



Legislation Passed January 3, 2017

The Tacoma City Council, at its regular City Council meeting of January 3, 2017, 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. 39623

A resolution electing Council Member Robert Thoms as Deputy Mayor to serve a one-year term through December 31, 2017.

[Mayor Strickland]

Resolution No. 39624

A resolution authorizing the execution of a Memorandum of Understanding with Pierce County, Metropolitan Park District of Tacoma, and Pierce County Conservation District, in the amount of \$477,601, budgeted from the Wastewater Fund, for continued support of the Harvest Pierce County community garden program for the period of January 1, 2017, through December 31, 2020.

[Daniel C. Thompson, Ph.D., Business Operations Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 39625

A resolution declaring surplus and authorizing the execution of a Quitclaim Deed to convey the parcel located at 1210 Tacoma Avenue South to HQC USA LLC, for the amount of \$750,000, for development of a mixed-use residential project.

[Jennifer Hines, Assistant Division Manager, Public Works;
Ricardo Noguera, Director, Community and Economic Development]

Resolution No. 39626

A resolution authorizing the acquisition of property located at 928 Pacific Avenue from Big Rooster Investments, LLC, for the amount of \$550,000, plus closing costs, budgeted from the Urban Development Action Grant Fund, for potential future development of North Park Plaza.

[Jennifer Hines, Assistant Division Manager, Public Works;
Ricardo Noguera, Director, Community and Economic Development]

Resolution No. 39627

A resolution authorizing the execution of an amendment to the Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with David Foster, to correct the parcel number of the site, located at 1302 South J Street in the MLK Mixed-Use Center.

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

Amended Resolution No. 39628

A resolution approving the cancellation of the following six regular City Council meetings in 2017: January 17, May 30, July 5, September 5, December 19, and December 26.
[Mayor Strickland]



RESOLUTION NO. 39623

1 BY REQUEST OF MAYOR STRICKLAND

2 A RESOLUTION related to the organization of City government; electing
3 Council Member Robert Thoms to the office of Deputy Mayor to serve a
4 one-year term through December 31, 2017.

5 WHEREAS Ryan Mello's term as Deputy Mayor expired on
6 December 31, 2016, and

7 WHEREAS Section 1.18.010 of the Tacoma Municipal Code provides
8 that the Deputy Mayor shall be elected by the City Council at its first meeting
9 after such office becomes vacant, or as soon thereafter as practical, and
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11 WHEREAS Section 2.4 of the Tacoma City Charter provides that all
12 appointments shall be made by majority vote of the City Council members
13 from nominees whose names are presented in writing to the City Council by
14 the Mayor or by any three members of the City Council, and

15 WHEREAS, pursuant to Resolution No. 33268, the City Council has
16 adopted a process for rotating the office of Deputy Mayor based upon
17 seniority, and
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19 WHEREAS Council Member Robert Thoms has been nominated to fill
20 the vacancy of Deputy Mayor for a one-year term through December 31, 2017;

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

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That Robert Thoms is hereby elected as Deputy Mayor of the City of Tacoma for a term through December 31, 2017, and continuing until such time as a successor is elected.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 39624

1 A RESOLUTION relating to community gardens; authorizing the execution of a
2 Memorandum of Understanding with Pierce County Public Works, the
3 Metropolitan Park District of Tacoma, and Pierce County Conservation
4 District, in the amount of \$477,601, budgeted from ES Wastewater Fund
5 4300, for continued support of the Harvest Pierce County community
6 garden program for the period of January 1, 2017, through December 31,
7 2020.

8 WHEREAS community gardens are an excellent venue for community
9 education on recycling, composting, biosolids, and water conservation, and
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11 WHEREAS education about recycling, compost, and biosolids provides
12 citizens with the knowledge and understanding of sewer and solid waste utility
13 programs supporting environmentally friendly methods for reuse of yard waste
14 and wastewater byproducts through the production, sale, and use of TAGRO
15 and compost, and

16 WHEREAS the reuse of wastewater and solid waste byproducts reduces
17 utility operational costs associated with disposal of yard waste and wastewater
18 byproducts providing a benefit to utility customers and the community, and

19 WHEREAS the City believes that community gardens not only provide
20 access to healthy food, but promote healthy lifestyles and a greater sense of
21 community, and

22 WHEREAS the City has established a goal of having the greatest number
23 of community gardens per capita of any city in the United States, and

24 WHEREAS Tacoma has more than 35 community gardens, including 11
25 on City-owned property, and
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1 WHEREAS the City, in partnership with Pierce County and Metropolitan
2 Park District of Tacoma (“Metro Parks”), has been supporting community
3 gardens for more than four years through Memorandums of Understanding
4 (“MOU”), and
5

6 WHEREAS the proposed MOU between the City, Pierce County Public
7 Works, Metro Parks, and Pierce County Conservation District, includes a
8 strategy to build a community-based food system by supporting all existing
9 community gardens in the City and Pierce County, and encouraging the
10 development of additional community gardens, and
11

12 WHEREAS the City currently provides over one-third of the funding for
13 the Harvest Pierce County community garden program, and will provide the sum
14 of \$477,601, budgeted from ES Wastewater Fund 4300, for the period of
15 January 1, 2017, through December 31, 2020; Now, Therefore,
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17 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

18 That the proper officers of the City are hereby authorized to execute a
19 Memorandum of Understanding with Pierce County Public Works, the
20 Metropolitan Park District of Tacoma, and Pierce County Conservation District,
21 in the amount of \$477,601, budgeted from ES Wastewater Fund 4300, for
22 continued support of the Harvest Pierce County community garden program for
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1 the period of January 1, 2017, through December 31, 2020, said document to be
2 substantially in the form of the proposed Memorandum of Understanding on file
3 in the office of the City Clerk.
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 Chief Deputy City Attorney
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RESOLUTION NO. 39625

1 A RESOLUTION relating to surplus property, authorizing the Declaration of
2 Surplus and execution of a Quitclaim Deed to convey the parcel located
3 at 1210 Tacoma Avenue South to HQC USA LLC, for the amount of
\$750,000, for development of a mixed-use residential project.

4 WHEREAS, in 1980, the City's Community Development Department
5 purchased the parcels comprising the parking lot located at 1210 Tacoma
6 Avenue South, as more particularly described in Exhibit "A" ("Property"), with
7 Community Development Funds, and

8
9 WHEREAS, in that same year, a Library Parking Lot and Construction
10 Fund was established to collect revenues generated by use of the Property for
11 the development of Library parking facilities, which would be comprised of free
12 spaces for Library patrons, with the remainder available for paid public parking;
13 however, the parking facility was never developed, and

14
15 WHEREAS the Property is classified as a "Tier 1" Property pursuant to
16 the City's Policy for the Sale/Disposition of City-owned General Government
17 Real Property, and

18
19 WHEREAS a Request for Interest was issued July 26, 2016, and the
20 Property was declared surplus to the City's needs on August 24, 2016, and

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22 WHEREAS HQC USA LLC, a Washington limited liability company,
23 desires to purchase the Property for development of a mixed-use residential
24 project, and

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WHEREAS a Purchase and Sale Agreement was executed between the parties that will require an enforceable development covenant be recorded against the Property at closing, and

WHEREAS, prior to the execution and delivery of the Quitclaim Deed, the developer must be able to prove to the City's reasonable satisfaction that it has procured funds/financing sufficient to (a) pay the purchase price of \$750,000 to the City and (b) complete the proposed project on the Property in conformance with the covenant, and

WHEREAS the City must dispose of City-owned surplus property pursuant to the City's Policy for the Sale/Disposition of City-owned General Government Real Property, and

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 City real property located at 1210 Tacoma Avenue South, as more particularly described in Exhibit "A" ("Property") 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 close on the sale of the Property by executing a Quitclaim Deed to convey the



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subject parcel to HQC USA LLC for the amount of \$750,000 once all conditions precedent to closing have been met, 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"

LEGAL DESCRIPTION

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Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 1212, Map of New Tacoma, Washington Territory, according to the plat thereof recorded February 3, 1875 and filed in Volume A of Plats, in Pierce County, Washington; TOGETHER with the Easterly 10 feet of alley abutting thereon, vacated by Ordinance No. 2323 of the City of Tacoma.



RESOLUTION NO. 39626

1 A RESOLUTION relating to community and economic development; authorizing
2 the acquisition of one parcel of real property, located at 928 Pacific
3 Avenue, from Big Rooster Investments, LLC for the amount of \$550,000,
4 plus closing costs, budgeted from the Urban Development Action Grant
5 Fund, for potential future development of North Park Plaza.

6 WHEREAS the City of Tacoma, Community and Economic Development
7 Department ("CEDD"), is requesting approval to close on the purchase of the
8 real property located at 928 Pacific Avenue ("Property"), from Big Rooster
9 Investments, LLC, a Washington limited liability company, for the amount of
10 \$550,000, plus closing costs, for potential future development of North Park
11 Plaza, and

12 WHEREAS the Property is one of three retail units in the North Park Plaza,
13 consisting of a 6,044 square-foot retail unit on the ground floor of the building, and

14 WHEREAS the Property has been vacant since 2013, and,

15 WHEREAS, in July 2015, the City was contacted by a real estate broker
16 regarding potential City acquisition of the Property, and, in anticipation of potential
17 future development of North Park Plaza, City staff entered into negotiations, and
18

19 WHEREAS the City currently owns one other retail unit in the building, as
20 well as parking and air rights, and

21 WHEREAS the purchase price is based on a fair market valuation
22 performed by City staff, and the terms and conditions of the proposed agreement
23 have been approved by CEDD and Public Works, Real Property Services; Now,

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

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Section 1. That the request of the City of Tacoma, Community and Economic Development Department, to purchase the real property located at 928 Pacific Avenue from Big Rooster Investments, LLC for the amount of \$550,000, plus closing costs, budgeted from the Urban Development Action Grant Fund, for potential future development of North Park Plaza, is hereby approved.

Section 2. That the proper officers of the City are hereby authorized to close on the purchase of the Property for the purposes hereinabove enumerated, as memorialized in that certain Purchase and Sale Agreement with Big Rooster Investments, LLC dated September 27, 2016, a copy of which is on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39627

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing an amendment to the Multi-Family Housing 12-Year Limited
3 Property Tax Exemption Agreement with David Foster, dated December 10,
4 2014, for the development of four multi-family rental housing units to be
located at 1302 South J Street in the MLK Mixed-Use Center, to correct the
parcel number of the site.

5 WHEREAS, on October 7, 2014, pursuant to Resolution No. 39025, the
6 City Council approved a Multi-Family Housing 12-Year Limited Property Tax
7 Exemption Agreement with David Foster for the development of four multi-family
8 rental housing units to be located at 1302 South J Street in the MLK Mixed-Use
9 Center, and
10

11 WHEREAS, in Resolution No. 39025 and the accompanying Agreement,
12 the parcel number was incorrectly entered as APN 7850000582; the correct
13 parcel number is APN 2013200010, and
14

15 WHEREAS it is necessary to correct the parcel number in order to
16 process the tax exemption; Now, Therefore,

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

18 That the proper officers of the City are hereby authorized to enter into
19 Amendment No. 1 to the Multi-Family Housing 12-Year Limited Property Tax
20 Exemption Agreement with David Foster for the development of property located
21 at 1302 South J Street in the MLK Mixed-Use Center, to correct the parcel
22 number from APN 7850000582 to APN 2013200010, as more particularly set
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1 forth in the attached Exhibit "A," said amendment to be substantially in the form
2 of the document 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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Approved as to form:

Legal Description Approved

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Deputy City Attorney

Chief Surveyor
Public Works Department

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EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel Number: 2013200010

That portion of the Southwest quarter of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 05, Township 20 North, Range 03 East, W.M. more particularly described as follows:

Lot 1, Block 1320, Map of New Tacoma, W.T. as per the map recorded February 3, 1875 at the office of the Pierce County Auditor;

Together with the easterly 10 feet of the alley abutting thereon as vacated by City of Tacoma Ordinance Number 1967.

All lands situate in the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 39628

1 BY REQUEST OF MAYOR STRICKLAND

2 A RESOLUTION relating to City Council meetings; approving the cancellation of six
3 regular City Council Meetings in 2017.

4 WHEREAS, pursuant to City Charter Section 2.8, the City Council shall meet
5 weekly at least 46 times per calendar year, and

6 WHEREAS the City Council can, by a majority vote, cancel up to six
7 meetings in 2017 while still meeting its regular meeting requirements, and
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9 WHEREAS, after discussion at the January 3, 2017, Study Session, the
10 City Council determined that the following regular City Council meetings scheduled
11 for 2017 would be cancelled: January 17; March 14; May 30; July 5; September 5;
12 and December 26; Now, Therefore,

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

14 That the following City Council meetings scheduled for 2017 are hereby
15 cancelled: January 17; March 14; May 30; July 5; September 5; and December 26.
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18 Adopted _____

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21 Mayor

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23 _____
24 City Clerk

25 Approved as to form:
26 _____
City Attorney