose of  
4 providing all or a part of the money required to: (a) provide for a reserve for the  
5 2015 Bonds; (b) refund all or part of the Refunding Candidates; and (c) pay the  
6 costs of issuance of the 2015 Bonds, the City shall issue the 2015 Bonds in the  
7 principal amount of not to exceed \$30,600,000. The 2015 Bonds shall be  
8 designated Water System Revenue Refunding Bonds, 2015, and may be issued in  
9 one or more Series.

10 Section 4. Appointment of Designated Representative. The Director of  
11 Utilities, and, in the alternative, the Superintendent of the Water Division, each is  
12 hereby appointed as a Designated Representative. Either of the Designated  
13 Representatives is authorized to conduct the issuance and sale of the 2015 Bonds  
14 in the manner provided in this Ordinance, and to establish and determine the Final  
15 Terms of the 2015 Bonds.

16 Section 5. Final Terms of 2015 Bonds. In determining the Final Terms and  
17 taking such other actions as are delegated pursuant to this Ordinance, the  
18 Designated Representative shall seek to achieve the lowest practicable true interest  
19 cost on the 2015 Bonds. The Final Terms shall be established within the following  
20 parameters:

21 (a) Refunded Bonds. The Designated Representative shall specify  
22 all or a portion of the Refunding Candidates as the Refunded Bonds which will be  
23



1 refunded or defeased from proceeds of the 2015 Bonds together with other  
2 available moneys.

3 (b) Principal Amount. The 2015 Bonds may be issued in one or more  
4 Series and shall not exceed the aggregate principal amount of \$30,600,000.

5 (c) Date or Dates. Each Series of 2015 Bonds shall be dated as of its  
6 Issue Date, which date may not be later than December 1, 2015.

7 (d) Denominations, Series Designation. The 2015 Bonds must be  
8 issued in authorized denominations of \$5,000 or any integral multiple thereof within  
9 a maturity, and shall be numbered separately in the manner and shall bear any  
10 additional name or designation as deemed necessary or appropriate by the  
11 Designated Representative.  
12

13 (e) Interest Rates. The 2015 Bonds shall bear interest at fixed rates  
14 per annum (computed on the basis of a 360-day year of consisting of 12 months of  
15 30 days) from their Issue Date or from the most recent date to which interest has  
16 been paid or duly provided for, whichever is later; provided, that no rate of interest  
17 for any 2015 Bond may exceed 5.50 percent, and the true interest cost to the City  
18 for a Series of 2015 Bonds may not exceed 5.50 percent.  
19

20 (f) Payment Dates. Interest shall be payable semiannually on June 1  
21 and December 1, commencing no later than one year following the Issue Date.  
22 Principal payments shall commence on the interest payment date determined by  
23 the Designated Representative and shall be payable at maturity or in mandatory  
24 sinking fund redemption installments on such dates as are determined to the  
25 Designated Representative; provided, that no more than 10 percent of the par  
26



1 amount of the 2015 Bonds shall mature or become due by mandatory sinking fund  
2 redemption in any Fiscal Year.

3 (g) Final Maturity. The 2015 Bonds shall have a final maturity no  
4 later than December 1, 2045.

5 (h) Redemption Rights. In his or her discretion, the Designated  
6 Representative may approve provisions for the optional and mandatory redemption  
7 of 2015 Bonds, as follows:

8 (1) Optional Redemption. Any 2015 Bonds may be designated  
9 as being (i) subject to redemption at the option of the City prior to its maturity date  
10 on the dates and at the prices determined by the Designated Representative; or  
11 (ii) not subject to redemption prior to its maturity date. If a 2015 Bond is designated  
12 as subject to optional redemption prior to its maturity, it must be subject to such  
13 redemption on one or more dates beginning not more than 11 years after the Issue  
14 Date at such premium or premiums if any as shall be determined by the Designated  
15 Representative.  
16  
17

18 (2) Mandatory Redemption. Any 2015 Bond may be  
19 designated as a Term Bond, subject to mandatory sinking fund redemption prior to  
20 its maturity on the dates and in the amounts determined by the Designated  
21 Representative.  
22

23 (i) Price. The purchase price for any Series of 2015 Bonds may not  
24 be less than 95 percent or more than 125 percent of the stated principal amount of  
25 that Series.  
26



1 (j) Reserve Requirement. In his or her discretion, the Designated  
2 Representative may provide that the 2015 Bonds will be secured by the Reserve  
3 Account for a period less than the initial final maturity date thereof, and thereafter  
4 (1) by a separate reserve account with a different reserve requirement, or (2) not be  
5 secured by a reserve account at all.

6 (k) Minimum Savings. The present value savings to the City from the  
7 issuance of the 2015 Bonds and the refunding of the Refunded Bonds shall not be  
8 less than five (5) percent.

9 (l) Other Terms and Conditions. The Designated Representative may  
10 determine to provide for bond insurance from a Bond Insurer or Reserve Insurance  
11 with respect to the 2015 Bonds. The Designated Representative is hereby  
12 authorized to execute and deliver such documents, agreements and certificates as  
13 may be necessary or desirable to obtain such bond insurance or Reserve  
14 Insurance, each of such documents, agreements and certificates to be in such form  
15 as may be approved by the Designated Representative upon consultation with the  
16 City Attorney, such approval to be evidenced conclusively by the execution and  
17 delivery thereof.

18 Section 6. Construction Fund and Deposit of 2015 Bond Proceeds. There is  
19 created in the Water Division Fund a fund known as the 2015 Water Division  
20 Construction Fund (the "Construction Fund"). The principal proceeds of the sale of  
21 the 2015 Bonds remaining after: (a) the deposit of the amount necessary to refund  
22 the Refunded Bonds into the escrow account, and (b) the deposit of any proceeds  
23 into the Reserve Account, shall be deposited to the Construction Fund as  
24  
25  
26



1 determined by the Designated Representative to be used for the purpose of paying  
2 the costs of issuance of the 2015 Bonds. Until needed to pay such costs, the City  
3 may invest principal proceeds and interest thereon temporarily in any legal  
4 investment, and the investment earnings may be retained in the Construction Fund  
5 and be spent for the purposes of that fund or may be deposited in the Interest  
6 Account in the Bond Fund.

7 Section 7. Continuing Disclosure. The City hereby adopts with respect to  
8 the 2015 Bonds the continuing disclosure undertaking set forth in Section 12 of  
9 Ordinance No. 28138, effective as of the date of enactment of this Ordinance.  
10

11 Section 8. Refunding of the Refunded Bonds.

12 (a) Appointment of Escrow Agent. The Designated Representative is  
13 authorized to appoint an Escrow Agent in connection with the refunding of the  
14 Refunded Bonds. The Escrow Agent shall be a corporation or banking association  
15 organized and doing business under the laws of the United States of America or of  
16 any state, authorized under such laws to exercise corporate trust powers, which has  
17 a combined capital and surplus of at least \$100,000,000, and which is subject to  
18 supervision or examination by federal or state banking authority.  
19

20 (b) Use of Bond Proceeds. The portion of the proceeds of the sale of  
21 the 2015 Bonds, together with other available money, allocated to refunding or  
22 defeasing the Refunded Bonds shall be deposited immediately upon the receipt  
23 thereof with the Escrow Agent and used to discharge the obligations of the City  
24 relating to the Refunded Bonds pursuant to and in accordance with Ordinance  
25 No. 27405 and the Plan of Refunding.  
26





1 (c) Authorization of Escrow Agreement. To carry out the Refunding  
2 Plan provided for by this Ordinance, the Designated Representative is hereby  
3 authorized and directed to execute an Escrow Agreement with the Escrow Agent in  
4 such form as shall be approved by the Designated Representative, after  
5 consultation with the City Attorney and Bond Counsel, such approval to be  
6 evidenced conclusively by the execution and delivery of such agreement.

7 (d) Redemption of the Refunded Bonds. The City calls for  
8 redemption on December 1, 2015, or such other date as shall be determined by the  
9 Designated Representative, the Refunded Bonds at par plus accrued interest.  
10 Such call for redemption shall be irrevocable after the delivery of the 2015 Bonds to  
11 the initial purchaser thereof. The date on which the Refunded Bonds are herein  
12 called for redemption is the first date after the Issue Date on which those bonds  
13 may be called. The proper City officials are authorized and directed to give or  
14 cause to be given such notices as required, at the times and in the manner  
15 required, pursuant to Ordinance No. 27405, in order to effect the payment and  
16 redemption of the Refunded Bonds.

17  
18  
19 Section 9. Manner of Sale of 2015 Bonds.

20 (a) Manner of Sale. The Designated Representative is hereby  
21 authorized to sell the 2015 Bonds by negotiated sale pursuant to a bond purchase  
22 agreement or by competitive sale in accordance with a notice of sale, in each case  
23 consistent with this Ordinance.

24 (b) Negotiated Sale. The City hereby authorizes the Designated  
25 Representative to select and appoint one or more investment banks to serve as  
26



1 underwriters (the "Underwriters") for the 2015 Bonds in connection with any  
2 negotiated sale(s) thereof. The 2015 Bonds shall be sold to the Underwriters in  
3 accordance with a bond purchase agreement substantially in the form approved  
4 by the Board, with such changes and additions as the Designated  
5 Representative may approve upon consultation with the City Attorney, such  
6 approval to be evidenced conclusively by the delivery to the Underwriters of such  
7 bond purchase agreement as so added to or changed; provided, that the total  
8 compensation to the Underwriters shall not exceed 0.5 percent of the par value  
9 of the 2015 Bonds.  
10

11 (c) Delivery of 2015 Bonds. The 2015 Bonds shall be delivered to the  
12 initial purchasers upon payment of the purchase price therefor.

13 Section 10. Official Statement.

14 (a) Preliminary Official Statement. The City hereby authorizes and  
15 approves the preparation of a Preliminary Official Statement for the 2015 Bonds.  
16 For the sole purpose of the initial purchaser's compliance with paragraph (b)(1) of  
17 Rule 15c2-12, the Designated Representative is authorized to "deem final" the  
18 Preliminary Official Statement as of its date, except for the omission of information  
19 permitted by Rule 15c2-12. The City authorizes and approves the distribution of the  
20 Preliminary Official Statement to prospective investors.  
21  
22

23 (b) Final Official Statement. The City hereby authorizes and  
24 approves the preparation of a final Official Statement for the 2015 Bonds in the form  
25 of the Preliminary Official Statement, with such modifications and amendments as  
26 the Designated Representative deems necessary or desirable upon consultation



1 with the City Attorney, such approval to be evidenced conclusively by the execution  
2 by the Designated Representative of said final Official Statement as so added to or  
3 changed. The City authorizes and approves the distribution of the final Official  
4 Statement to prospective investors.

5 Section 11. Amendments to Ordinance No. 28138.

6 (a) The references to "Bonds" in the following Sections of  
7 Ordinance No. 28138 are hereby amended to read "Parity Bonds": 5 through 11,  
8 27, 30 and 31.

9 (b) Subsection 27.1 is hereby amended to add the following clause at  
10 the beginning thereof: "Except as otherwise provided in the ordinance authorizing a  
11 Series of Parity Bonds."  
12

13 Section 12. Ratification of Prior Acts. Any action taken consistent with the  
14 authority and prior to the effective date is ratified, approved, and confirmed.

15 Section 13. General Authorization. The Director of Utilities and the other  
16 officers, agents and employees of the City are authorized and directed to execute  
17 and deliver such documents, agreements and certificates and to take such other  
18 actions, upon consultation with the City Attorney, as may be necessary or desirable  
19 and in the best interests of the City to carry out the purposes and intents of this  
20 Ordinance and the transactions contemplated hereby.  
21

22 Section 14. Terms of 2015 Bonds Subject to the Parity Bond Authorizing  
23 Ordinances. Except as in this Ordinance expressly provided, every term and  
24 condition contained in the Parity Bond Authorizing Ordinances shall apply to this  
25 Ordinance and to the 2015 Bonds with the same force and effect as if the same  
26



were herein set forth at length, with such omissions, variations and modifications thereof as may be appropriate to make the same conform to this Ordinance.

Section 15. Ratification of the Parity Bond Authorizing Ordinances. Except as supplemented and amended by this Ordinance, the Parity Bond Authorizing Ordinances, including without limitation Ordinance No. 28138, are hereby ratified, approved and confirmed and shall continue in full force and effect in accordance with the terms and provisions thereof, as amended and supplemented, including as amended and supplemented by this Ordinance. The references in the Parity Bond Authorizing Ordinances to the "City" were and are intended to and shall include the City acting by and through the Board as appropriate.

Section 16. Effective Date of Ordinance. This Ordinance shall take effect and be in force 10 days from and after its publication.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Orrick, Herrington & Sutcliffe LLP  
Bond Counsel to the City of Tacoma

By \_\_\_\_\_

Requested by Public Utility Board  
Resolution No. U-10761



## CLERK'S CERTIFICATE

1 I, the undersigned, the duly chosen, qualified City Clerk of the City of  
2 Tacoma, Washington, and keeper of the records of the City Council (herein called  
3 the "Council"), DO HEREBY CERTIFY:  
4

5 1. That the attached Ordinance No. \_\_\_\_ (herein called the "Ordinance") is a  
6 true and correct copy of an Ordinance of the Council, as finally passed at a regular  
7 meeting of the Council held on the \_\_\_\_ day of \_\_\_\_\_, 2015, and duly recorded  
8 in my office.

9 2. That said meeting was duly convened and held in all respects in  
10 accordance with law, and to the extent required by law, due and proper notice of  
11 such meeting was given; that a legal quorum was present throughout the meeting  
12 and a legally sufficient number of members of the Council voted in the proper  
13 manner for the passage of said Ordinance; that all other requirements and  
14 proceedings incident to the proper adoption of said Ordinance have been duly  
15 fulfilled, carried out and otherwise observed, and that I am authorized to execute  
16 this certificate.  
17  
18

19 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the  
20 official seal of the City as of this \_\_\_\_ day of \_\_\_\_\_, 2015.  
21  
22

23 \_\_\_\_\_  
24 City Clerk  
25 City of Tacoma, Washington  
26