



Legislation Passed March 23, 2021

The Tacoma City Council, at its regular City Council meeting of March 23, 2021, 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. 40760

A resolution appointing and reappointing individuals to the Tacoma Community Redevelopment Authority Board.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 40761

A resolution authorizing the appropriate City officials to approve the Washington State Department of Ecology Watershed Restoration and Enhancement Plans for the Puyallup River Watershed and the Chambers-Clover Creek Watershed.
[Merita Trohimovich, P.E., Principal Engineer; Michael P. Slevin, III, P.E., Director, Environmental Services]

Resolution No. 40762

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Jeffrey Jones, for the development of five multi-family market-rate and affordable rental housing units, located at 232 South 70th Street, in the Upper Pacific Mixed-Use Center.
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40763

A resolution denouncing anti-Asian American and Pacific Islanders sentiment due to fears of the COVID-19 pandemic, and affirming the City's commitment to the well-being and safety of our Asian American communities.
[Mayor Woodards and Council Members Thoms and Ushka]

Ordinance No. 28679

An ordinance vacating a dead-end portion of South Oregon Avenue, also referenced as South Oregon Street, lying between Titus-Will Enterprises, Inc. and Costco Wholesale Corporation whose businesses are bounded by South Pine Street and South Sprague Avenue, for secured parking and other related business uses. (Titus-Will Enterprises, Inc.; File No. 124.1411)
[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28745

(First and Final Reading) An ordinance providing for the formation of Local Improvement District No. 8669, establishing a grade and the placement of upgraded permanent street pavement with a structural section, together with the installation of concrete curbs, gutters, sidewalks, surface water mains, and surface water catch basins, where needed on Fir Street, from North 13th Street to North 15th Street.

[Ralph Rodriguez, LID Administrator; Jeff H. Capell, Hearing Examiner]

Ordinance No. 28746

(First and Final Reading) An ordinance providing for the formation of Local Improvement District No. 8670, establishing a grade and the placement of upgraded permanent street pavement with a structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, where needed on Ferry Street, from South 12th Street to South 14th Street.

[Ralph Rodriguez, LID Administrator; Jeff H. Capell, Hearing Examiner]



RESOLUTION NO. 40760

1 BY REQUEST OF DEPUTY MAYOR BLOCKER AND COUNCIL MEMBERS HINES
AND HUNTER

2 A RESOLUTION relating to committees, boards, and commissions; appointing and
3 reappointing individuals to the Tacoma Community Redevelopment
4 Authority Board.

5 WHEREAS vacancies exist on the Tacoma Community Redevelopment
6 Authority Board, and

7 WHEREAS, at its meeting of March 11, 2021, the Community Vitality and
8 Safety Committee conducted interviews and recommended the appointment and
9 reappointment of individuals to said board, and
10

11 WHEREAS, pursuant to City Charter Section 2.4, the persons named on
12 Exhibit "A" have been nominated to serve on the Tacoma Community
13 Redevelopment Authority Board; Now, Therefore,

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

15 That those nominees to the Tacoma Community Redevelopment Authority
16 Board, listed on Exhibit "A," are hereby confirmed and appointed or reappointed as
17 members of such board for such terms as are set forth on the attached Exhibit "A."
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19 Adopted _____

20 Mayor

21 Attest:

22 _____
23 City Clerk

24 Approved as to form:

25 _____
26 City Attorney



EXHIBIT "A"

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TACOMA COMMUNITY REDEVELOPMENT AUTHORITY BOARD

Appointing **Miriam McBride** to the "At-Large" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.

Appointing **Joseph Van Dyk** to the "At-Large" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.

Reappointing **Daniel Montopoli** to the "Attorney" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.

Reappointing **Ian Northrip** to the "Attorney" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.

Reappointing **Karsen Keever** to the "Contractor" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.

Reappointing **Meredith Neal** to the "Contractor" position for a two-year term, retroactive to March 1, 2021, to expire February 28, 2023.



RESOLUTION NO. 40761

1 A RESOLUTION relating to the Puyallup River Watershed and the
2 Chambers-Clover Creek Watershed; authorizing the appropriate City
3 officials to approve the Washington State Department of Ecology
4 Watershed Restoration and Enhancement Plans for the Puyallup River
5 Watershed and the Chambers-Clover Creek Watershed.

6 WHEREAS, in January 2018, the Washington State Legislature passed
7 the Streamflow Restoration Law, Chapter 90.94 RCW, which helps restore
8 streamflows to levels necessary to support robust, healthy, and sustainable
9 salmon populations while providing water for homes in rural Washington, and

10 WHEREAS the 2018 Streamflow Restoration Law (“Restoration Law”) was
11 passed in response to a 2016 Washington State Supreme Court decision that
12 limited a landowner’s ability to get a building permit for a new home when the
13 proposed source of water was a permit-exempt (“PE”) well, and

14 WHEREAS the Restoration Law clarifies how counties issue building
15 permits for homes that use a PE well for a water source, and directs the
16 Washington State Department of Ecology (“Ecology”) to lead local planning
17 committees to develop Watershed Restoration and Enhancement Plans (“Plans”)
18 to identify projects to offset potential consumptive impacts of new PE domestic
19 groundwater withdrawals on instream flows over the next 20 years (2018–2038),
20 and will provide a net ecological benefit to the watershed, and

21 WHEREAS Ecology established the Watershed Restoration and
22 Enhancement Committee (“Committee”) to collaborate with tribes, counties,
23 cities, state agencies, and special interest groups in the Puyallup River
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1 Watershed, also known as the Water Resource Inventory Area (WRIA 10), and
2 Chambers-Clover Watershed (WRIA 12), and

3 WHEREAS the Committee met for over two years to develop Plans which
4 are specific to withdrawals from PE wells and offsets for these withdrawals, and

5 WHEREAS City staff has been present throughout the Committee
6 processes and has commented on the Plans throughout the development
7 process, and

8 WHEREAS the Plans include several policy recommendations and an
9 adaptive management process, and

10 WHEREAS the policy recommendations contain actions to track PE wells
11 and increase water conservation, and the adaptive management process
12 includes a mechanism for tracking new PE wells and project implementation,
13 periodic reporting on project status, and recommendations for a response if
14 project implementation lags new PE well connections, and

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16
17 WHEREAS these measures, in addition to the surplus water offset and
18 supplemental habitat improvement projects, provide reasonable assurance that
19 the plans will adequately offset new consumptive use from PE wells anticipated
20 during the planning horizon, and

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22 WHEREAS the Plans do not affect Tacoma Water or its water supply, as
23 Tacoma Water has a separate process for analysis of its water supply and
24 service area, and

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WHEREAS the WRIA 12 Plan includes the City-sponsored “South Tacoma Channel Infiltration Feasibility Study” project in its project list, and

WHEREAS the Streamflow Restoration Act of 2018 included a Streamflow Restoration Grant program; the City applied for and was awarded a \$387,000 Streamflow Restoration Grant from Ecology to conduct the South Tacoma Channel Infiltration Feasibility Study, and the City’s approval of the Plans does not affect the award of this funding, and

WHEREAS the Plans have been reviewed by Environmental Services and Tacoma Water, with no objections, and

WHEREAS the Plans provide only recommendations; the City is not required to act on any recommendation, and Plan approval will only mean that the City agrees with the Plan and its conclusions and recommendations, and

WHEREAS Environmental Services staff is recommending approval of the Puyallup River Watershed (WRIA 10), and Chambers-Clover Creek Watershed (WRIA 12) Restoration and Enhancement Plans; Now, Therefore,

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

That the appropriate City officials are hereby authorized to approve on behalf of the City of Tacoma the Washington State Department of Ecology Watershed Restoration and Enhancement Plans for the Puyallup River



1 Watershed and the Chambers-Clover Creek Watershed, said plans to be
2 substantially in the form of the documents 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:

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Chief Deputy City Attorney

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RESOLUTION NO. 40762

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 Jeffrey Jones, for the
 4 development of five multi-family market-rate and affordable rental housing
 units to be located at 232 South 70th Street in the Upper Pacific
 Mixed-Use 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
 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 Jeffrey Jones is proposing to develop five new market-rate and
 16 affordable rental housing units to consist of:

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Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
3	Two bedroom, 1.5 bath	1,700 Square Feet	\$2,000
Affordable Rate			
2	Two bedroom, 1.5 bath	1,700 Square Feet	\$1,558 (including utilities)

20 as well as five on-site residential parking stalls, and
 21

22 WHEREAS the Director of Community and Economic Development has
 23 reviewed the proposed property tax exemption and recommends that a
 24 conditional property tax exemption be awarded for the property located at
 25 232 South 70th Street in the Upper Pacific Mixed-Use Center, as more particularly
 26 described in the attached Exhibit "A"; Now, Therefore,



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

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Jeffrey Jones, for the property located at 232 South 70th Street in the Upper Pacific 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 Jeffrey Jones, 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:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 6615002310

Legal Description:

That portion of the Southeast Quarter of the Northwest Quarter of Section 28, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

The North quarter of Block 41, Map of Pacific Avenue Addition to the City of Tacoma, Washington Territory, according to the plat thereof recorded in Volume 2 of Plats at Page 32, records of Pierce County, Washington.

Together with the West Half of Regent Street as vacated by Order of the County Commissioners dated and recorded March 10, 1904 under Auditor's No. 174039.

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



RESOLUTION NO. 40763

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS THOMS
2 AND USHKA

3 A RESOLUTION denouncing anti-Asian American and Pacific Islanders (“AAPI”) sentiment due to fears of the COVID-19 pandemic, and affirming the City of
4 Tacoma’s commitment to the well-being and safety of our Asian American
5 communities.

6 WHEREAS the City Council supports the rights and freedoms of all
7 residents of the City and our nation to practice and embrace their heritage and
8 religious traditions without fear of persecution, and

9 WHEREAS the City actively seeks to educate staff and our community on
10 the poisonous effects of expressions of hatred or contempt based on race,
11 religious creed, color, national origin, ancestry, physical disability, mental disability,
12 medical condition, marital status, sex, age, sexual orientation, or gender identity,
13 and to promote equality, mutual respect, and understanding among all groups and
14 individuals, and

15
16 WHEREAS the Washington State Office of Financial Management reports
17 that there are 703,786 Asian American and Pacific Islanders out of a state
18 population of 7,649,844, or 9.2 percent Asian American and Pacific Islanders,
19 contributing greatly to our state and region’s rich and diverse history, and

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21 WHEREAS the AAPI population is more heterogeneous than any other
22 racial group in the United States, with more than 48 ethnicities, over 300 spoken
23 languages, various socioeconomic statuses, immigration histories, cultures, and
24 religions, and

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1 WHEREAS we acknowledge anti-AAPI rhetoric gained intensity and
2 momentum at the onset of the COVID-19 pandemic and has fanned the flames of
3 hate and led to increased rates of aggression and violence against AAPI
4 communities, and

5 WHEREAS nearly 3,800 incidents of anti-Asian discrimination, harassment,
6 assaults, and civil rights violations were reported to the Stop AAPI Hate Center
7 between March 2020 and February 2021, and

8 WHEREAS, on March 17, 2021, eight individuals, including six women of
9 Asian descent, were murdered at their workplaces in Atlanta, Georgia, and
10

11 WHEREAS the City of Tacoma, Washington, stands in sympathy and
12 solidarity with the entire AAPI community, as well as the greater Atlanta area, in
13 condemning these vicious acts of hate and violence, and

14 WHEREAS the City of Tacoma, Washington, maintains that respect for
15 individuals of all races, ethnicities, and national origins is an integral part of our
16 cultural fabric as a city and as a community, and
17

18 WHEREAS the City of Tacoma, Washington, condemns discrimination and
19 hate of any kind against members of our community, and declares that our
20 diversity is our greatest strength, and
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22 WHEREAS the Centers for Disease Control and Prevention's COVID Data
23 Tracker reports that 2,319,457 cases and more than 533,000 deaths have been
24 confirmed in the United States since the outbreak of the COVID-19 virus as of
25 March 16, 2021, and
26



1 WHEREAS scientists have confirmed that COVID-19 does not respect
2 borders and is not caused by ethnicity, and we caution against using geographic
3 descriptors because they can fuel ethnic discrimination, and

4 WHEREAS COVID-19 is a public health issue, not a racial one, and the
5 characterization by some national leaders of COVID-19 as a “Chinese virus” only
6 encourages hate crimes and incidents against Asian American and Pacific
7 Islanders at a time when communities should be working to get through this crisis,
8 and

9 WHEREAS, despite these increasing acts of intolerance, Asian Americans
10 and Pacific Islanders have made our nation more secure during the COVID-19
11 pandemic and throughout our history, and

12 WHEREAS an estimated 2 million Asian Americans and Pacific Islanders
13 have served on the front lines of this crisis as healthcare providers, first
14 responders, and in other essential roles, and

15 WHEREAS the City Council wishes to affirm its commitment to the well-
16 being and safety of AAPI community members and ensure they know they are not
17 alone, and that their representatives will speak out to help stop the spread of
18 bigotry, and

19 WHEREAS, in 2014, the City Council adopted a resolution authorizing the
20 City’s membership in the Welcoming Cities and Counties Initiative, which
21 encourages communities to create more welcoming, immigrant-friendly
22 environments that maximize opportunities for economic growth and cultural vitality,
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WHEREAS the City Council adopted an Equity and Empowerment Framework in 2014 and is committed to equity in service delivery, decision-making and community engagement, including our COVID-19 response, and these continued despicable acts must be condemned, and

WHEREAS, in June 2020, the City Council adopted Resolution No. 40622, which affirms the City Council's dedication and commitment to comprehensive and sustained transformation of all of the institutions, systems, policies, practices, and contracts impacted by systemic racism, and also expresses the City Council's commitment to a comprehensive transformation process that will establish new practices based on community and expert opinion, as well as past reform efforts, centering the voices of those most impacted by systemic racism, and

WHEREAS the statement on Anti-Discrimination and COVID-19, approved by the City Council on April 3, 2020, condemned discrimination of any kind against members of our community; Now, Therefore,

BE IT RESOLVED BY THE CITY OF TACOMA:

That the City Council denounces anti-Asian American and Pacific Islanders sentiment; joins local jurisdictions, cities, counties, and the state of Washington in affirming its commitment to the safety and well-being of Asian American and Pacific Islanders and in combating hate crimes targeting Asian American and



1 Pacific Islanders; and affirms its commitment to providing a safe and welcoming
2 environment for all residents and guests of Tacoma.

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4 Adopted _____

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6 _____
Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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13 _____
City Attorney

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ORDINANCE NO. 28679

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a dead-
4 end portion of South Oregon Avenue, also referenced as South Oregon
5 Street, lying between Titus-Will Enterprises, Inc. and Costco Wholesale
6 Corporation whose businesses are bounded by South Pine Street and
7 South Sprague Avenue, for secured parking and other related business
8 uses; and adopting the Hearing Examiner's Findings, Conclusions, and
9 Recommendations related thereto.

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

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City Council hereby adopts the Hearing Examiner's
15 Findings, Conclusions, and Recommendations as contained in the Hearing
16 Examiner's Report and Recommendation to the City Council bearing File
17 No. 124.1411 and dated June 3, 2020, which Report is on file in the office of
18 the City Clerk.
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Section 2. That the dead-end portion of South Oregon Avenue, lying between Titus-Will Enterprises, Inc. and Costco Wholesale Corporation, whose businesses are bounded by South Pine Street and South Sprague Avenue, legally described as follows:

THAT PORTION OF OREGON AVENUE ACCORDING TO THE PLAT OF LINCOLN HEIGHTS, RECORDED IN VOLUME 14, PAGE 61, RECORDS OF THE PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON BEING IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 03 EAST, WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL 'A', BEING ON THE EASTERLY MARGIN OF SAID OREGON AVENUE, ACCORDING TO CITY OF TACOMA BOUNDARY LINE ADJUSTMENT MPD2013-40000210143, RECORDED UNDER RECORDING NUMBER 201401225002, RECORDS OF PIERCE COUNTY AUDITOR, WASHINGTON, FROM WHICH THE SOUTHEASTERLY CORNER OF SAID PARCEL BEARS NORTH 88°49'48" EAST 56.01 FEET;

THENCE RADially SOUTH 89°18'01" WEST 50.00 FEET ALONG THE NORTHERLY MARGIN OF VACATED OREGON AVENUE, ACCORDING TO THE CITY OF TACOMA ORDINANCE NO. 26595, RECORDED UNDER RECORDING NUMBER 200003310165, RECORDS OF PIERCE COUNTY, ALSO BEING A PORTION OF LOT 'A', ACCORDING TO CITY OF TACOMA BOUNDARY LINE ADJUSTMENT MPD2000-00018, RECORDED UNDER RECORDING NUMBER 200010175001, RECORDS OF PIERCE COUNTY AUDITOR, WASHINGTON, TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1935.00 FEET, FROM WHICH THE CENTER BEARS NORTH 89°18'01" EAST;



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THENCE NORTHERLY ALONG THE CURVED WESTERLY MARGIN OF SAID OREGON AVENUE THROUGH A CENTRAL ANGLE OF 01°20'53" AN ARC DISTANCE OF 45.53 FEET TO AN ANGLE POINT, BEING THE SOUTHEASTERLY CORNER OF THAT ADDITIONAL RIGHT-OF-WAY DEDICATION FOR OREGON AVENUE PER QUIT CLAIM DEED RECORDED UNDER RECORDING NUMBER 200003280346;

THENCE CONTINUING ALONG SAID WESTERLY MARGIN NORTH 89°18'25" WEST 18.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1953.00 FEET, FROM WHICH THE CENTER BEARS SOUTH 89°21'04" EAST; THENCE NORTHERLY ALONG SAID WESTERLY CURVED MARGIN THROUGH A CENTRAL ANGLE OF 00°52'48" AN ARC DISTANCE OF 30.00 FEET TO AN ANGLE POINT;

THENCE ALONG SAID WESTERLY MARGIN SOUTH 89°18'25" EAST 18.00 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1935.00 FEET, FROM WHICH THE CENTER BEARS SOUTH 88°27'48" EAST; THENCE NORTHERLY ALONG SAID CURVED WESTERLY MARGIN THROUGH A CENTRAL ANGLE OF 00°32'56" AN ARC DISTANCE OF 18.53 FEET; THENCE ALONG SAID WESTERLY MARGIN NORTH 02°05'08" EAST 71.27 FEET TO A POINT OF TANGENCY WITH A 196.49 FOOT RADIUS CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG SAID CURVED WESTERLY MARGIN THROUGH A CENTRAL ANGLE OF 04°25'56" AN ARC DISTANCE OF 15.20 FEET TO THE MOST NORTHERLY POINT OF SAID LOT 'A'; THENCE DEPARTING SAID WESTERLY MARGIN SOUTH 85°55'47" EAST 50.25 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 'A', BEING ON SAID EASTERLY MARGIN OF OREGON AVENUE AND A POINT ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 246.49 FEET, FROM WHICH THE CENTER BEARS SOUTH 88°57'32" WEST; THENCE SOUTHERLY ALONG SAID CURVED EASTERLY MARGIN THROUGH A CENTRAL ANGLE OF 03°07'36" AN ARC DISTANCE OF 13.45 FEET;



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THENCE SOUTH 02°05'08" WESTERLY ALONG SAID EASTERLY MARGIN 71.27 FEET TO A POINT OF TANGENCY WITH A 1885.00 FOOT RADIUS CURVE TO THE LEFT; THENCE SOUTHERLY ALONG SAID CURVED EASTERLY MARGIN THROUGH A CENTRAL ANGLE OF 02°47'07" AN ARC DISTANCE OF 91.63 FEET TO THE POINT OF BEGINNING;

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



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reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

ENVIRONMENTAL SERVICES/ TACOMA WATER

An easement or easements will need to be reserved in the Vacation Ordinance for existing Environmental Services and Tacoma Water infrastructure. Alternatively, the Petitioner could pay to have the City’s infrastructure relocated outside the Vacation Area.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A dead-end portion of South Oregon Avenue, lying between Titus-Will Enterprises, Inc. and Costco Wholesale Corporation whose businesses are bounded by South Pine Street and South Sprague Avenue.
Petitioner: Titus-Will Enterprises, Inc.
Vacation Req. No. 124.1411



ORDINANCE NO. 28745

L.I.D. No. 8669

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AN ORDINANCE providing for the establishment of a grade and upgraded permanent street pavement with a structural section placed thereon, together with the installation of concrete curbs, gutters, sidewalks, surface water mains, and surface water catch basins where needed, on Fir Street from North 13th Street to North 15th Street, creating Local Improvement District No. 8669; providing for a special fund for the payment of the improvement by special assessment upon the property within the district benefited thereby, for the issuance of warrants, installment notes, bond anticipation notes, or other short-term obligations to pay that part of the cost and expense of the improvement assessed against the property in the district, and for the payment of the remainder of the cost thereof.

WHEREAS all of the preliminary proceedings for the establishment of Local Improvement District ("L.I.D.") No. 8669 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held, has recommended to the City Council the formation of L.I.D. No. 8669; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That a grade shall be established and upgraded permanent street pavement with a structural section placed thereon, together with the installation of concrete curbs, gutters, sidewalks, surface water mains, and surface water catch basins, where needed, on Fir Street from North 13th Street to North 15th Street, together with all other work necessary to complete the project in accordance with the maps, plans, and specifications prepared and now on file in the office of the Director of the Department of Public Works, which maps, plans, and specifications are hereby adopted.



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Section 2. That there is hereby created a local improvement district, to be

known as L.I.D. No. 8669, which shall embrace as nearly as practicable all the property specially benefited by the improvements described above, which property is described as follows:

Fir Street from North 13th Street to North 15th Street

Those portions of the Northeast Quarter of the Southwest Quarter, in Section 34, Township 21 North, Range 02 East, W.M. described as follows:

Platted Property:

Lots 11 through 20, Block 4, **Narrows Bridge Addition to Tacoma, Washington** according to the plat thereof recorded in Volume 12, Page 41, filed October 3, 1941, records of Pierce County Auditor;

Lots 1 through 4, **Haddow's Narrows Addition** according to the plat thereof recorded in Volume 39, Pages 55 & 56, filed February 10, 1970, records of Pierce County Auditor;

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

Unplatted Property:

Beginning at the Northeast Corner of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 34, Township 21 North, Range 02 East, W.M., with said Northeast Corner being 1.88 feet North of the monument at the centerline of North 15th & Fir Streets in **Narrows Bridge Addition to Tacoma, Washington** according to the plat thereof recorded in Volume 12, Page 41, filed October 3, 1941, records of Pierce County Auditor; thence on the North line of said subdivision West 165 feet, thence parallel with the East line of said subdivision South 375.5 feet more or less to the North line of Lot 1 of **Haddow's Narrows Addition**, according to the plat thereof recorded in Volume 39, Pages 55 & 56, filed February 10, 1970, records of Pierce County Auditor; thence East along said North line and extension thereof 165 feet, thence North 375.5 feet more or less to the Point of Beginning;



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Except the East 30 feet for Fir Street per deed to City of Tacoma recorded under recording number 1525378, records of Pierce County Auditor.

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

Section 3. That the estimated cost and expense of the improvement is \$685,798.05; that \$441,495.65 of the cost thereof shall be contributed by the L.I.D. Streets Initiative and Surface Water Funds; and that the balance of \$244,302.40 shall be borne and assessed against the property included in the L.I.D.

The assessments levied against the property described above shall become due and payable at the option of the property owners in cash, without interest, within 30 days after publication of the notice of assessment, or in 20 equal annual installments with interest on deferred payments at a rate to be hereafter fixed, but in no event greater than .05 percent above the rate of interest fixed upon sale of bond for the district; and each year one of such installments, together with interest due thereon and on all installments thereafter to become due, shall be collected in the manner provided by law.

Section 4. That a special fund is hereby created, to be called Local Improvement Fund, District No. 8669, which shall consist in the aggregate of the several amounts assessed, levied, and collected upon the several lots and parcels of land in the local improvement district for the purpose of defraying the cost and expense of the improvement to be borne by the property within the district, and into which fund shall be deposited the proceeds of the sale of warrants, installment notes, bond anticipation notes, or other short-term obligations drawn against the



1 fund which may be sold by the City. Out of the fund shall be paid the warrants,
2 installment notes, bond anticipation notes, or other short-term obligations, interest
3 thereon, and the cost of the improvement to be borne by the property included in
4 the district.

5 Section 5. The Director of the Department of Public Works is hereby ordered
6 to call for bids for said improvements, and to proceed and complete the
7 improvements and to make out and certify to the City Council an assessment roll,
8 all as provided by law.

9 In case no bid is accepted, the Director of Public Works is hereby authorized
10 to proceed and complete the improvement by the method of day labor or force
11 account and by use of materials, supplies, and equipment, as authorized by the City
12 Charter and ordinances of the City. The Director of Public Works shall keep a
13 separate account of the expenditures as made and the exact cost of the
14 improvements separately computed. Upon certification by the Director of Public
15 Works that any sums are due to any person for labor or materials for the
16 improvements, the proper officers shall issue a warrant therefor drawn upon the
17 L.I.D. Fund, District No. 8669. The Director of Public Works shall certify to the City
18 Council the assessment roll on the property as provided by law.

19 Section 6. Under the provisions of the laws of the state of Washington,
20 amendments thereto, and this ordinance, there shall be issued warrants, installment
21 notes, bond anticipation notes, or other short-term obligations, issued pursuant to
22 Ordinance No. 23412, as it may be amended, in payment of the cost and expense
23 of the district, payable out of the Local Improvement District Fund. Such warrants,
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installment notes, bond anticipation notes, or other short-term obligations shall bear interest from the date of their issuance at a rate to be hereafter fixed by the Director of the Department of Finance in accordance with the Ordinance No. 23412, and shall be redeemed from the Local Improvement District Fund or by other warrants, installment notes, bond anticipation notes, or other short-term obligations, or from the proceeds of local improvement bonds hereafter issued.

Section 7. Pursuant to the provisions of the laws of the state of Washington, the City Council hereby directs that the improvements be paid for by the City in cash and that the warrants, installment notes, bond anticipation notes, or other short-term obligations authorized to be issued under the provisions of this ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department



ORDINANCE NO. 28746

L.I.D. No. 8670

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AN ORDINANCE providing for the establishment of a grade and upgraded permanent street pavement with a structural section placed thereon, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, where needed, on Ferry Street from South 12th Street to South 14th Street, creating Local Improvement District No. 8670; providing for a special fund for the payment of the improvement by special assessment upon the property within the district benefited thereby, for the issuance of warrants, installment notes, bond anticipation notes, or other short-term obligations to pay that part of the cost and expense of the improvement assessed against the property in the district, and for the payment of the remainder of the cost thereof.

WHEREAS all of the preliminary proceedings for the establishment of Local Improvement District ("L.I.D.") No. 8670 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held, has recommended to the City Council the formation of L.I.D. No. 8670; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That a grade shall be established and upgraded permanent street pavement with a structural section placed thereon, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, where needed, on Ferry Street from South 12th Street to South 14th Street, together with all other work necessary to complete the project in accordance with the maps, plans, and specifications prepared and now on file in the office of the Director of the Department of Public Works, which maps, plans, and specifications are hereby adopted.



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Section 2. That there is hereby created a local improvement district, to be known as L.I.D. No. 8670, which shall embrace as nearly as practicable all the property specially benefited by the improvements described above, which property is described as follows:

Ferry Street from South 12th Street to South 14th Street

Those portions of the Northeast Quarter of the Southeast Quarter of Section 06, Township 20 North, Range 03 East, W.M., described as follows:

Lots 1 through 13, Block 2, Lots 1 through 18, Block 3, Lots 1 through 4, and the East 15 feet of Lot 5, Block 7, all in **J.S. Howell & Sons 3rd Addition to Tacoma, Washington**, according to the plat thereof recorded in Volume 7, Page 11, filed September 9, 1892, records of Pierce County Auditor.

And together with the North 100 feet of the West 115 feet, the South 10 feet of the North 110 feet of the West 115 feet and the West 50 feet of the South 121 feet, all of "**Howell Place**" as the same is shown on **J.S. Howell & Sons 3rd Addition to Tacoma, Washington**, according to the plat thereof recorded in Volume 7, Page 11, filed September 9, 1892, records of Pierce County Auditor.

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

Section 3. That the estimated cost and expense of the improvement is \$492,691.50; that \$301,961.00 of the cost thereof shall be contributed by the L.I.D. Streets Initiative and Surface Water Funds; and that the balance of \$190,730.50 shall be borne and assessed against the property included in the L.I.D.

The assessments levied against the property described above shall become due and payable at the option of the property owners in cash, without interest, within 30 days after publication of the notice of assessment, or in 20 equal annual



1 installments with interest on deferred payments at a rate to be hereafter fixed, but
2 in no event greater than .05 percent above the rate of interest fixed upon sale of
3 bond for the district; and each year one of such installments, together with interest
4 due thereon and on all installments thereafter to become due, shall be collected in
5 the manner provided by law.

6 Section 4. That a special fund is hereby created, to be called Local
7 Improvement Fund, District No. 8670, which shall consist in the aggregate of the
8 several amounts assessed, levied, and collected upon the several lots and parcels
9 of land in the local improvement district for the purpose of defraying the cost and
10 expense of the improvement to be borne by the property within the district, and into
11 which fund shall be deposited the proceeds of the sale of warrants, installment
12 notes, bond anticipation notes, or other short-term obligations drawn against the
13 fund which may be sold by the City. Out of the fund shall be paid the warrants,
14 installment notes, bond anticipation notes, or other short-term obligations, interest
15 thereon, and the cost of the improvement to be borne by the property included in
16 the district.

17 Section 5. The Director of the Department of Public Works is hereby
18 ordered to call for bids for said improvements, and to proceed and complete the
19 improvements and to make out and certify to the City Council an assessment roll,
20 all as provided by law.

21 In case no bid is accepted, the Director of Public Works is hereby
22 authorized to proceed and complete the improvement by the method of day labor
23 or force account and by use of materials, supplies, and equipment, as authorized
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1 by the City Charter and ordinances of the City. The Director of Public Works shall
2 keep a separate account of the expenditures as made and the exact cost of the
3 improvements separately computed. Upon certification by the Director of Public
4 Works that any sums are due to any person for labor or materials for the
5 improvements, the proper officers shall issue a warrant therefor drawn upon the
6 L.I.D. Fund, District No. 8670. The Director of Public Works shall certify to the City
7 Council the assessment roll on the property as provided by law.

8 Section 6. Under the provisions of the laws of the state of Washington,
9 amendments thereto, and this ordinance, there shall be issued warrants,
10 installment notes, bond anticipation notes, or other short-term obligations, issued
11 pursuant to Ordinance No. 23412, as it may be amended, in payment of the cost
12 and expense of the district, payable out of the Local Improvement District Fund.
13 Such warrants, installment notes, bond anticipation notes, or other short-term
14 obligations shall bear interest from the date of their issuance at a rate to be
15 hereafter fixed by the Director of the Department of Finance in accordance with the
16 Ordinance No. 23412, and shall be redeemed from the Local Improvement District
17 Fund or by other warrants, installment notes, bond anticipation notes, or other
18 short-term obligations, or from the proceeds of local improvement bonds hereafter
19 issued.

20 Section 7. Pursuant to the provisions of the laws of the state of
21 Washington, the City Council hereby directs that the improvements be paid for by
22 the City in cash and that the warrants, installment notes, bond anticipation notes,
23 or other short-term obligations authorized to be issued under the provisions of this
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ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department