



Legislation Passed August 6, 2019

The Tacoma City Council, at its regular City Council meeting of August 6, 2019, 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. 40389

A resolution reappointing Minh-Anh Hodge to the Board of Commissioners of the Tacoma Housing Authority for a five-year term, beginning August 16, 2019, to expire on August 15, 2024.

[Mayor Woodards]

Resolution No. 40390

A resolution awarding a contract to Western Peterbilt, Inc., in the amount of \$900,000, plus applicable taxes, budgeted from various departmental funds, for parts and repair services for various Peterbilt vehicles and equipment on an as-needed basis, for an initial contract period of three years, with the option to renew for two additional one-year periods, for a projected contract total of \$1,500,000 - Specification No. GF19-0135F.

[Paul Hanna, Fleet Services Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40391

A resolution authorizing an increase to the contract with Guy F Atkinson Construction LLC, in the amount of \$1,500,000, plus applicable taxes, for a contract total of \$33,682,500, budgeted from the Transportation Capital Fund, for settlement of outstanding claims against the Fishing Wars Memorial Bridge Project, including an incentive payment for railroad flagging cost savings - Specification No. PW16-0302F.

[Chris Storey, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40392

A resolution authorizing an increase to the contract with Kidder Mathews LLC, in the amount of \$2,600,838.79, plus applicable taxes, for a contract total of \$6,400,838.79, budgeted from the Wastewater Fund, for the Center for Urban Waters building management and maintenance services, through December 31, 2021 - Specification No. ES16-0314F.

[John Burk, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40393

A resolution authorizing an increase to the contract with Fleet Safety Consultants, LLC, in the amount of \$120,000, plus applicable taxes, for a contract total of \$320,000, budgeted from various departmental funds, for Commercial Drivers' License classroom and hands-on driving training - Direct Negotiation.

[Chantra Real, Safety Officer; Gary Buchanan, Director, Human Resources]

Resolution No. 40394

A resolution declaring surplus and authorizing the sale of approximately 4.4 miles of property, and related railroad infrastructure and personal property, located in unincorporated Pierce and Thurston counties, to WRL LLC, for the amount of \$100,000. [Greg Muller, Real Estate Officer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40395

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Pacific NW Pro LLC, for the development of 114 multi-family market-rate and affordable rental housing units, located at 7843 Pacific Avenue in the Upper Pacific Mixed-Use Center. [Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]



RESOLUTION NO. 40389

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to committees, boards, and commissions; reappointing an
3 individual to the Board of Commissioners of the Tacoma Housing Authority.

4 WHEREAS a vacancy exists on the Board of Commissioners of the Tacoma
5 Housing Authority, and

6 WHEREAS, under Tacoma City Charter Section 2.4, appointments may be
7 made by a majority vote of the City Council from names presented in writing to the
8 City Council by the Mayor, and

9 WHEREAS the Mayor has nominated Minh-Anh Hodge to serve on the
10 Board of Commissioners of the Tacoma Housing Authority for a five-year term
11 beginning August 16, 2019, to expire on August 15, 2024; Now, Therefore,

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

13 That Minh-Anh Hodge is hereby reappointed to serve on the Board of
14 Commissioners of the Tacoma Housing Authority for a five-year term beginning
15 August 16, 2019, to expire on August 15, 2024, and until a successor is appointed.
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18 Adopted _____
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21 Mayor

22 Attest:
23 _____
24 City Clerk

25 Approved as to form:
26 _____
City Attorney



RESOLUTION NO. 40390

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 Western Peterbilt, Inc., in the amount of \$900,000, plus applicable taxes,
4 budgeted from various departmental funds, for parts and repair services
5 for various Peterbilt vehicles and equipment on an as-needed basis, for
6 an initial contract period of three years, with the option to renew for two
7 additional one-year periods, for a projected contract total of \$1,500,000,
8 pursuant to Specification No. GF19-0135F.

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 enter into a contract with Western Peterbilt, Inc., in the amount of \$900,000, plus
21 applicable taxes, budgeted from various departmental funds, for parts and repair
22 services for various Peterbilt vehicles and equipment on an as-needed basis, for
23 an initial contract period of three years, with the option to renew for two additional
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1 one-year periods, for a projected contract total of \$1,500,000, pursuant to
2 Specification No. GF19-0135F, consistent with Exhibit "A."

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9 Attest: _____
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12 Approved as to form: _____
13 City Attorney

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RESOLUTION NO. 40391

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the increase of Contract
3 No. 4600012633 with Guy F Atkinson Construction LLC, in the amount
4 of \$1,500,000, for a cumulative total of \$33,682,500, plus applicable
5 sales tax, budgeted from Transportation Capital Projects Fund, for
6 settlement of outstanding claims against the Fishing Wars Memorial
7 Bridge Project including an incentive payment for railroad flagging cost
8 savings, pursuant to Specification No. PW16-0302F.

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 increase Contract No. 4600012633 with Guy F Atkinson Construction LLC, in the
21 amount of \$1,500,000, for a cumulative total of \$33,682,500, plus applicable sales
22 tax, budgeted from Transportation Capital Projects Fund, for settlement of
23 outstanding claims against the Fishing Wars Memorial Bridge Project including an
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1 incentive payment for railroad flagging cost savings, pursuant to Specification
2 No. PW16-0302F, consistent with Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 40392

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the increase of Contract
3 No. 4600011979 with Kidder Matthews LLC, in the amount of
4 \$2,600,838.79, for a cumulative total of \$6,400,838.79, plus applicable
5 taxes, budgeted from the Environmental Services Wastewater Fund, for
6 the Center for Urban Waters building management and maintenance
7 services through December 31, 2021, pursuant to Specification
8 No. ES16-0314F.

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 increase Contract No. 4600011979 with Kidder Matthews LLC, in the amount of
21 \$2,600,838.79, for a cumulative total of \$6,400,838.79, plus applicable taxes,
22 budgeted from the Environmental Services Wastewater Fund, for the Center for
23 Urban Waters building management and maintenance services through
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1 December 31, 2021, pursuant to Specification No. ES16-0314F, consistent with

2 Exhibit "A."

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4 Adopted _____

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6 _____
7 Mayor

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9 Attest:

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12 City Clerk

13 Approved as to form:

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16 City Attorney

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RESOLUTION NO. 40393

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the waiver of competitive
3 procurement procedures due to sole source availability; and increasing a
4 contract to Fleet Safety Consultants, LLC, in the amount of \$120,000, for
5 a cumulative total of \$320,000, plus applicable taxes, budgeted from
6 various departmental funds, for CDL classroom and hands-on driving
7 training, pursuant to Direct Negotiation.

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 the attached Exhibit "A"; Now,

14 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," and authorizes the waiver of competitive
19 procurement procedures due to sole source availability.

20 Section 2. That the proper officers of the City are hereby authorized to
21 enter into a contract with Fleet Safety Consultants, LLC, in the amount of
22 \$120,000, for a cumulative total of \$320,000, plus applicable taxes, budgeted
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1 from Various Departmental Funds, for CDL classroom and hands-on driving
2 training, pursuant to Direct Negotiation, consistent with Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 City Attorney

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RESOLUTION NO. 40394

1 A RESOLUTION relating to City-owned real property, declaring surplus and
2 approving the negotiated sale of approximately 4.4 miles of property located
3 in unincorporated Pierce and Thurston Counties, together with related
4 railroad infrastructure and personal property, to WRL LLC for the amount of
5 \$100,000.

6 WHEREAS the City of Tacoma, Public Works Department, has owned,
7 operated, and/or maintained the rail line and right-of-way that runs between
8 Tacoma and Chehalis known as the Tacoma Rail Mountain Division (“TRMW”)
9 since it was acquired from the Weyerhaeuser Company in 1995, and

10 WHEREAS the City desires to sell approximately 4.4 miles of Tacoma Rail
11 Mountain Division property located outside the City of Tacoma, in unincorporated
12 Pierce and Thurston Counties, as legally described in Exhibit “A,” to a third-party
13 freight rail service provider, WRL LLC, to maximize the resources allocated to
14 TRMW’s core business areas, and

15 WHEREAS Tacoma Rail staff, in partnership with Public Works leadership,
16 has determined that the divestiture of TRMW assets in the proposed sale would be
17 in the best interests of the City, as it would eliminate any additional routine
18 maintenance, operational, and capital outlay costs, and

19 WHEREAS an abutting 35-mile portion of the TRMW between Chehalis and
20 the Rainier area was sold to WRL LLC in 2016, and

21 WHEREAS the negotiated sale process, as allowed under Tacoma
22 Municipal Code 1.06.280, was determined to be the most efficient disposition
23 method, as the Property would likely not appeal to other market participants and
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the most likely purchaser is the abutter; thus, the bid/sale process would not likely
1 be successful; Now, Therefore,

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

3 Section 1. That continued ownership of approximately 4.4 miles of Tacoma
4 Rail Mountain Division property located in unincorporated Pierce and Thurston
5 Counties, legally described in Exhibit "A," is not essential to the needs of the City
6 and is hereby declared surplus pursuant to RCW 35.22.020 and Article I,
7 Section 1.2, and Article IX of the Tacoma City Charter.
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9 Section 2. That the negotiated sale of approximately 4.4 miles of property
10 located in unincorporated Pierce and Thurston Counties, together with related
11 railroad infrastructure and personal property associated with said property, to WRL
12 LLC for the amount of \$100,000 is hereby approved, all as more specifically set
13 forth in the Real Estate Purchase and Sale Agreement on file in the office of the
14 City Clerk.
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16 Section 3. That the proper officers of the City are hereby authorized to
17 execute all documents necessary to convey approximately 4.4 miles of property
18 located in unincorporated Pierce and Thurston Counties, legally described in
19 Exhibit "A," together with related railroad infrastructure and personal property
20 associated with said property, owned by the City of Tacoma, through its
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Department of Public Works, to WRL LLC, for the amount of \$100,000, said documents to be substantially in the form of those on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Legal Description Approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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PARCEL A:

That portion of the Tacoma Rail Mountain Division right of way, extra width property and the improvements, track, and appurtenances located thereon, acquired from the Weyerhaeuser Company by Quit Claim Deed recorded under Thurston County Auditor's File No. 9508140208, records of Thurston County, Washington, lying between the West line of Section 1, Township 16 North, Range 1 East, W.M., in Thurston County, Washington (Railroad Engineering Station 270+78 as shown on Right of Way and Track Map Chicago, Milwaukee & St. Paul Ry. Co. drawings "Coast Division Station 1+28.7 to McKenna to Helsing Jct. Line Station 212+44.2", V.W. 11/1 & 2 dated June 20, 1918) and the centerline of the Nisqually River in the Northwest Quarter of Section 28, Township 17 North, Range 2 East, W.M., in Thurston County, Washington (approx. Railroad Engineering Station 46+60).

SUBJECT TO the rights of the public in and to all existing public roads, trails, and utilities, all outstanding assessments, leases, licenses and permits, whether recorded or unrecorded, all matters which a prudent inspection of the premises would disclose, all matters of public record.

Situated in the County of Thurston, State of Washington.

PARCEL B:

That portion of the Tacoma Rail Mountain Division right of way, extra width property and the improvements, track, and appurtenances located thereon, acquired from the Weyerhaeuser Company by Quit Claim Deed recorded under Pierce County Auditor's File No. 9508180647, records of Pierce County, Washington, lying between the centerline of the Nisqually River in the Northwest Quarter of Section 28, Township 17 North, Range 2 East, W.M., in Pierce County, Washington (approx. Railroad Engineering station 46+60) and the North line of Section 28, Township 17 North, Range 2 East, W.M., in Pierce County, Washington (Railroad Engineering Station 35+00 as shown on Right of Way and Track Map Chicago, Milwaukee & St. Paul Ry. Co. drawings "Coast Division Station 1+28.7 to McKenna to Helsing Jct. Line Station 212+44.2", V.W.11/1 & 2 dated June 20, 1918).

SUBJECT TO the rights of the public in and to all existing public roads, trails, and utilities, all outstanding assessments, leases, licenses and permits, whether recorded or unrecorded, all matters which a prudent inspection of the premises would disclose, all matters of public records.

Situated in the County of Pierce, State of Washington.



RESOLUTION NO. 40395

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
3 Tax Exemption Agreement with Pacific NW Pro LLC, for the development of
4 114 multi-family market-rate and affordable housing units to be located at
5 7843 Pacific Avenue in the Upper Pacific Mixed-Use Center.

6 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
7 Washington, designated several Residential Target Areas for the allowance of a
8 limited property tax exemption for new multi-family residential housing, and

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
10 whereby property owners in Residential Target Areas may qualify for a Final
11 Certificate of Tax Exemption which certifies to the Pierce County
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
13 exemption, and

14 WHEREAS Pacific NW Pro LLC, is proposing to develop 90 new market-rate
15 housing units to consist of 43 studio units, with an average size of 598 square feet
16 and renting for approximately \$1,200 per month, 9 one-bedroom, one-bath units
17 with an average size of 704 square feet and renting for approximately \$1,300 per
18 month, and 38 two-bedroom, two-bath units with an average size of 969 square feet
19 and renting for approximately \$1,500 per month; and 24 affordable-rate units to
20 consist of 11 studio units with an average size of 598 square feet, and renting for
21 approximately \$1,124 per month, with utilities, three one-bedroom, one-bath units
22 with an average size of 704 square feet and renting for approximately \$1,284 per
23 month, with utilities, and ten two-bedroom, two-bath units with an average size of
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1 969 square feet and renting for approximately \$1,444 per month, with utilities, as
2 well as 96 on-site residential parking stalls, and

3 WHEREAS, although at this time, the expected market-rate rents and the
4 affordable rents are nearly the same and are deemed "affordable," over the 12-year
5 exemption period, as the market-rate rents increase, the 24 affordable units will
6 continue to comply with the allowable and affordable rates, and

7 WHEREAS the Director of Community and Economic Development has
8 reviewed the proposed property tax exemption and recommends that a conditional
9 property tax exemption be awarded for the property located at 7843 Pacific Avenue
10 in the Upper Pacific Mixed-Use Center, as more particularly described in the
11 attached Exhibit "A"; Now, Therefore,

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

14 Section 1. That the City Council does hereby approve and authorize a
15 conditional property tax exemption, for a period of 12 years, to Pacific NW Pro LLC,
16 for the property located at 7843 Pacific Avenue in the Upper Pacific Mixed-Use
17 Center, as more particularly described in the attached Exhibit "A."

18 Section 2. That the proper officers of the City are authorized to execute a
19 Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with
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1 Pacific NW Pro LLC 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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6 Mayor

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8 Attest: _____
9 City Clerk

10 Approved as to form: _____ Legal description approved:

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12 Deputy City Attorney Chief Surveyor
13 Public Works Department
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EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 7850001235

Legal Description:

That portion of the Northeast Quarter of the Northwest Quarter of Section 33, Township 20 North, Range 03 East, W.M., City of Tacoma, Pierce County, Washington, described as follows:

Lot 1, City of Tacoma Short Plat No. 40000020626, per recording number 200405055004, records of Pierce County, Washington. Except that portion deeded to City of Tacoma for Right of Way, per recording number 201605190851, records of Pierce County, Washington.

Also that portion of the Southeast Quarter of the Southwest Quarter of Section 28, Township 20 North, Range 03 East, W.M., City of Tacoma, Pierce County, Washington, described as follows:

Revised parcels 'A' and 'B' per City of Tacoma Boundary Line Adjustment per recording number 9803050087, records of Pierce County, Washington. Also together with that portion of Lot 16 of T.J. Spooner's Five Acre Lots according to the plat thereof recorded in Book 1 of Plats, Page 65, records of Pierce County, Washington, described as follows:

Commencing at the Northeast corner of Lot 16 of said T.J. Spooner Five Acre Lots, thence West along the North line of said Lot 16, a distance of 296.45 feet; Thence South parallel with the East line of said Lot 16, a distance of 75.00 feet to the True Point of Beginning; Thence continue South parallel with the East line of said Lot 16, a distance of 105.00 feet to the North line of the South 151.84 feet of said Lot 16; Thence West along the North line of said South 151.84 feet to the East margin line of Pacific Avenue, as existing at 80.00 feet in width; Thence South along said East margin line to the South line of said Lot 16; Thence East along said South line, a distance of 316.84 feet to the West line of the East 296.45 feet of said Lot 16; Thence North along said West line, a distance of 140.00 feet to the Northwest corner of revised Parcel 'A' per City of Tacoma Boundary Line Adjustment per recording number 9803050087, records of Pierce County, Washington; Thence East along the North line of said Boundary Line Adjustment, a distance of 111.45 feet to the Southwest corner of Lot 3, City of Tacoma Short Plat MPD2014-40000219036, per recording number 201407035001, records of Pierce County, Washington; Thence North along



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the West line of said short plat, a distance of 116.84 feet; Thence West parallel with the North line of said Lot 16, a distance of 111.45 feet to the True Point of Beginning.

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