



## Legislation Passed June 2, 2015

The Tacoma City Council, at its regular City Council meeting of June 2, 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. 39201**

A resolution setting Thursday, July 9, 2015, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the portion of South 22nd Street lying between the east margin of Interstate 705 and the west margin of Dock Street, to facilitate full closure of the rail crossing. (BNSF Railway Company; File No. 124.1349)  
[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39202**

A resolution setting Thursday, July 9, 2015, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a one-foot portion of Commerce Street, South 15th Street, and Pacific Avenue to cure a building foundation encroachment previously permitted under Street Occupancy Permit 140. (Tacoma Hospitality, L.L.C.; File No. 124.1356)  
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39203**

A resolution setting Thursday, July 16, 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 52nd Street lying east of South Trafton Street and west of the alley, for residential development. (SNR Northwest Properties, LLC; File No. 124.1352)  
[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

### **Resolution No. 39204**

A resolution appointing and reappointing Jeff Bessmer, Phil Coughlan, Rus Higley, and Agnes Pate to the Sustainable Tacoma Commission.  
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

### **Resolution No. 39205**

A resolution awarding a contract to Pape & Sons Construction, Inc., in the amount of \$428,244.00, plus a 20 percent contingency, for a cumulative total of \$513,892.80, excluding sales tax, budgeted from the Wastewater Fund, for the construction of approximately 940 linear feet of 8-inch diameter underground wastewater pipe in the vicinity of 6th Avenue and Monroe Street - Specification No. ES15-0003F.  
[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 39206**

A resolution awarding a contract to IMS Infrastructure Management Services, L.L.C., in the amount of \$325,645, plus a contingency of \$24,355, for a cumulative total of \$350,000, plus sales tax, budgeted from the Street Fund, to perform a pavement condition index survey - Specification No. PW15-0223F.

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

**Resolution No. 39207**

A resolution authorizing the execution of an Interagency Agreement with the Washington State Department of Ecology to improve the review of certain permits relating to the proposed Puget Sound Energy Liquefied Natural Gas Facility through December 31, 2015.

[Shirley Schultz, Principal Planner; Peter Huffman, Director, Planning and Development Services]

**Resolution No. 39208**

A resolution authorizing the purchase of the property located at 625 Commerce Street in the amount of \$4,000,000, plus closing costs, budgeted from the Economic Development Special Revenue Fund, for the preservation of Old City Hall.

[Ricardo Noguera, Director, Community and Economic Development]



## RESOLUTION NO. 39201

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 July 9, at 9:00 a.m. as the date for a hearing before the City of Tacoma  
3 Hearing Examiner on the request to vacate that portion of South 22nd  
4 Street lying between the easterly margin of Interstate 705 and the westerly  
5 margin of Dock Street, to facilitate full closure of the rail crossing as  
6 negotiated in the Exchange Agreement between the City and the BNSF  
7 Railway Company, dated April 17, 2014.

8 WHEREAS Resolution No. 38638, adopted Mach 5, 2013, authorized the  
9 execution of an Exchange Agreement between the City and the BNSF Railway  
10 Company, dated April 17, 2014, and

11 WHEREAS, through the agreement, BNSF agreed to grant the City various  
12 easements necessary for projects such as the Prairie Line Trail and Pedestrian  
13 Crossing Improvements at "A" and "D" Streets, and the City agreed to vacate  
14 portions of "A" Street for use by BNSF, and

15 WHEREAS BNSF has petitioned for the vacation of the following legally  
16 described right-of-way area to facilitate full closure of the rail crossing as  
17 negotiated in the Exchange Agreement between the City and BNSF:

18 South 22nd Street lying between the Easterly margin of  
19 Interstate 705 and the Westerly margin of Dock Street, within  
20 the Northeast Quarter of the Northwest Quarter of Section 09,  
21 Township 20 North, Range 3 East, W.M., within the City of  
22 Tacoma, County of Pierce, State of Washington;

23 Now, Therefore,

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

25 Section 1. That Thursday, July 9, 2015, at 9:00 a.m., is hereby fixed as the  
26 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



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and where the request by BNSF Railway Company (“BNSF”) to vacate that portion of South 22nd Street lying between the easterly margin of Interstate 705 and the westerly margin of Dock Street to facilitate full closure of the rail crossing as negotiated in the Exchange Agreement between the City of Tacoma and BNSF, dated April 17, 2014, 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:  
  
\_\_\_\_\_  
Deputy City Attorney

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

Location: That portion of South 22nd Street lying between the easterly margin of Interstate 705 and the westerly margin of Dock Street  
Petitioner: BNSF Railway Company  
File No.: 124.1349



## RESOLUTION NO. 39202

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
 2 July 9, 2015, at 1:30 p.m., as the date for a hearing before the City of  
 3 Tacoma Hearing Examiner on the petition of Tacoma Hospitality, L.L.C.,  
 4 to vacate a one-foot portion of Commerce Street, South 15th Street, and  
 Pacific Avenue to cure a building foundation encroachment previously  
 permitted under Street Occupancy Permit No. 140.

5 WHEREAS, during the construction of the Marriott Hotel and remodel of  
 6 the Waddell Building, a survey disclosed one-foot portion of the Waddell  
 7 Building's foundation encroached into the right-of-way at Commerce Street,  
 8 South 15th Street, and Pacific Avenue, and

9  
 10 WHEREAS the City and Hollander Investments, Inc. entered into a  
 11 Development Agreement and Street Occupancy Permit No. 140 to allow the  
 12 building foundation to remain in the right-of-way until such time that the foundation  
 13 encroachment could be cured through the street vacation process, and

14  
 15 WHEREAS Tacoma Hospitality, L.L.C. has petitioned for the vacation of  
 16 the following legally described right-of-way area:

17 That portion of the Northwest quarter of the Southwest  
 18 quarter of Section 04, Township 20 North, Range 03 East,  
 W.M. more particularly described as follows:

19  
 20 The Westerly 1.00 foot of Pacific Avenue lying adjacent to  
 21 and being contiguous with the Northerly 34.37 feet of  
 Block 1504, of the Map of New Tacoma, according to the  
 22 plat recorded February 3, 1875 in Volume 1 of plats,  
 page 1, records of Pierce County, Washington;

23 AND

24 The Easterly 1.00 foot of Commerce Street lying adjacent to  
 25 and being contiguous with the Northerly 35.57 feet of said  
 Block 1504;

26



AND

1 The Southerly 1.00 foot of South 15th Street lying adjacent  
2 to and being contiguous with Lot 1 of said Block 1504;

3 TOGETHER WITH the Southerly 1.00 feet of said  
4 South 15th Street lying adjacent to and contiguous with said  
5 Westerly 1.00 foot of Pacific Avenue;

6 AND TOGETHER WITH the Southerly 1.00 feet of said  
7 South 15th Street lying adjacent to and contiguous with said  
8 Easterly 1.00 foot of Commerce Street;

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

Containing approximately 172 square feet.

10 Now, Therefore,

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

12 Section 1. That Thursday, July 9, 2015, at 1:30 p.m., is hereby fixed as the  
13 date and time, and the Council Chambers on the first floor of the Tacoma  
14 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when  
15 and where the request by Tacoma Hospitality, L.L.C., to vacate a one-foot portion  
16 of Commerce Street, South 15th Street, and Pacific Avenue to cure a building  
17 foundation encroachment previously permitted under Street Occupancy Permit  
18 No. 140, will be heard by the Hearing Examiner and her recommendations  
19 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 \_\_\_\_\_

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Mayor

Attest:  
  
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City Clerk

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

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

Location: A one-foot portion of Commerce Street, South 15th Street, and Pacific Avenue

Petitioner: Tacoma Hospitality, L.L.C.

File No.: 124.1356



## RESOLUTION NO. 39203

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,  
2 July 16, 2015, at 9:00 a.m., as the date for a hearing before the City of  
3 Tacoma Hearing Examiner on the petition of SNR Northwest Properties,  
4 LLC to vacate a portion of South 52nd Street lying easterly of South Trafton  
Street and west of the alley to SNR Northwest Properties, LLC, for  
residential development.

5 WHEREAS SNR Northwest Properties, LLC, having received the consent  
6 of the owners of more than two-thirds of the properties abutting a portion of  
7 South 52nd Street lying easterly of South Trafton Street and west of the alley to  
8 SNR Northwest Properties, LLC, have petitioned for the vacation of the following  
9 legally described right-of-way area:  
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11 That portion of South 52nd Street lying within the Northeast  
12 Quarter of Section 19, Township 20 North, Range 03 East,  
13 W.M. more particularly described as follows:

14 Beginning at the intersection of the Easterly margin of South  
15 Trafton Street and the Northerly margin of South 52nd Street,  
16 said point being the Southwest corner of Lot 21, Block 16, in  
17 Barker's Addition to Tacoma, Washington, according to the Plat  
18 thereof recorded in Volume 7 of Plats at Page 106, in Pierce  
19 County, Washington; thence South 01°03'40" West, along the  
20 Easterly margin of South Trafton Street, a distance of 66.00 feet  
21 to the Northwest Corner of Lot 1, Block 25 of said Barker's  
Addition; thence South 88°55'16" East, along the north line of  
said Lot 1, a distance of 115.00 feet; thence North 01°03'40"  
East 66.00 feet to the Southeast corner of said Lot 21; thence  
North 88°55'16" West, along the south line of said Lot 21, a  
distance of 115.00 feet to the True Point of Beginning.

22 Situate in the City of Tacoma, County of Pierce, State of  
23 Washington.

24 Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That Thursday, July 16, 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 the petition of SNR Northwest Properties, LLC, to vacate a portion of South 52nd Street lying easterly of South Trafton Street and west of the alley to SNR Northwest Properties, LLC, for residential development, 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: A portion of South 52nd Street lying easterly of South Trafton Street and west of the alley to SNR Northwest Properties, LLC

Petitioner: SNR Northwest Properties, LLC

File No.: 124.1352



## RESOLUTION NO. 39204

1 BY REQUEST OF DEPUTY MAYOR BOE AND COUNCIL MEMBERS IBSEN  
AND WALKER

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

4 WHEREAS vacancies exist on the Sustainable Tacoma Commission, and

5 WHEREAS, at its meeting of May 13, 2015, the Infrastructure, Planning,  
6 and Sustainability Committee recommended the appointment and reappointment  
7 of individuals to said commission, and  
8

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
11 have been nominated to serve on the Sustainable Tacoma Commission; Now,  
12 Therefore,  
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14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 That those nominees to the Sustainable Tacoma Commission, listed on  
16 Exhibit "A," are hereby confirmed and appointed or reappointed as members of  
17 such commission for such terms as are set forth on Exhibit "A."  
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19 Adopted \_\_\_\_\_

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Mayor

21 Attest:

22 \_\_\_\_\_  
23 City Clerk

24 Approved as to form:

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26 City Attorney



## EXHIBIT "A"

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### SUSTAINABLE TACOMA COMMISSION

Appointing **Jeff Bessmer** to a three-year term to expire April 30, 2018.

Appointing **Rus Higley** to a three-year term to expire April 30, 2018.

Reappointing **Phil Coughlan** to a three-year term to expire April 30, 2018.

Reappointing **Agnes Pate** to a three-year term to expire April 30, 2018.



## RESOLUTION NO. 39205

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 Pape & Sons Construction, Inc., in the amount of \$428,244.00, plus a  
4 20 percent contingency, for a cumulative total of \$513,892.80, excluding  
5 sales tax, budgeted from the ES Wastewater Fund, for the construction of  
6 approximately 940 linear feet of 8-inch diameter underground wastewater  
7 pipe in the vicinity of 6th Avenue and Monroe Street pursuant to  
8 Specification No. ES15-0003F.

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 Pape & Sons Construction, Inc., in the amount of  
21 \$428,244.00, plus a 20 percent contingency, for a cumulative total of  
22 \$513,892.80, excluding sales tax, budgeted from the ES Wastewater Fund, for  
23 the construction of approximately 940 linear feet of 8-inch diameter  
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1 underground wastewater pipe in the vicinity of 6th Avenue and Monroe Street  
2 pursuant to Specification No. ES15-0003F, consistent with Exhibit "A."

3 Adopted \_\_\_\_\_  
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6 Mayor

7 Attest:  
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9 City Clerk

10 Approved as to form:  
11 \_\_\_\_\_

12 City Attorney  
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## RESOLUTION NO. 39206

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 IMS Infrastructure Management Services, L.L.C., in the amount of  
4 \$325,645, plus a contingency of \$24,355, for a cumulative total of \$350,000,  
5 plus sales tax, budgeted from the PW Street Fund, to perform a Pavement  
6 Condition Index survey pursuant to Specification No. PW15-0223F.

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

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

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

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

17 Section 2. That the proper officers of the City are hereby authorized to  
18 enter into a contract with IMS Infrastructure Management Services, L.L.C., in the  
19 amount of \$325,645, plus a contingency of \$24,355, for a cumulative total of  
20 \$350,000, plus sales tax, budgeted from the PW Street Fund, to perform a  
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1 Pavement Condition Index survey pursuant to Specification No. PW15-0223F,  
2 consistent with Exhibit "A."

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4 Adopted \_\_\_\_\_

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Mayor

7 Attest:

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City Clerk

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Approved as to form:

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City Attorney

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## RESOLUTION NO. 39207

1 A RESOLUTION authorizing the execution of an Interagency Agreement between  
2 the City of Tacoma and the Washington State Department of Ecology for the  
3 purpose of structuring and improving the review of certain permits related to  
4 the proposed Puget Sound Energy Liquefied Natural Gas facility.

4 WHEREAS Puget Sound Energy ("PSE") has proposed a \$275 million  
5 Liquefied Natural Gas ("LNG") facility to be constructed at the corner of 11th Street  
6 and Taylor Way, on land leased from the Port of Tacoma, and

7 WHEREAS the City of Tacoma, Planning and Development Services  
8 Department ("PDS"), desires to enter into an Interagency Agreement with the  
9 Washington State Department of Ecology ("WSDOE") for the purpose of structuring  
10 and improving the review of certain permits related to the proposed LNG facility,  
11 and  
12

13 WHEREAS, under the agreement, PDS would reimburse certain review  
14 costs incurred by WSDOE for permitting responsibilities and, in turn, PSE would  
15 reimburse the City for these expenditures, and  
16

17 WHEREAS the City, through PDS, will be the lead permitting agency for  
18 environmental review, shoreline permitting, and building permits related to the  
19 proposed facility, and  
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21 WHEREAS WSDOE will review shoreline permits, all water quality  
22 permitting, and all coastal zone management, and will provide subject expertise for  
23 the environmental review, and  
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WHEREAS PDS currently has a cost-reimbursement agreement with PSE

for the environmental review; and the agreement would be modified to  
accommodate the additional reimbursement costs; Now, Therefore,

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

That, pursuant to authority granted under Chapter 39.34 RCW, the proper  
officers of the City are hereby authorized to enter into an Interagency Agreement  
with the Washington State Department of Ecology (“WSDOE”), for the purpose of  
structuring and improving the review of certain permits relating to the proposed  
Puget Sound Energy Liquefied Natural Gas facility, said interagency 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. 39208

1 A RESOLUTION relating to the acquisition of real property; authorizing the  
2 purchase of property located at 625 Commerce Street for the preservation  
3 of Old City Hall at a purchase price of \$4,000,000, plus closing costs,  
4 budgeted from the Economic Development Special Revenue Fund.

5 WHEREAS 625 Commerce Street ("Property") is the location of Old City  
6 Hall, a five-story historic structure that represents the earliest days of City  
7 municipal government, and

8 WHEREAS the building, completed in 1893, was heavily influenced by  
9 Italian Renaissance architecture and, along with Union Station, is one of the most  
10 architecturally and historically significant buildings in the City, and

11 WHEREAS Old City Hall served as the hub of the local government for  
12 66 years and originally included the offices of the Mayor and City Council,  
13 Municipal Court, Public Library, and Public Utilities, and

14 WHEREAS the Property was renovated in 1974 for commercial office/retail  
15 use, and in 2005, was sold to Old City Hall LLC, which planned to convert the  
16 building to residential use; however, those plans did not materialize, and

17 WHEREAS the building has been vacant and in disrepair for several years,  
18 suffering from neglect, flooding, and other damage, and since 2013, its condition  
19 has been addressed through multiple City code enforcement actions, and

20 WHEREAS, with the City's purchase of the Property, staff will work to  
21 prevent further deterioration and preserve the historic elements of the building,  
22 and, at a future date, the building will be made available for private development  
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consistent with the City's goals for downtown development in the historic district;

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Now, Therefore,

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

That the proper officers of the City are hereby authorized to acquire the property located at 625 Commerce Street for the purchase price of \$4,000,000, plus closing costs, budgeted from the Economic Development Special Revenue Fund, for the preservation of Old City Hall.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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