



Legislation Passed April 19, 2016

The Tacoma City Council, at its regular City Council meeting of April 19, 2016, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 39422

A resolution appointing individuals to the City Events and Recognitions Committee.
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 39423

A resolution awarding a contract to Sargent Engineers, Inc., in the amount of \$289,218.60, sales tax not applicable, budgeted from the Transportation Capital Fund, for inspection, repair and design services for various bridges - Specification No. CT12-0001F.
[Chris E. Larson, P.E., Engineering Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39424

A resolution awarding a contract to Office Depot, in the amount of \$1,000,000, plus sales tax, budgeted from various departmental funds, for office supplies on an as-needed basis from May 1, 2016, to February 28, 2018 - The Cooperative Purchasing Network Contract No. R141703.
[Dawn Leischner, Purchasing Financial Manager; Andy Cherullo, Director, Finance]

Resolution No. 39425

A resolution awarding a contract to W. W. Grainger, Inc., in the amount of \$1,800,000, plus sales tax, budgeted from various departmental funds, for maintenance, repair and operations supplies on an as-needed basis, for a contract period of three years, through December 31, 2019 - National Intergovernmental Purchasing Alliance Contract No. 141003.
[Dawn Leischner, Purchasing Financial Manager; Andy Cherullo, Director, Finance]

Resolution No. 39426

A resolution declaring surplus and authorizing the execution of a Quit Claim Deed to convey vacant, undeveloped lands at the intersection of Portland Avenue and Wright Avenue, to Spotted Cow Coffee Company, LLC, for the amount of \$148,000.
[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 39427

A resolution adopting the 2016 Environmental Action Plan which centralizes existing City goals and policies, establishes prioritized strategies and actions for improving environmental quality, and implements five-year indicator targets.
[James G. Parvey, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28353

An ordinance imposing the local sales and use tax to be credited against the state sales tax to utilize Local Revitalization Financing.

[Ricardo Noguera, Director, Community and Economic Development]



RESOLUTION NO. 39422

1 BY REQUEST OF DEPUTY MAYOR MELLO AND COUNCIL MEMBERS CAMPBELL,
2 McCARTHY, AND THOMS

3 A RESOLUTION relating to committees, boards, and commissions; appointing
4 individuals to the City Events and Recognitions Committee.

5 WHEREAS vacancies exist on the City Events and Recognitions Committee,
6 and

7 WHEREAS, at its meeting of March 29, 2016, the Economic Development
8 Committee recommended the appointment of individuals to said committee, and

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 City Events and Recognitions Committee;

12 Now, Therefore,

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

14 That those nominees to the City Events and Recognitions Committee listed
15 on Exhibit "A" are hereby confirmed and appointed as members of such committee
16 for such terms as are set forth on Exhibit "A."
17

18 Adopted _____

19 _____
20 Mayor

21 Attest:

22 _____
23 City Clerk

24 Approved as to form:

25 _____
26 City Attorney



EXHIBIT "A"

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CITY EVENTS AND RECOGNITIONS COMMITTEE

Appointing **Joan Moffat** to the At-Large No. 2 position to serve a three-year term to expire July 31, 2018.

Appointing **Rena Yadrick** to the At-Large No. 4 position to fill an unexpired term to expire July 31, 2018.



RESOLUTION NO. 39423

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 Sargent Engineers, Inc., in the amount of \$289,218.60, sales tax not
4 applicable, budgeted from the Transportation Capital Fund, for inspection,
5 repair, and design services for various bridges in Tacoma pursuant to
6 Specification No. CT12-0001F.

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 of
15 Contracts and Awards to adopt the recommendation for award as set forth in the
16 attached Exhibit "A."

17 Section 2. That the proper officers of the City are hereby authorized to enter
18 into a contract with Sargent Engineers, Inc., in the amount of \$289,218.60, sales
19 tax not applicable, budgeted from the Transportation Capital Fund, for inspection,
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1 repair, and design services for various bridges in Tacoma pursuant to Specification
2 No. CT12-0001F, 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. 39424

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 Office Depot, in the amount of \$1,000,000, plus sales tax, budgeted from
4 various departmental funds, for office supplies on an as-needed basis
5 from May 1, 2016, to February 28, 2018, pursuant to The Cooperative
6 Purchasing Network, Request for Proposal No. 14-17, Office Depot
7 Contract No. R141703.

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 Office Depot, in the amount of \$1,000,000, plus sales
20 tax, budgeted from various departmental funds, for office supplies on an
21 as-needed basis from May 1, 2016, to February 28, 2018, pursuant to The
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1 Cooperative Purchasing Network, Request for Proposal No. 14-17, Office
2 Depot Contract No. R141703, consistent with Exhibit "A."

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4 Adopted _____

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6 _____
Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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RESOLUTION NO. 39425

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 W.W. Grainger, Inc., in the amount of \$1,800,000, plus sales tax, budgeted
4 from various departmental funds, for maintenance, repair, and operations
5 supplies on an as-needed basis, for a contract period of three years, from
6 2016 through 2019, pursuant to National Intergovernmental Purchasing
7 Alliance, Request for Proposals No. 141003, W.W. Grainger, Inc.,
8 Contract No. 141003.

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 W.W. Grainger, Inc., in the amount of \$1,800,000,
21 plus sales tax, budgeted from various departmental funds, for maintenance,
22 repair, and operations supplies on an as-needed basis, for a contract period of
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1 three years, from 2016 through 2019, pursuant to National Intergovernmental
2 Purchasing Alliance, Request for Proposals No. 141003, W.W. Grainger, Inc.,
3 Contract No. 141003, consistent with Exhibit "A."
4

5 Adopted _____
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7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 City Attorney

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RESOLUTION NO. 39426

1 A RESOLUTION relating to surplus property, authorizing the Declaration of
2 Surplus and execution of a Quit Claim Deed to convey vacant, undeveloped
3 lands at the intersection of Portland Avenue and Wright Avenue to Spotted
4 Cow Coffee Company, LLC, for the amount of \$148,000.

4 WHEREAS the City owns vacant, undeveloped residential land located at
5 the intersection of Portland Avenue and Wright Avenue ("Property"), as more
6 particularly described in the attached Exhibit "A," and
7

8 WHEREAS, in August 2014, the Property was classified as a "Tier 3"
9 property pursuant to the City Policy for the Sale/Disposition of City-owned General
10 Government Real Property ("Policy"), and

11 WHEREAS the City must dispose of City-owned surplus property pursuant
12 to said Policy, and

13 WHEREAS market value for the Property is \$148,000, established through
14 an in-house valuation based on a review of recent sales for like properties located
15 within a three-mile radius of the subject Property, as well as applied discounts for
16 City-reserved easements, and
17

18 WHEREAS the Property is subject to reservations of the westerly 18 feet,
19 reserved for existing Portland Avenue, and easements along the westerly,
20 northerly, and southerly portions of the Property for existing electrical facilities, and
21

22 WHEREAS the Spotted Cow Coffee Company, LLC, desires to purchase
23 the Property, and

24 WHEREAS the proposed sale, in the amount of \$148,000, will return the
25 property to the tax rolls and decrease City maintenance costs, and
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WHEREAS, there being no foreseeable need for continued City ownership of the Property, the sale of said Property appears to be in the best interests of the City, pending final approval from the City Council; Now, Therefore,

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

Section 1. That continued ownership of the real Property located at the intersection of Portland Avenue and Wright Avenue, as more particularly described in Exhibit "A," is not essential to the needs of the City and is hereby declared surplus pursuant to RCW 35.22.020 and Article I, Section 1.2, and Article IX of the Tacoma City Charter.

Section 2. That the proper officers of the City are hereby authorized to execute a Quit Claim Deed to convey the subject parcel to the Spotted Cow Coffee Company, LLC, for the amount of \$148,000, said document to be substantially in the form of the deed on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Legal Description Approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

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PARCEL NO. 471501-472-1

All that certain portion of Lots 1, 2 and 3, Block 8345, The Indian Addition to the City of Tacoma, according to the Plat thereof recorded in Volume 7 of Plats, Page 30, records of Pierce County, Washington.

EXCEPTING therefrom the Westerly 18 feet thereof for Portland Avenue right of way.

Grantor herein reserves an easement for electrical facilities over, under, along, and across the Westerly 10 feet, after taking above exception, of the above described tract of land.

Grantor herein reserves an easement for electrical facilities over, under, along, and across the Northerly 10 feet and the Southerly 7 feet of the above described tract of land.

All situate in the Northwest Quarter of the Southeast Quarter of Section 10, Township 20 North, Range 03 East, W.T.; within the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 39427

1 A RESOLUTION adopting the 2016 Environmental Action Plan, which centralizes
2 existing City goals and policies, establishes prioritized strategies and actions
3 for improving environmental quality, and establishes five-year indicator
4 targets to assess progress annually.

4 WHEREAS, in October 2008, pursuant to Resolution No. 37631, the City
5 Council adopted the City's 2008 Climate Action Plan, establishing aggressive
6 greenhouse gas reduction goals and prioritized actions to reduce emissions, and
7

8 WHEREAS Resolution No. 37631 also established the Office of
9 Sustainability and the Sustainable Tacoma Commission, and charged both to
10 establish five- and ten-year sustainability goals for City government and the
11 community, and to provide periodic updates and reports on the achievement of
12 those goals, and

13 WHEREAS, in April 2011, pursuant to Resolution No. 38247, the City
14 Council adopted a vision of sustainability defined as: (1) Tacoma will achieve
15 exceptional quality of life for every generation and will leave a legacy of
16 stewardship; and (2) Tacoma will achieve lasting and equitable prosperity; build a
17 safe, healthy, attractive, and vibrant community; and minimize negative impacts in
18 order to conserve the natural resources that sustain it, and
19

20 WHEREAS the City has, over time, developed numerous environmental
21 policies and goals which are contained in a variety of sources, such as
22 Tacoma 2025, Shared Vision, Shared Future; Comprehensive Plan; Transportation
23 Master Plan; Climate Action Plan; Climate Risk Assessment; Tacoma Power
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1 Conservation Plan; Sustainable Material Management Plan; and a number of City
2 Council resolutions, and

3 WHEREAS specific, prioritized actions are needed to implement the City's
4 environmental policies and goals to improve environmental quality while also
5 benefiting public health, the local economy, and equitable access and opportunities,
6 and

7 WHEREAS measurable targets and a process to report and monitor the
8 progress of these actions is needed to demonstrate the City's leadership, and

9 WHEREAS input was sought from an advisory committee, internal and
10 external stakeholders, the Sustainable Tacoma Commission, and the general
11 public, and

12 WHEREAS actions set forth in the plan are divided into six categories:
13 (1) Buildings and Energy, (2) Transportation, (3) Materials Management, (4) Natural
14 Systems, (5) Air and Local Food, and (6) Climate Resilience, and

15
16
17 WHEREAS each of the six actions are further divided into two sections
18 according to the scope of the action: (1) those actions the City will take to improve
19 its own operations, the "City Leading By Example" actions; and (2) farther reaching
20 actions that affect general life in the City, the "Serving Our Community" actions;

21 Now Therefore,

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

24 Section 1. That the City Council does hereby approve the five-year
25 Environmental Action Plan ("Plan") to guide action and investments and monitor
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progress toward reaching identified targets, said Plan to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That annual Plan progress reports shall be produced and presented to the City Council and the public.

Section 3. That updates may be made to the Plan as new information becomes available and progress is made on identified goals.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



ORDINANCE NO. 28353

1 BY REQUEST OF COUNCIL MEMBERS CAMPBELL AND THOMS

2 AN ORDINANCE of the City of Tacoma, Washington imposing the local sales and
3 use tax to be credited against the state sales and use tax for purposes of
4 utilizing local revitalization financing under Chapter 39.104 of the Revised
5 Code of Washington; and providing for other matters properly relating
6 thereto.

7 WHEREAS state law authorizes cities to levy sales tax credit against the
8 state sales tax for local revitalization financing, and

9 WHEREAS 2SSSB 5045, authorizing the tax credit, was passed by the State
10 Legislature during the 2009 regular session with the intention of providing financial
11 assistance to cities for public improvements in an identified revitalization area to
12 promote community and economic development, and

13 WHEREAS the State Legislature has designated the City of Tacoma as a
14 demonstration project for local revitalization financing, granting the project award of
15 \$500,000, which tax credit would be available to the City for up to 25 years; Now,
16 Therefore,

17 BE IT ORDAINED BY THE CITY OF TACOMA:

18 Section 1. Definitions. Capitalized terms not otherwise defined in this
19 ordinance shall have the meanings given in RCW 39.104.020, as it may be
20 amended from time to time.

21 Section 2. Findings. The City Council ("Council") of the City of Tacoma,
22 Washington ("City") hereby makes the following findings and determinations:

23 2.1 Chapter 39.104 RCW and RCW 82.14.505 and 82.14.510
24 authorize the imposition of a local sales and use tax ("LRF Tax") for the purpose of
25
26



1 financing certain public improvements (“Public Improvements”) located within a
2 Revitalization Area (“RA”), upon the satisfaction of certain conditions set forth
3 therein. This LRF Tax is credited against the sales and use tax otherwise due to
4 the state under Chapters 82.08 and 82.12, resulting in no net change in tax rate to
5 the taxpayer.

6 2.2 Pursuant to this authority, the City, by Ordinance No. 27828,
7 adopted on August 25, 2009, created the Revitalization Area in downtown Tacoma
8 for the purpose of financing the Public Improvements located within the RA.

9 2.3 The City submitted its demonstration project application for the
10 use of Local Revitalization Financing pursuant to RCW 39.104.100 and 82.14.505
11 on August 28, 2009, and the Department of Revenue (“Revenue”) approved the
12 application on September 16, 2009, granting a project award in the amount of
13 \$500,000.
14

15 2.4 The Council finds that the City has satisfied all prerequisites to
16 imposing the LRF Tax and receiving the State Contribution, including, without
17 limitation, the conditions set forth in Chapter 39.104, RCW 82.32.765, 82.14.505,
18 82.14.510 and 82.14.515.
19

20 2.5 The Council intends to draw down the \$500,000 award annually
21 and may issue bonds, pursuant to RCW 39.104.110, or may use the bond issuance
22 exemption, pursuant to RCW 82.14.510(5)(d) up to a maximum principal amount
23 not to exceed \$12,500,000 to finance the Public Improvements.
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Section 3. State-Shared Sales and Use Tax Imposed as of July 1, 2016.

1 The sales and use tax authorized under RCW 82.14.510 is imposed as of July 1,
2 2016, as follows:

3 3.1 Effective Date and Duration. The sales and use tax authorized by
4 this ordinance shall be imposed and become effective as of July 1, 2016. The tax
5 imposed under this ordinance expires on July 1, 2041, which is the date that is
6 twenty-five (25) years after the tax is first imposed.
7

8 3.2 Rate. The tax rate shall be set initially at 0.00014 of the selling
9 tax (in the case of a sales tax) or value of the article used (in the case of a use tax).
10 The tax rate may be adjusted by ordinance of the Council from time to time so that
11 it is set at the rate reasonably necessary to receive the State Contribution over
12 ten (10) months, in accordance with RCW 82.14.510(3).
13

14 3.3 Use of LRF Tax Receipts. In accordance with RCW 82.14.515,
15 receipts of the LRF Tax shall be disbursed to draw down the \$500,000 award
16 annually under the bond issuance exemption, pursuant to RCW 82.14.510(5)(d), or
17 to provide for the payment of debt service on bonds issued under RCW 39.104.110.
18

19 3.4 Other Statutory Requirements.

20 (1) In accordance with RCW 82.14.510(6):

21 (a) The LRF Tax authorized by this ordinance shall first
22 be imposed on July 1, 2016, which is the first day of a state fiscal year.
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24 (b) The cumulative amount of LRF Tax distributions
25 received by the City in any fiscal year shall not exceed the amount of the State
26 Contribution to the City.



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(c) The LRF Tax shall cease to be distributed to the City

for the remainder of any state fiscal year in which:

(i) The amount of tax received by the City equals the amount of the State Contribution; or

(ii) The amount of revenue distributions to all sponsoring and co-sponsoring local governments from taxes imposed under RCW 82.14.510 equals the annual State Contribution limit.

(2) The LRF Tax shall be distributed again, should it cease to be distributed for any of the reasons provided in RCW 81.14.510(6)(c), at the beginning of the next state fiscal year, subject to the restrictions in RCW 82.14.510.

(3) Any revenue generated by the LRF Tax in excess of the amounts specified in (1)(c) of this subsection 3.4 shall belong to the State of Washington.

(4) In accordance with RCW 82.14.510(9), if the City fails to comply with RCW 82.32.765, no tax will be distributed in the subsequent fiscal year until such time as the City complies and Revenue calculates the State Contribution amount for such fiscal year in accordance with RCW 82.14.510(10).

Section 4. Delivery of Ordinance. The City Clerk is directed to cause a certified copy of this ordinance to be delivered to Revenue and any other public officers or agencies required by law.

Section 5. Ratification. All actions heretofore taken in furtherance thereof and not inconsistent with the provisions of this ordinance are hereby ratified and confirmed in all respects.



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Section 6. Validity. If any provision of this ordinance shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this ordinance and shall in no way affect the validity of the other provisions of this ordinance, or any bonds issued as necessary in anticipation of receipt of distributions from LRF Taxes or of the use of Local Revitalization Financing to finance the Public Improvements.

Section 7. Effective Date. This Ordinance shall take effect and be in force ten days from publication as provided by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney