



Legislation Passed August 13, 2019

The Tacoma City Council, at its regular City Council meeting of August 13, 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. 40396

A resolution awarding a contract to WCCL Systems LLC, in the amount of \$476,840, plus applicable taxes, plus a 20 percent contingency, for a total of \$572,208, budgeted from the Wastewater Fund, for restoration of one primary sedimentation tank at the Central Wastewater Treatment Plant - Specification No. ES19-0141F.

[Lance Bunch, P.E., Project Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40397

A resolution awarding a contract to Tucci & Sons Inc., in the amount of \$2,425,930.25, plus applicable taxes, plus a 15 percent contingency, for a total of \$2,789,819.79, budgeted from various departmental funds, for restoration of approximately 13 blocks of residential streets along East Fairbanks Street between East "K" Street and East Roosevelt Avenue, construction of ADA curb ramps, and storm, sanitary, and water system improvements - Specification No. PW19-0140F.

[Nick Correll, Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40398

A resolution awarding a contract to Rosenbauer America, LLC d.b.a. Rosenbauer South Dakota, LLC, in the amount of \$707,465, plus applicable taxes, budgeted from the Fleet Equipment Rental Fund, for a used platform aerial - Sole Source Waiver.

[Teresa Green, Fire Department Manager; Toryono Green, Fire Chief]

Resolution No. 40399

A resolution authorizing an increase to the contract with Rosenbauer America, LLC d.b.a. Rosenbauer South Dakota, LLC, in the amount of \$29,312, plus applicable taxes, plus a 10 percent contingency, for a contract total of \$1,085,638, budgeted from the Fleet Equipment Rental Fund, for a tractor drawn aerial ladder - Sourcewell Contract No. 022818-RSB.

[Teresa Green, Fire Department Manager; Toryono Green, Fire Chief]

Resolution No. 40400

A resolution declaring surplus and authorizing the execution of a Quit Claim Deed to convey vacant, undeveloped residential land, located at 3847 East "F" Street, to Matthew S. Litsky, for the amount of \$21,280.

[Ronda Cornforth, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40401

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 5 South G LLC, for development of 133 market-rate senior and assisted living rental housing units, located at 5 South "G" Street, in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40402

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Joe and Elise Raquiza for the development of 12 multi-family market-rate and affordable rental housing units at 4314-4318 Puget Sound Avenue in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40403

A resolution authorizing the execution of a Letter of Understanding with the Tacoma Police Union, Local 6, I.U.P.A., regarding Paid Family and Medical Leave premiums.

[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Ordinance No. 28572

An ordinance vacating a westerly portion of East "D" Street, lying south of East 18th Street, primarily fronting the Johnny's Dock restaurant property, for restaurant and marina parking. (Pacific Harbor Landing LLC; File No. 124.1391)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28600

(First and Final Reading) An ordinance repealing Ordinance No. 28599 regarding Section 6A.70.047 relating to "Credit against state's share of tax - sales or use tax for affordable housing - Imposition" and Section 6A.70.048 relating to "Credit against state's share of tax - sales or use tax for affordable housing - Rate," and amendments to Section 6A.70.120, relating to "Administration and collection of taxes," to repeal the local tax authorized under the provisions of Substitute House Bill 1406 for affordable and supportive housing; and declaring an emergency, making necessary the passage of this ordinance and it becoming effective immediately.

[Jeff Robinson, Director, Community and Economic Development]



RESOLUTION NO. 40396

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 WCCL Systems LLC in the amount of \$476,840, plus a 20 percent
4 contingency, for a projected contract total of \$572,208, plus applicable
5 taxes, budgeted from the Wastewater Fund, for restoration of one primary
6 sedimentation tank at the Central Wastewater Treatment Plant, pursuant to
7 Specification No. ES19-0141F.

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with WCCL Systems LLC in the amount of \$476,840, plus a
20 20 percent contingency, for a projected contract total of \$572,208, plus applicable
21 taxes, budgeted from the Wastewater Fund, for restoration of one primary
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1 sedimentation tank at the Central Wastewater Treatment Plant, pursuant to
2 Specification No. ES19-0141F, consistent with Exhibit "A."

3 Adopted _____
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7 Mayor

8 Attest:
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10 City Clerk

11 Approved as to form:
12 _____
13 City Attorney

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RESOLUTION NO. 40397

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 Tucci & Sons Inc. in the amount of \$2,425,930.25, plus a 15 percent
4 contingency, for a cumulative total of \$2,789,819.79, plus applicable taxes,
5 budgeted from the various departmental funds, for the restoration of
6 approximately 13 blocks of residential streets, construction of ADA curb
7 ramps, and storm, sanitary, and water system improvements, pursuant to
8 Specification No. PW19-0140F.

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 Tucci & Sons Inc. in the amount of \$2,425,930.25, plus a
21 15 percent contingency, for a cumulative total of \$2,789,819.79, plus applicable
22 taxes, budgeted from the various departmental funds, for the restoration of
23 approximately 13 blocks of residential streets, construction of ADA curb
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1 ramps, and storm, sanitary, and water system improvements, pursuant to
2 Specification No. PW19-0140F, 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. 40398

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the waiver of competitive
3 procurement procedures due to sole source availability; and authorizing
4 the execution of a contract with Rosenbauer America, LLC, d.b.a.
5 Rosenbauer South Dakota, LLC, in the amount of \$707,465, plus
6 applicable taxes, budgeted from the Fleet Equipment Rental Fund, for a
7 used Rosenbauer 105' platform aerial.

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 Rosenbauer America, LLC, d.b.a. Rosenbauer
22 South Dakota, LLC, in the amount of \$707,465, plus applicable taxes, budgeted
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from the Fleet Equipment Rental Fund, for a used Rosenbauer 105' platform
aerial, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40399

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing an increase to the contract with
3 Rosenbauer America, LLC, d.b.a. Rosenbauer South Dakota, LLC, in the
4 amount of \$29,312, plus applicable taxes, plus a 10 percent contingency, for
5 a contract total of \$1,085,638, budgeted from the Fleet Equipment Rental
6 Fund, for a tractor drawn aerial ladder, pursuant to Sourcewell Contract
7 No. 022818-RSB.

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 increase the contract with Rosenbauer America, LLC, d.b.a. Rosenbauer South
20 Dakota, LLC, in the amount of \$29,312, plus applicable taxes, plus a 10 percent
21 contingency, for a contract total of \$1,085,638, budgeted from the Fleet Equipment
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Rental Fund, for a tractor drawn aerial ladder, pursuant to Sourcewell Contract
No. 022818-RSB, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40400

1 A RESOLUTION relating to City-owned real property, authorizing the Declaration
2 of Surplus and execution of a Quit Claim Deed to convey vacant,
3 undeveloped residential land located at 3847 East "F" Street to
4 Matthew S. Litsky, for the amount of \$21,280.

5 WHEREAS, in 1992, the City, through its L.I. Guaranty Fund, acquired a
6 parcel of vacant, undeveloped residential property located at 3847 East "F" Street
7 ("Property") by Special County Deed as a tax title property, and

8 WHEREAS the Property is located at, and accessed from, the alley between
9 East "F" Street and East "G" Street, north of East 40th Street, southeasterly and
10 abutting the SR-7 on-ramp, and

11 WHEREAS, in August 2014, the Property was classified as a "Tier 3"
12 Property pursuant to the City's Policy for the Sale/Disposition of City-owned
13 General Government Real Property, and

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

17 WHEREAS Matthew S. Litsky desires to purchase the Property, and upon
18 receiving said request to purchase, market value was established pursuant to an
19 in-house valuation, which included a review of recent sales for similar properties
20 located within a three-mile radius of the subject property, and applied discounts for
21 City-reserved easements, if applicable, and

22 WHEREAS, there being no foreseeable need for continued City ownership
23 of the Property, the sale of said Property to Mr. Litsky appears to be in the best
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interests of the City, pending final approval from the City Council; Now,

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Therefore,

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

Section 1. That continued ownership of the City real property located at 3847 East "F" Street, 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 enter into a Quit Claim Deed and any other documents necessary to convey the subject property to Matthew S. Litsky, for the amount of \$21,280, 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:

Legal Description Approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Parcel No. 553000-028-1

Lots 23 and 24, Block 2, Marguerite Addition to Tacoma, according to the Plat thereof recorded in Volume 8 of Plats, at Page 23, records of Pierce County, Washington.

EXCEPTING THEREFROM that portion lying northwesterly of a line described in Deed dated 3-5-65 under Auditor's File Number 2091819 as conveyed to the State of Washington.

All situate in the Southeast Quarter of the Northeast Quarter of Section 16, Township 20 North, Range 03 East of the Willamette Meridian; within the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 40401

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
3 Property Tax Exemption Agreement with 5 South G LLC, for the
4 development of 133 multi-family market-rate rental units for senior and
assisted living to be located at 5 South G Street, in the Downtown Regional
Growth Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
6 Washington, designated several Residential Target Areas for the allowance of a
7 limited property tax exemption for new multi-family residential housing, and
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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
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15 WHEREAS 5 South G LLC is proposing to develop 133 market-rate rental
16 units for senior and assisted living to consist of 52 studio units, with an average
17 size of 400-480 square feet and renting for approximately \$2,623 per month;
18 55 one-bedroom, one-bath units with an average size of 710 square feet and
19 renting for approximately \$3,687 per month, and 26 two-bedroom, two-bath units
20 with an average size of 1,098 square feet and renting for approximately \$4,867
21 per month; as well as 65 on-site residential parking stalls and 2,625 square feet of
22 retail space, and
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24 WHEREAS the Director of Community and Economic Development has
25 reviewed the proposed property tax exemption and recommends that a conditional
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property tax exemption be awarded for the property located at 5 South G Street in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A"; Now, Therefore,

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

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to 5 South G LLC, for the property located at 5 South G Street in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 5 South G LLC, said document to be substantially in the form of the proposed agreement 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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Tax Parcel: 2000130010

Legal Description:

A portion of the Northwest Quarter of the Southeast Quarter of Section 32, Township 21 North, Range 3 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows:

Lots 1 through 6, inclusive, Block 13, New Tacoma, Washington Territory, according to the Plat thereof filed for record February 3, 1875, in the Office of the County Auditor;

Together with that portion of the alley vacated under Ordinance No. 1870 of the City of Tacoma which attached to said lots by operation of law;

And together with that portion of South 1st Street vacated by Ordinance No. 27183, recorded under Recording No. 200406090803, lying east of a line drawn from the Southwest corner of Lot 6, Block 13, New Tacoma, Washington Territory, according to the plat thereof filed for record February 3, 1875, in the Office of the County Auditor, and the Northwest corner of Lot 1, Block 113, Tacoma Land Company's Third Addition to Tacoma, according to the plat thereof recorded on July 21, 1885, in the Office of the County Auditor, and west of a line drawn from the Southwest corner of the alley abutting said Lot 6, as vacated per Vacation Ordinance No. 1870, and the Northeast corner of said Lot 1.

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



RESOLUTION NO. 40402

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing 12-Year Limited
3 Property Tax Exemption Agreement with Joe and Elise Raquiza for the
4 development of 12 multi-family market-rate and affordable housing units to
be located at 4314-4318 Puget Sound Avenue in the Tacoma Mall
Mixed-Use Center.

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

9 WHEREAS the City has, through Ordinance No. 25789, enacted a
10 program whereby property owners in Residential Target Areas may qualify for a
11 Final 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

15 WHEREAS Joe and Elise Raquiza are proposing to develop 12 new
16 market-rate housing units to consist of four studio units with an average size of
17 449 square feet and renting for approximately \$800 per month, and four
18 two-bedroom, two and one-half bath units with an average size of 1,210 square
19 feet and renting for approximately \$1,500 per month; and four affordable-rate
20 units to consist of two studio units with an average size of 449 square feet and
21 renting for approximately \$800 per month, and two two-bedroom, two and one-
22 half bath units with an average size of 1,210 square feet and renting for
23 approximately \$1,444 per month, with utilities, as well as six on-site residential
24 parking stalls, and
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WHEREAS, although at this time, the expected market-rate rents and the affordable rents are nearly the same and are deemed “affordable,” over the 12-year exemption period, as the market-rate rents increase, the four affordable units will continue to comply with the allowable and affordable rates, and

WHEREAS the Director of Community and Economic Development has reviewed the proposed property tax exemption and recommends that a conditional property tax exemption be awarded for the property located at 4314-4318 Puget Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit “A”; Now, Therefore,

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

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Joe and Elise Raquiza, for the property located at 4314-4318 Puget Sound Avenue in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit “A.”

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with



1 Joe and Elise Raquiza, 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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7 Mayor

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10 City Clerk

11 Approved as to form: _____ Legal description approved:
12 _____
13 Deputy City Attorney Chief Surveyor
14 Public Works Department

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EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcels: 2890000-851, 2890000-852, 2890000-853, 2890000-854

Legal Description:

A portion of the Northwest Quarter of the Southwest Quarter of Section 18, Township 20 North, Range 3 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows;

Lots 1, 2, 3 and 4, inclusive, as shown on Short Plat No. 200902135008, which amends and supersedes Short Plat No. 200805215004, filed with the Pierce County Auditor, in Pierce County, Washington.

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

Tax Parcels: 2890000-861, 2890000-862

Legal Description:

A portion of the Northwest Quarter of the Southwest Quarter of Section 18, Township 20 North, Range 3 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows;

Lots 1 and 2 of Pierce County Short Plat No. 200902135009, recorded on February 13, 2009, records of Pierce County Auditor, being an amendment of and superseding Short Plat recorded May 21, 2008 under Recording No. 200805215005, records of Pierce County Auditor;

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



RESOLUTION NO. 40403

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Understanding negotiated between the City of Tacoma and Tacoma
3 Police Union, Local 6, I.U.P.A. regarding Paid Family and Medical Leave
4 premiums.

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

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8 WHEREAS Resolution No. 39983, adopted April 10, 2018, authorized the
9 execution of the two-year Collective Bargaining Agreement (“CBA”) between the
10 City of Tacoma and Tacoma Police Union, Local 6, I.U.P.A. (“Union”), on behalf of
11 the employees represented by said Union, and

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13 WHEREAS the City and Union have negotiated a Letter of Understanding
14 (“LOU”) as the settlement of an Unfair Labor Practice complaint filed by the Union
15 with the Public Employment Relations Commission regarding Washington State
16 Paid Family and Medical Leave premiums, and

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18 WHEREAS, as part of the LOU, the parties agree that the City will provide a
19 one-time, lump sum payment of \$500 to bargaining unit members employed on
20 July 1, 2019, and

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22 WHEREAS any dispute as to the meaning or interpretation of the language
23 contained in the LOU will be resolved through the grievance-arbitration procedure in
24 the CBA between the parties, and

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WHEREAS it appears in the best interest of the City that the LOU negotiated
by said Union and the City 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
Letter of Understanding negotiated between the City of Tacoma and Tacoma Police
Union, Local 6, I.U.P.A., said document to be substantially in the form of the
document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



ORDINANCE NO. 28572

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a
4 westerly portion of East D Street, lying south of East 18th Street,
5 primarily fronting the Johnny's Dock restaurant property, for restaurant
6 and marina parking; and adopting the Hearing Examiner's Findings,
7 Conclusions, and Recommendations related thereto.

8 WHEREAS all steps and proceedings required by law and by
9 resolution of the City Council to vacate the portion of the right-of-way
10 hereinafter described have been duly taken and performed; Now, Therefore,

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's
13 Findings, Conclusions, and Recommendations as contained in the Hearing
14 Examiner's Report and Recommendation to the City Council bearing File
15 No. 124.1391 and dated December 28, 2018, which Report is on file in the
16 office of the City Clerk.
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Section 2. That the westerly portion of East D Street, lying south of East 18th Street, primarily fronting the Johnny's Dock restaurant property, legally described as follows:

The Westerly 23.50 feet of the following described portion of East "D" Street:

Commencing at the Northwest corner of Block 52, Map of Tacoma Tidelands as surveyed and platted by the Board of Tidelands Appraisers of Pierce County, as per map thereof filed for record September 14, 1895, in the office of the County Auditor;

Thence North $82^{\circ}38'31''$ East along the North line of said Block 52, a distance of 201.90 feet to the Westerly margin of the above described East "D" Street and the True Point of Beginning;

Thence continuing North $82^{\circ}38'31''$ East along the extension of said North line, a distance of 100.59 feet to the centerline of the above described East "D" Street;

Thence South $01^{\circ}11'30''$ East along said centerline, a distance of 256.50 feet to an angle point thereof;

Thence South $07^{\circ}23'37''$ East along said centerline, a distance of 160.01 feet to the City of Tacoma Control Monument Number 216;

Thence continuing South $07^{\circ}23'37''$ East along said centerline, a distance of 80.52 feet to a line parallel with and 545.00 feet North of the South line of the above described Block 52;



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Thence South 82°39'35" West along said parallel line, a distance of 100.00 feet to the above described Westerly margin of East "D" Street;

Thence North 07°23'37" West along said Westerly margin, a distance of 245.85 feet to an angle point thereof;

Thence North 01°11'30" West along said Westerly margin, a distance of 251.12 feet to the Point of Beginning.

Containing 0.268 acres, more or less.

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

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easement, to-wit:



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City of Tacoma

An easement shall be reserved for the City of Tacoma over a portion of the vacation area for the protection, maintenance, repair, construction, and replacement of existing and future above-ground and underground utilities:

Including, but not limited to: Tacoma Water, Environmental Services, and Click! Network.

Note: All three City divisions indicate they have infrastructure located within the Vacation Area. If such infrastructure needs to be relocated, it will be done at the Petitioner's expense.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: Westerly portion of East D Street, lying south of East 18th Street primarily fronting the Johnny's Dock Restaurant property

Petitioner: Pacific Harbor Landing LLC
Vacation Req. No. 124.1391



ORDINANCE NO. 28600

1 AN ORDINANCE relating to local sales or use taxes; repealing the local tax
2 authorized under the provisions of Substitute House Bill 1406 for affordable
3 and supportive housing; repealing Section 6A.70.047, "Credit against state's
4 share of tax – sales or use tax for affordable housing – Imposition" and
5 Section 6A.70.048, "Credit against state's share of tax – sales or use tax for
6 affordable housing – Rate," and by repealing amendments to
7 Section 6A.70.120; and declaring an emergency, making necessary the
8 passage of this ordinance effective immediately.

9 WHEREAS the City recognizes the City and Pierce County lack affordable,
10 high-quality homes for all of its residents, and

11 WHEREAS nearly 33,000 households in the City currently pay at least
12 30 percent of their income on housing costs each month, reducing their ability to
13 pay for other necessities, and

14 WHEREAS, in 2019, Washington State enacted Substitute House
15 Bill 1406 ("SHB1406"), a revenue sharing program with local governments for
16 affordable housing which is intended to encourage investments in affordable
17 and/or supportive housing, and

18 WHEREAS the City Council passed Ordinance No. 28599, with an effective
19 date of July 30, 2019, so it could take advantage of this retail sales tax sharing
20 program as soon as possible, and

21 WHEREAS to maximize the amount both the City and Pierce County can
22 collect from the state's share of this retail sales tax authorized under SHB 1406,
23 the City wishes to repeal the proposed Tacoma Municipal Code ("TMC") language
24 in TMC 6A.70, and

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WHEREAS repealing Ordinance No. 28599 will allow the City and County to coordinate the effective dates of their respective retail sales or use taxes, and

WHEREAS, due to the urgent response required to help address any questions regarding the City and Pierce County's collection of this tax from the state's share of retail sales or use taxes, staff is recommending that the City Council approve the repeal of the retail sales or use tax through an emergency ordinance to ensure the tax is repealed as soon as possible; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Ordinance No. 28599 is hereby repealed in full.

Section 2. That, based upon the facts and conclusions as specified herein, an emergency exists, making this ordinance effective upon passage by an affirmative vote of a least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney