



## Legislation Passed July 26, 2016

The Tacoma City Council, at its regular City Council meeting of July 26, 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.

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### **Resolution No. 39499**

A resolution awarding a contract to Cerium Networks, in the amount of \$253,024.12, plus sales tax, budgeted from the Information Systems Fund, for one year of Cisco SMARTnet maintenance for Cisco networking equipment, for the period of August 11, 2016 through August 10, 2017 - State of Washington Contract No. 01114.  
[Linda D. Trehuba, Network and Telecommunications Supervisor;  
Jack Kelanic, Director, Information Technology]

### **Resolution No. 39500**

A resolution awarding a contract to Boettcher & Sons, Inc., in the amount of \$242,021.00, excluding sales tax, plus a 15 percent contingency, for a total of \$278,324.15, budgeted from the Surface Water Fund, for maintenance of seven storm water detention ponds in northeast and west Tacoma - Specification No. ES16 0190F.  
[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;  
Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 39501**

A resolution authorizing an increase to the contract with Waste Management of Washington, Inc., in the amount of \$2,400,000, sales tax not applicable, for a total of \$2,999,000, budgeted from the Solid Waste Fund, for processing and marketing commingled recyclables collected by the City through July 31, 2021 - Specification No. PW04 0040F.  
[Gary Kato, Solid Waste Management Division Manager;  
Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 39502**

A resolution authorizing the purchase of approximately 1.90 acres of property within the controlled area of the Green River Municipal Watershed from Peggy and Dennis Hoffer, for the amount of \$409,000, budgeted from the Water Utility Fund, for future expansion or environmental mitigation.  
[Gloria Fletcher, Senior Real Estate Officer; Linda McCrea, Water Superintendent]

### **Resolution No. 39503**

A resolution accepting the July 2016 Final Report from the Latino Town Hall Task Force, and directing the City Manager to identify opportunities for collaboration, education, greater representation, and enhanced community engagement with the Latino community.  
[Carmen White, Policy Analyst; Diane Powers, Director, Equity and Human Rights]

**Resolution No. 39504**

A resolution authorizing the execution of a Collective Bargaining Agreement with the Tacoma Police Union, Local 6, I.U.P.A., which consists of approximately 316 budgeted full time equivalent positions, retroactive to January 1, 2015, through December 31, 2016.  
[Joy St. Germain, Director, Human Resources]

**Ordinance No. 28371**

An ordinance amending Chapter 12.08 of the Municipal Code, relating to stormwater management, by adding a new Section 12.08.870, entitled Payment In-Lieu-of Construction Program, to implement a voluntary program to mitigate stormwater impacts from new development and redevelopment projects; and providing for assessment of system development charges and maintenance surcharges.  
[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;  
Michael P. Slevin III, P.E., Director, Environmental Services]

**Ordinance No. 28372**

An ordinance establishing the system development charge for the flow control facility known as the Gravel Pit located in the Flett Creek Watershed.  
[Geoffrey M. Smyth, P.E., Science and Engineering Division Manager;  
Michael P. Slevin III, P.E., Director, Environmental Services]



## RESOLUTION NO. 39499

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 Cerium Networks, in the amount of \$253,024.12, plus sales tax, budgeted  
4 from the Information Systems Fund, for one year of Cisco SMARTnet  
5 maintenance for Cisco networking equipment, from August 11, 2016,  
6 through August 10, 2017, pursuant to State of Washington Contract  
7 No. 01114.

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 Cerium Networks, in the amount of \$253,024.12, plus  
20 sales tax, budgeted from the Information Systems Fund, for one year of Cisco  
21 SMARTnet maintenance for Cisco networking equipment, from August 11, 2016,  
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1 through August 10, 2017, pursuant to State of Washington Contract No. 01114,  
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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11 Approved as to form:

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City Attorney

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## RESOLUTION NO. 39500

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract  
3 with Boettcher & Sons, Inc., in the amount of \$242,021.00, excluding  
4 sales tax, plus a 15 percent contingency, for a cumulative total of  
5 \$278,324.15, budgeted from the Surface Water Fund, for maintenance  
of seven storm water detention ponds in northeast and west Tacoma,  
pursuant to Specification No. ES16-0190F.

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

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  
15 Board of Contracts and Awards to adopt the recommendation for award as set  
16 forth in the attached Exhibit "A."  
17

18 Section 2. That the proper officers of the City are hereby authorized to  
19 enter into a contract with Boettcher & Sons, Inc., in the amount of \$242,021.00,  
20 excluding sales tax, plus a 15 percent contingency, for a cumulative total of  
21 \$278,324.15, budgeted from the Surface Water Fund, for maintenance of seven  
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1 storm water detention ponds in northeast and west Tacoma, pursuant to  
2 Specification No. ES16-0190F, 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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11 Approved as to form:

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City Attorney

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## RESOLUTION NO. 39501

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase of Contract  
3 No. 4600010493 with Waste Management of Washington, Inc., in the  
4 amount of \$2,400,000, for a cumulative total of \$2,999,000, sales not  
5 applicable, budgeted from the ES Solid Waste Fund, to continue  
6 processing and marketing commingled recyclables collected by the City  
7 through July 31, 2021, pursuant to Specification No. PW04-0040F.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase Contract No. 4600010493 with Waste Management of Washington, Inc.,  
20 in the amount of \$2,400,000, for a cumulative total of \$2,999,000, sales not  
21 applicable, budgeted from the ES Solid Waste Fund, to continue processing and  
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1 marketing commingled recyclables collected by the City through July 31, 2021,  
2 pursuant to Specification No. PW04-0040F, consistent with Exhibit "A."

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

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6 Mayor

7 Attest:  
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9 City Clerk

10 Approved as to form:  
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12 City Attorney

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## RESOLUTION NO. 39502

1 A RESOLUTION relating to Tacoma Water; authorizing the acquisition of  
2 approximately 1.90 acres of property located within the controlled area of  
3 the Green River Municipal Watershed from Dennis and Peggy Hoffer, for  
4 the amount of \$409,000.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Water  
5 Division (d.b.a. "Tacoma Water"), is requesting approval to purchase  
6 approximately 1.90 acres of improved residential property ("Property") located  
7 within the controlled area of the Green River Municipal Watershed from Dennis  
8 and Peggy Hoffer for \$409,000, and  
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10 WHEREAS the Property is located inside the security gate of the  
11 watershed and across the street from the Headworks office and Green River  
12 Filtration facility, and  
13

14 WHEREAS the proposed acquisition will provide land for future  
15 expansion or environmental mitigation, as needed, to serve future customer  
16 needs, increase site security, and assist in maintaining Tacoma Water's overall  
17 control and stewardship mission within the controlled area of the watershed, and  
18

19 WHEREAS the Property contains a three-bedroom home, barn, and  
20 several outbuildings, and includes approximately 125 feet of Green River  
21 frontage, and  
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23 WHEREAS the purchase price is based on fair market value, and the  
24 terms and conditions of the proposed agreement have been approved by  
25 Tacoma Water and Public Works, Real Property Services, and  
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WHEREAS Section 4.11 of the Tacoma City Charter requires that all matters relating to additions and betterments to the utility systems by the Department of Public Utilities be initiated by the Public Utility Board and approved by the City Council, and

WHEREAS, by adoption of Public Utility Board Resolution No. U-10864 on July 13, 2016, the proposed acquisition was approved, pending confirmation from the City Council; Now, Therefore,

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

Section 1. That the request of the City of Tacoma, Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), to purchase approximately 1.9 acres of improved residential property located within the controlled area of the Green River Municipal Watershed from Dennis and Peggy Hoffer for the amount of \$409,000, budgeted from the 4600-10 WC Fund, is hereby approved.

Section 2. That the Superintendent of Tacoma Water is hereby authorized to enter into and execute on behalf of the City the Purchase and Sale Agreement with Dennis and Peggy Hoffer for the purposes hereinabove



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

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

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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Chief Deputy City Attorney

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15 Requested by Public Utility Board  
Resolution No. U-10864

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## RESOLUTION NO. 39503

1 BY REQUEST OF COUNCIL MEMBER CAMPBELL

2 A RESOLUTION accepting the July 2016 Final Report from the Latino Town Hall  
3 Task Force, and directing the City Manager to work with staff to identify  
4 opportunities for collaboration, education, greater representation, and  
5 enhanced community engagement with the Latino community.

6 WHEREAS the City joined the Welcoming Cities Initiative in 2014, which is a  
7 national network of over 40 localities that actively work to create more welcoming,  
8 immigrant-friendly environments to maximize opportunities for economic growth and  
9 cultural vitality, and

10 WHEREAS the City's membership in the Welcoming Cities Initiative,  
11 combined with the City's Equity and Empowerment framework, has created a  
12 pathway to directly address specific challenges that foreign-born residents  
13 experience, and

14 WHEREAS, at the request of Council Member Campbell, supported by  
15 Mayor Strickland and Council Member Blocker, the City Council, pursuant to  
16 Resolution No. 39391, authorized funding for two Latino Roundtable town hall  
17 meetings that were held in March and May 2016, and

18 WHEREAS the meetings revealed many important concerns for Latino  
19 residents, namely, the lack of culturally appropriate resources and cultural  
20 awareness among City residents with regard to the Latino community, the impacts  
21 of federal immigration policies, concern for the environment and stewardship of  
22 natural resources, lack of educational opportunities for Latino youth, and the safety  
23 and security of the Latino community in the City, and  
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WHEREAS the data collected at the Town Hall meetings, in the form of survey results and notes from breakout discussion groups, was compiled into a report that was presented at the City Council at the July 12, 2016, Study Session, and

WHEREAS the report gives City employees and other service providers the opportunity to better engage with and provide greater service to the Latino community, and

WHEREAS the City Council is directing the City Manager to work with staff to identify opportunities for collaboration, education, greater representation, and enhanced community engagement to ensure Latino residents are valued and have access to resources to meet their needs; Now, Therefore,

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

That the City Council hereby accepts the July 2016 Final Report from the Latino Town Hall Task Force, and directs the City Manager to work with staff to identify opportunities for collaboration, education, greater representation, and enhanced community engagement with the Latino community.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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



## RESOLUTION NO. 39504

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a  
2 Collective Bargaining Agreement negotiated between the City of Tacoma  
3 and Tacoma Police Union, Local 6, I.U.P.A., effective retroactive to  
4 January 1, 2015, through December 31, 2016.

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 WHEREAS this resolution allows for the execution of a two-year (2015-2016)  
8 Collective Bargaining Agreement (“CBA”) negotiated between the City and Tacoma  
9 Police Union, Local 6, I.U.P.A. (“Union”), on behalf of the employees represented  
10 by said Union, and

11 WHEREAS the bargaining unit consists of approximately 316 budgeted,  
12 full-time equivalent positions, and

13 WHEREAS the proposed CBA provides for a wage increase retroactive to  
14 January 1, 2015, of 2.2 percent; and a wage increase retroactive to January 1,  
15 2016, of 1.1 percent, and

16 WHEREAS the CBA also provides for the following: (1) beginning the first  
17 of the month following the effective date of the Agreement, the Union agrees to  
18 forgo three-quarters of one percent (0.75%) of salary toward a Voluntary  
19 Employee Beneficiary Association (“VEBA”) program; the rules and eligibility  
20 requirements of the VEBA program are outlined in the CBA and will be open for  
21 up to 12 employees per year, with no more than three eligible in any one quarter;  
22 (2) a change in the start time for first relief shift employees; (3) an agreement  
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between the City and Union on a 12-month trial period for the monthly  
changeover of days off rotation; (4) language clarifying the application of rate  
paid to LEOFF 2 employees to contribute toward the cost of long-term disability  
insurance provided by the Union; (5) changes to language regarding work on the  
Fourth of July; (6) a change in health and welfare benefits, to allow employees to  
select one of four City medical plan offerings, and to eliminate any dual coverage  
option for employees who have an eligible dependent, who is also a City  
employee, from being enrolled on more than one medical, dental and/or vision  
plan; and (7) a provision that employees will be eligible to participate in the City's  
Wellness Program, and receive a Wellness Incentive credit beginning in 2017 if  
program requirements are met, and

WHEREAS it appears in the best interest of the City that the proposed  
CBA negotiated between the City and the Union 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 negotiated between the City of Tacoma and  
Tacoma Police Union, Local 6, IUPA, effective retroactive to January 1, 2015,



1 through December 31, 2016, said document to be substantially in the form of the  
2 proposed agreement on file in the office of the City Clerk.

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

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6 \_\_\_\_\_  
7 Mayor

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9 Attest: \_\_\_\_\_  
10 City Clerk

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

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## ORDINANCE NO. 28371

1 AN ORDINANCE relating to stormwater management; amending Chapter 12.08 of  
2 the Tacoma Municipal Code by adding thereto a new Section 12.08.870, to  
3 be known and designated as "Payment In-Lieu-of Construction Program," to  
4 implement a voluntary program to mitigate stormwater impacts from new  
development and redevelopment projects; and providing for assessment of  
system development charges and maintenance surcharges.

5 WHEREAS the City of Tacoma Stormwater Management Manual ("SWMM")  
6 requires certain projects to mitigate for stormwater impacts, and

7 WHEREAS the National Pollutant Discharge Elimination System ("NPDES")  
8 Phase I Municipal Stormwater Permit ("NPDES Permit") allows for the use of  
9 regional facilities to mitigate stormwater impacts, and  
10

11 WHEREAS the City owns, and may construct in the future, new or expanded  
12 regional stormwater facilities that may be available to mitigate stormwater impacts  
13 associated with new development and redevelopment projects in-lieu-of  
14 constructing stormwater treatment or flow control facilities on the project site, and

15 WHEREAS Chapter 35.92 RCW authorizes the City to establish and collect  
16 system development charges from persons to recover the property owner's  
17 equitable share of the capital costs associated with the construction of new or  
18 expanded regional stormwater facilities, and  
19

20 WHEREAS Chapters 35.92 and 35.67 RCW authorize the City to establish  
21 and assess a maintenance surcharge to recover the additional cost of  
22 maintenance, operation, repair, and replacement of such new or expanded  
23 regional stormwater facilities providing specific benefit to properties and  
24 improvements, and  
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WHEREAS the City desires to establish a voluntary program (“Payment In-Lieu-of Construction Program” or “Program”) to allow applicants of qualified new development or redevelopment projects to pay a system development charge to the City in-lieu-of constructing stormwater treatment or flow control facilities on their project sites, and

WHEREAS it is necessary to amend Chapter 12.08 of the Tacoma Municipal Code to establish the proposed Program, and

WHEREAS the City Council finds that it is in the best interest of the public health, safety, and welfare to adopt the proposed Program; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 12.08 of the Tacoma Municipal Code is hereby amended by the addition of new Section 12.08.870, to be known and designated as “Payment In-Lieu-of Construction Program,” as set forth in the attached Exhibit “A.”

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

Approved as to form:  
  
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Chief Deputy City Attorney



**EXHIBIT “A”**

**Chapter 12.08  
WASTEWATER AND SURFACE WATER MANAGEMENT –  
REGULATION AND RATES**

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**Sections:**

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12.08.740 Side Sewer and Sanitary Sewer Availability Manual.

12.08.870 Payment In-Lieu-of Construction Program.

\* \* \*

**12.08.870 Payment In-Lieu-of Construction Program.**

A. Purpose. This section establishes the Payment In-Lieu-of Construction Program (“Program”). Application for the Program is voluntary and not mandatory. This Program shall be available for qualified new development and redevelopment projects required to mitigate for stormwater impacts per Minimum Requirement #6 – Water Quality Treatment, or Minimum Requirement #7 – Flow Control, as defined in the City of Tacoma Stormwater Management Manual (“SWMM”). Property owners, or authorized persons on their behalf, may apply to the Director under this Program to pay a system development charge in-lieu-of constructing stormwater treatment and/or flow control best management practices on the project site. The available capacity of a regional stormwater facility to provide stormwater treatment and/or flow control for mitigation of stormwater impacts (“Mitigation Capacity”) will be allocated to qualifying benefitted premises under this Program. A system development charge will be assessed to reimburse the City for the historic capital costs to construct or expand regional stormwater facilities to provide mitigation capacity for projects approved under the Program. A maintenance surcharge may also be applicable to offset the additional maintenance costs resulting from the new or expanded regional stormwater facilities benefitting such properties.

All applications for the Program must be reviewed and approved by the Director.

B. Benefitted Premises.

For purposes of this Program, the phrase “benefitted premises” shall mean and refer to the specific parcel(s), tract(s), or lot(s), or portions thereof, the development or redevelopment of which has been approved under this Program for mitigation of associated stormwater impacts in-lieu-of constructing individual stormwater treatment and/or flow control best management practices on the project site. Such benefitted premises, and associated improvements, shall be described in the voluntary payment agreement.

C. Regional Stormwater Facility. For purposes of this Program, the phrase “regional stormwater facility” shall mean and include (1) a single stormwater facility designed to provide water quality and/or flow control for a large region or portion of a basin or subbasin and designated by the Director to be utilized under the Program to provide mitigation capacity, and (2) multiple stormwater facilities that are designed to provide water quality and/or flow control for a large region or portion of a basin or subbasin and designated by the Director to be utilized under the Program to collectively provide mitigation capacity.

D. Voluntary Payment Agreement. For purposes of this Program, the phrase “voluntary payment agreement” shall mean and refer to that agreement entered into, by, and between the property owner and the City which sets forth the terms and conditions pursuant to which the applicant agrees to pay a system development charge in consideration for the City’s covenant to make mitigation capacity available to mitigate stormwater impacts associated with development or redevelopment of the benefitted premises.

E. System Development Charge. A system development charge is a charge assessed to the property owner which represents the property owner’s equitable share of the present worth of capital cost associated with the City-owned regional stormwater facilities that will be designated under the Program to mitigate for stormwater impacts associated with the permitted project. An applicant qualified under this Program shall be assessed a system development charge. The system development charges are different for each regional stormwater facility in the Program or group of facilities. The methodology for calculation of the system



1 development charge is defined in the City of Tacoma Regional Stormwater Facility Plan and is based on the  
2 present worth of capital costs for each facility. The system development charge for each regional stormwater  
3 facility included in the Program shall be established by ordinance of the City Council.

4 F. Calculation; Payment. The amount of surface area requiring stormwater mitigation will be calculated based  
5 upon the proposed project as approved with a City of Tacoma construction permit. An applicant cannot pay  
6 for and reserve mitigation capacity within a regional stormwater facility for potential future mitigation needs.  
7 Each system development charge assessed shall be paid to the City at the time of construction permit  
8 issuance.

9 G. Maintenance Surcharge. A maintenance surcharge may be assessed upon the benefitted premises in  
10 addition to the surface water rate or charges. The maintenance surcharge is intended to equitably recover the  
11 maintenance costs associated with the regional stormwater facility. For purposes of this section, the term  
12 “maintenance” shall mean and include ongoing maintenance, operation, repair, and replacement. For purposes  
13 of this section, the term “maintenance costs” shall mean, as applicable, (1) the total costs of maintenance of a  
14 regional stormwater facility for which all, or substantially all, of the capacity of the regional stormwater  
15 facility to provide stormwater treatment and/or flow control is allocated to provide mitigation capacity under  
16 this Program, or (2) the total increase in the costs of maintenance of a regional stormwater facility that has  
17 been expanded to provide mitigation capacity under this Program.

18 The maintenance surcharge will be calculated by multiplying the total maintenance costs for the regional  
19 facility by the percentage of total mitigation capacity of the regional facility allocated to the benefitted parcel.  
20 The maintenance surcharge for each regional stormwater facility included in the Program shall be established  
21 by ordinance of the City Council.

22 H. Rules and Regulations. The Director is authorized to develop and publish rules and regulations  
23 implementing this Program; provided that, such rules and regulations shall be consistent with the provisions  
24 of this section.

25 I. Qualification. In order to qualify for the Program outlined under this section:

26 1. The applicant shall submit a completed Program application, on forms provided by the Department,  
prior to final approval of construction permits for the proposed project;

2. The proposed project must be considered a new development or redevelopment project, as those terms  
are defined in the City of Tacoma SWMM;

3. The proposed project must be located in an area defined by the City of Tacoma Regional Stormwater  
Facility Plan and the regional stormwater facility specific ordinance;

4. The Director must determine that the regional stormwater facility has mitigation capacity available for  
the proposed project;

5. Projects shall comply with all applicable portions of the City of Tacoma SWMM and City of Tacoma  
Regional Stormwater Facility Plan;

6. The applicant shall provide all information requested by the City that is reasonably related to  
qualification for the Program; and

7. The property owner shall execute a voluntary payment agreement with the City, in a form approved by  
the Director and the City Attorney. The benefitted premises shall be designated in the voluntary payment  
agreement.

The covenants set forth in the voluntary payment agreement shall, upon recording with the Pierce County  
Auditor, or successor, be credited to and considered as a benefit to the benefitted premises running with  
the land; provided that, the City’s covenants shall not apply to additional stormwater mitigation required  
for redevelopment or new development of any portion of the benefitted premises. It shall be the  
responsibility of the applicant to timely record the voluntary payment agreement as provided herein and  
submit a copy of the recorded agreement to the Director. The City shall maintain a copy of the agreement  
in the City’s permanent records.



## ORDINANCE NO. 28372

1 AN ORDINANCE relating to the Stormwater Management Payment In-Lieu-of  
2 Construction Program; establishing the system development charge for the  
3 flow control facility known as the Gravel Pit located in the Flett Creek  
4 Watershed.

5 WHEREAS the City has established a Payment In-Lieu-of Construction  
6 Program ("Program"), codified at Section 12.08.870 of the Tacoma Municipal  
7 Code ("TMC"), and

8 WHEREAS the Program allows property owners for a qualified project site  
9 to pay a system development charge to connect to a designated regional  
10 stormwater facility in lieu of providing stormwater treatment and/or flow control  
11 best management practices, and

12 WHEREAS the City owns the Gravel Pit located in the Flett Creek  
13 Watershed, at 2517 South 84th Street, in Lakewood, which facility has been  
14 designated by the Environmental Services Director as a regional stormwater  
15 facility for purposes of the Program, and is known as the "Gravel Pit Regional  
16 Stormwater Facility," and

17 WHEREAS it is necessary to establish a system development charge for  
18 connection to the herein described regional stormwater facility, and

19 WHEREAS the Tacoma Regional Stormwater Facility Plan establishes the  
20 methodology for calculation of the system development charge based upon the  
21 present worth of capital costs for each facility, and

22 WHEREAS, as determined in accordance with the Tacoma Regional  
23 Stormwater Facility Plan, an applicant qualified under this Program shall be  
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assessed a system development charge of \$0.97 per square foot of surface area requiring stormwater mitigation in accordance with Minimum Requirement #7 – Flow Control, as defined in the City of Tacoma Stormwater Management Manual;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That applicants qualified under the Payment In-Lieu-of Construction Program, TMC 12.08.870, to connect to the Gravel Pit Regional Stormwater Facility in lieu of constructing stormwater flow control facilities on their project site, shall be assessed a system development charge of \$0.97 per square foot of surface area requiring stormwater mitigation, in accordance with Minimum Requirement #7 – Flow Control, as defined in the City of Tacoma Stormwater Management Manual.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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