



Legislation Passed May 12, 2020

The Tacoma City Council, at its regular City Council meeting of May 12, 2020, 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. 40601

A resolution setting Thursday, June 25, 2020, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the dead-end segment of East "T" Street, also referenced as East "R" Street, lying south of the school's driveway, to develop and construct a private entrance into Swan Creek Park.

(Metropolitan Park District of Tacoma; File No. 124.1412)

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

Resolution No. 40602

A resolution declaring surplus and authorizing the sale of approximately 4.74 acres of Tacoma Water property, located in the Bonney Lake vicinity of unincorporated Pierce County, to Nash Cascadia Verde LLC, for the amount of \$125,000.

[Greg Muller, Real Estate Officer; Scott Dewhirst, Water Superintendent]

Resolution No. 40603

A resolution approving amendments to the 2019-2020 Annual Action Plan, to reprogram uncommitted current Community Development Block Grant (CDBG) and Home Investment Partnership Program funds; allocating additional funding received under the Coronavirus Aid, Relief, and Economic Security Act; amending the Citizen Participation Plan, to reduce the amount of time for public comment; and lifting the 15 percent public service cap for 2019-2020 CDBG funds.

[Darian Lightfoot, Contract and Program Auditor, Neighborhood and Community Services; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40604

A resolution setting Tuesday, May 19, 2020, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the submittal of the 2020-2024 Consolidated Plan to the U.S. Department of Housing and Urban Development, for Housing and Community Development.

[Darian Lightfoot, Contract and Program Auditor, Neighborhood and Community Services; Jeff Robinson, Director, Community and Economic Development]



RESOLUTION NO. 40601

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
 2 June 25, 2020, at 1:30 p.m., as the date for a hearing by the Hearing
 3 Examiner on the request to vacate a portion of the dead-end segment of
 4 East "T" Street, also referenced as East "R" Street, lying south of the
 school's driveway, to develop and construct a private entrance into Swan
 Creek Park.

5 WHEREAS Metropolitan Park District of Tacoma, having received the
 6 consent of the owners of more than two-thirds of the properties abutting the
 7 portion of the dead-end segment of East "T" Street, also referenced as East "R"
 8 Street, lying south of the school's driveway, has petitioned for the vacation of
 9 the following legally described right-of-way area:
 10

11 THAT PORTION OF EAST 'T' STREET (FORMERLY
 12 KNOWN AS DAYTON STREET) ACCORDING TO THE PLAT
 13 OF PORTLAND AVENUE FIRST ADDITION, RECORDED IN
 14 BOOK 17 OF PLATS, PAGE 82, RECORDS OF THE PIERCE
 COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON,
 15 ABUTTING AND SOUTHEASTERLY OF TRACT 'G' OF SAID
 PLAT, VACATED BY CITY OF TACOMA ORDINANCE NO.
 16 27229, RECORDED UNDER RECORDING NUMBER
 200405190826, RECORDS OF PIERCE COUNTY, SITUATE
 17 IN THE SOUTHEAST QUARTER OF THE SOUTHEAST
 QUARTER OF SECTION 15, TOWNSHIP 20 NORTH,
 18 RANGE 03 EAST, WILLAMETTE MEDIAN, MORE
 PARTICULARLY DESCRIBED AS FOLLOWS:
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20 A STRIP DESCRIPTION 54.0 FEET IN WIDTH, HAVING 27.0
 21 FEET ON EACH SIDE OF THE FOLLOWING CENTERLINE
 COMMENCING AT A SURFACE BRASS DISK MARKING A
 22 POINT OF INTERSECTION MONUMENT FOR A 3,820
 23 FOOT RADIUS CURVE TO THE RIGHT WITHIN EAST 'T'
 STREET AS SHOWN ON SAID PLAT, APPROXIMATELY
 24 303 FEET SOUTHWEST OF THE INTERSECTION WITH
 EAST 44TH STREET FROM WHICH ANOTHER SURFACE
 25 BRASS MONUMENT BEARS SOUTH 20°55'00" WEST A
 DISTANCE OF 684.10 FEET MARKING A DIFFERENT
 26 POINT OF INTERSECTION FOR SAID EAST 'T' STREET;



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THENCE SOUTH 20°55'00" WEST A DISTANCE OF 208.07 FEET TO THE POINT OF TANGENCY OF SAID EAST 'T' STREET;

THENCE CONTINUING SOUTH 20°55'00" WEST ALONG THE CENTERLINE OF SAID EAST 'T' STREET A DISTANCE OF 168.25 FEET TO THE **TRUE** POINT OF BEGINNING OF THIS STRIP DESCRIPTION, SAID POINT BEING NORTH 69°05'00" WEST 27.00 FEET DISTANT FROM A REBAR AND CAP WITH LICENSE #21571 DEMARCATING THE MOST SOUTHERLY CORNER OF PARCEL 'A' AS DEPICTED ON THAT CERTAIN RECORD OF SURVEY RECORDED UNDER RECORDING NUMBER 9410030066, RECORDS OF PIERCE COUNTY, WASHINGTON;

THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 20°55'00" WEST A DISTANCE OF 189.10 FEET TO A POINT OF TANGENCY WITH A 1061.11 FOOT RADIUS CURVE TO THE RIGHT;

THENCE SOUTHWESTERLY ALONG SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 003°46'49" AN ARC DISTANCE OF 70.01 FEET TO THE END OF THIS STRIP DESCRIPTION.

THE SIDELINES SHALL BE LENGTHENED OR SHORTENED ACCORDINGLY TO TERMINATE PERPENDICULAR TO SAID CENTERLINE.

ALL SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON;

Now, Therefore,

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

Section 1. That Thursday, June 25, 2020, at 1:30 p.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where, unless the Governor's emergency proclamation



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suspending in person hearings under the Open Public Meetings Act is extended and then a call in option will be provided, said request will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Section 3. That the City Council finds that this Resolution is necessary, routine, and consistent with Governor Inslee’s emergency proclamation issued March 24, 2020, and recently extended, suspending portions of the Open Public Meetings Act through May 31, 2020.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

City Attorney

Chief Surveyor
Public Works Department

Location: A portion of the dead-end segment of East “T” Street, also referenced as East “R” Street, lying south of the school’s driveway.

Petitioner: Metropolitan Park District of Tacoma

File No.: 124.1412



RESOLUTION NO. 40602

1 A RESOLUTION relating to surplus property; declaring certain real property owned
2 by the Department of Public Utilities, Water Division (d.b.a. "Tacoma
3 Water"), consisting of approximately 4.74 acres of property located in the
4 Bonney Lake vicinity of unincorporated Pierce County, Washington, surplus
to the needs of the City; and authorizing the negotiated sale and
conveyance of said property to Nash Cascadia Verde LLC for \$125,000.

5 WHEREAS the City of Tacoma, Department of Public Utilities, Water
6 Division (d.b.a. "Tacoma Water"), owns approximately 4.74 acres of property
7 located in the Bonney Lake vicinity of unincorporated Pierce County, Washington
8 ("Property"), with an estimated market value of \$125,000, as more fully described
9 in the documents on file in the office of the City Clerk, and
10

11 WHEREAS Tacoma Water has determined the Property is no longer
12 essential for continued effective utility service, and
13

14 WHEREAS Nash Cascadia Verde LLC has offered to purchase the Property
15 for \$125,000, which is deemed acceptable by Tacoma Water and the Department
16 of Public Works, Real Property Services Division, and
17

18 WHEREAS the purchase price takes into consideration the reservation of a
19 permanent easement to Tacoma Water for use as an access road for current and
20 future operations, and
21

22 WHEREAS the Department of Public Works proceeded with the negotiated
23 disposition process pursuant to Tacoma Municipal Code ("TMC") 1.06.280.F, and
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25 WHEREAS, on February 26, 2020, by adoption of Public Utility Board
26 Resolution No. U-11146, the Property was declared surplus to Tacoma Water's
needs and approved for sale, pending confirmation from the City Council, and



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WHEREAS, on May 5, 2020, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council conducted a public hearing on the proposed sale of said 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 approximately 4.74 acres of property located in the Bonney Lake vicinity of unincorporated Pierce County, Washington, owned by the City of Tacoma, through its Department of Public Utilities, Water Division, is not essential to the needs of the City and is hereby declared surplus pursuant to RCW 35.94.040, RCW 35.22.020, Article I, Section 1.2, and Article IX, Section 9.1, of the Tacoma City Charter.



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Section 2. That the proper officers of the City are hereby authorized to execute all necessary documents to convey the subject parcel to Nash Cascadia Verde LLC, for the amount of \$125,000, said documents to be substantially in the form of the deed on file in the office of the City Clerk.

Section 3. That the City Council finds that this Resolution is necessary, routine, and consistent with Governor Inslee's emergency proclamation issued March 24, 2020, and recently extended, suspending portions of the Open Public Meetings Act through May 31, 2020.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Requested by Public Utility Board
Resolution No. U-11146



RESOLUTION NO. 40603

1 A RESOLUTION relating to community, economic development, neighborhood and
2 community services; approving amendments to the 2019-2020 Annual
3 Action Plan to reprogram uncommitted current Community Development
4 Block Grant and Home Investment Partnership Program funds; allocating
5 additional funding received under the Coronavirus Aid, Relief, and Economic
6 Security Act; amending the Citizen Participation Plan to reduce the amount
7 of time for public comment; and lifting the 15 percent public service cap for
8 2019-2020 CDBG funds.

9 WHEREAS the Annual Action Plan outlines the City's use of Community
10 Development Block Grant ("CDBG"), HOME Investment Partnerships Program
11 ("HOME"), and Emergency Solutions Grant ("ESG") funds, and

12 WHEREAS periodically, changes to the Annual Action Plan submitted to
13 U.S. Department of Housing and Urban Development ("HUD") are necessary, and
14 depending on the significance of the changes, the City must implement a
15 "substantial amendment" process, and

16 WHEREAS, HUD notified staff of the City's program year 2019-2020
17 funding awards as follows: (1) CDBG, \$2,506,226; (2) ESG, \$208,750;
18 (3) HOME, \$1,349,770; (4) CDBG Coronavirus, \$1,487,278; and (5) ESG
19 Coronavirus, \$759,366, and

20 WHEREAS, funding allocations have been received concerning the
21 Coronavirus Aid, Relief, and Economic Security Act ("CARES Act"), Public Law
22 116-136, which was signed into law on March 27, 2020, in response to the growing
23 effects of the Coronavirus health crisis, and

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WHEREAS it is necessary to take the actions required to reprogram unused prior year funds that were not spent down for a variety of reasons and are available for use on other projects, and

WHEREAS these projects must meet eligibility requirements of the CDBG program and serve low to moderate income individuals as designed by HUD, and

WHEREAS the Community and Economic Development Department reallocated unassigned funds from the past five funding years to the 2019-2020 program year to maximize efforts in affordable housing development, and those funds will remain with one of those projects in a revised amount as funds from the 2019-2020 program year, and

WHEREAS, CARES Act funding will be directed towards Emergency Income Payments (“EIP”), Tenant Based Rental Assistance (“TBRA”), and small business assistance, and

WHEREAS this amendment will support the following actions in program year 2019-2020: (1) reallocation of uncommitted, current, program year 2019-2020 CDBG funds to support Emergency Income Payments to eligible City residents, to be dispersed directly to service providers; (2) allocation of CDBG Coronavirus funds to support EIP and business emergency service assistance to eligible households and small business owners in the City; (3) reallocation of uncommitted, current, program year 2019-2020 HOME funds to support TBRA for eligible City residents, to be dispersed directly to service providers; (4) payment of the 2020 debt service on the Lemay Museum HUD Section 108 loan; (5) amending the current Citizen Participation Plan to reflect the newly approved five-day public



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comment period in response to the CARES Act, as well as conducting virtual City Council meetings during a state of emergency; and (6) lifting the 15 percent public service cap for 2019-2020 CDBG funds; Now, Therefore,

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

Section 1. That the proposed amendments to the City's Program Year 2019-2020 Annual Action Plan to reprogram uncommitted current Community Development Block Grant and Home Investment Partnership Program funds; allocate additional funding received under the Coronavirus Aid, Relief, and Economic Security Act; amend the Citizen Participation Plan to reduce the amount of time for public comment; and lift the 15 percent public service cap for 2019-2020 CDBG funds are hereby approved.

Section 2. That the City Council finds that this Resolution is necessary, routine, and consistent with Governor Inslee's emergency proclamation issued March 24, 2020, and recently extended, suspending portions of the Open Public Meetings Act through May 31, 2020.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40604

1 A RESOLUTION setting Tuesday, May 19, 2020, upon completion of Regular
2 Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by
3 the City Council on the submittal of the 2020-2024 Consolidated Plan to the
4 U.S. Department of Housing and Urban Development, for Housing and
5 Community Development.

6 WHEREAS the Consolidated Plan for Housing and Community
7 Development consists of a five-year Housing and Community Development
8 Strategic Plan and Annual Action Plan, which combines the submission of
9 applications for Community Development Block Grant ("CDBG"), HOME
10 Investment Partnership ("HOME"), and Emergency Solutions Grant ("ESG")
11 funding, and

12 WHEREAS, every five years the City submits a Consolidated Plan to the
13 U.S. Department of Housing and Urban Development ("HUD") in order to fulfill
14 the requirements associated with receipt of entitlement funding, and

15 WHEREAS the Annual Action Plan outlines the uses of CDBG, HOME,
16 and ESG funds, and

17 WHEREAS, before submission of the Annual Action Plan to HUD, the City
18 must fulfill certain citizen participation requirements, including accepting public
19 comment on the proposed plan, and

20 WHEREAS extensive community engagement efforts have been
21 conducted, including presentations at five Neighborhood Councils, the Planning
22 Commission, the Human Services Commission, the Human Rights Commission,
23 and the Hilltop Action Coalition, and distributing a survey to all attendees (also
24 accessible on-line for several weeks), and
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WHEREAS the draft Annual Action Plan will be available for public review for a period of 30 days, beginning April 18, 2020, and ending May 18, 2020; Now, Therefore,

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

Section 1. That Tuesday, May 19, 2020, upon completion of the Regular Agenda items, no earlier than 5:15 p.m., is hereby fixed as the time and date, for a public hearing to be held on the submittal of the 2020-2024 Consolidated Plan to the U.S. Department of Housing and Urban Development, for Housing and Community Development; only written comments will be accepted for this public hearing, which is compliant with Governor Jay Inslee’s emergency proclamation issued March 24, 2020, and recently extended, suspending portions of the Open Public Meetings Act through May 31, 2020.

Section 2. That the City Clerk shall give proper notice of the time and date of said hearing or time for comment.



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Section 3. That the City Council finds that this Resolution is necessary, routine, and consistent with Governor Inslee's emergency proclamation issued March 24, 2020, and recently extended, suspending portions of the Open Public Meetings Act through May 31, 2020.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney