



Legislation Passed November 29, 2022

The Tacoma City Council, at its regular City Council meeting of November 29, 2022, 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. 41070

A resolution setting Tuesday, December 13, 2022, 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 declaration of surplus and sale of approximately 22.07 acres of Tacoma Water property, located in the Federal Way vicinity of unincorporated King County, to King County, for the amount of \$4,000,000.

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

Resolution No. 41071

A resolution authorizing the execution of Amendment No. 3 to the Legal Services Agreement with Tupper Mack Wells PLLC, in the amount of \$300,000, budgeted from the Wastewater Fund, for a maximum compensation amount of \$1,100,000, to provide legal services with respect to permit requirements imposed by the Washington State Department of Ecology - Contract No. 4600014190.

[Chris Bacha, Chief Deputy City Attorney; Bill Fosbre, City Attorney; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 41072

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with SJ Apartments LLC, for the development of 20 multi-family market and regulated rate rental housing units, located at 1215 South "J" Street, in the Downtown Regional Growth Center.

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

Resolution No. 41073

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Union Development Holdings, LLC, for the development of 86 multi-family market and regulated rate rental housing units, located at 1555 Tacoma Avenue South, in the Downtown Regional Growth Center.

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

Resolution No. 41074

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$5,000, to sponsor the 2022 Santa Parade.

[Council Member Diaz]



RESOLUTION NO. 41070

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,
2 December 13, 2022, upon completion of Regular Agenda Items, no earlier
3 than 5:15 p.m., as the date for a public hearing by the City Council on the
4 declaration of surplus and sale of approximately 22.07 acres of property,
5 located in the Federal Way vicinity of unincorporated King County,
6 Washington, owned by the City of Tacoma, through its Department of Public
7 Utilities, Water Division, and now surplus to its needs, to King County for the
8 amount of \$4,000,000.

9 WHEREAS the City of Tacoma, through its Department of Public Utilities,
10 Water Division (d.b.a. "Tacoma Water"), owns approximately 22.07 acres of
11 unimproved real property located in a suburban location in unincorporated King
12 County, Washington, in the Federal Way vicinity, identified under King County
13 Assessor Tax Parcel Nos. 1021049017 and 1021049064 ("Property"), and

14 WHEREAS the Property is in a suburban location and is used for Pipeline
15 No. 5 water supply, and was originally acquired in 1967 for possible development of
16 a water reservoir, and

17 WHEREAS Tacoma Water has determined that there is no foreseeable need
18 to retain ownership of the Property, as ownership entails additional management
19 time and expense, and operational needs for Pipeline No. 5 can be met through
20 permanent easement rights as are included in the proposed transaction, and thus
21 Tacoma Water has determined that the Property is not essential for continued
22 effective utility service, and

23 WHEREAS King County offered to purchase the Property for \$4,000,000,
24 which was deemed to represent fair market value and deemed acceptable by
25 Tacoma Water, and
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS the sale price of \$4,000,000 takes into consideration the reservation of an easement for continued operation of Pipeline No. 5, and King County will use Conservation Futures Funds for the acquisition, which will ensure ongoing environmental conservation of the property, and

WHEREAS the Department of Public Works proceeded with the negotiated disposition process pursuant to Tacoma Municipal Code (“TMC”) 1.06.280.F, and

WHEREAS, on November 16, 2022, by adoption of Public Utility Board Resolution No. U-11364, the Property was declared surplus to the needs of Tacoma Water and Tacoma Public Utilities pending confirmation from the City Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council shall conduct a public hearing on the proposed sale of City-owned real property; Now, Therefore,

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

Section 1. That a public hearing on the sale of approximately 22.07 acres of property, identified as King County Assessor Tax Parcel Nos. 1021049017 and 1021049064, located in a suburban location in unincorporated King County, Washington, in the Federal Way vicinity, owned by the City of Tacoma, through its Department of Public Utilities, Water Division (d.b.a. “Tacoma Water”) and now surplus to its needs, to King County for the amount of \$4,000,000, shall be held



1 before the City Council in the Council Chambers on the first floor of the Tacoma
2 Municipal Building, 747 Market Street, Tacoma, Washington, and may be offered in
3 a hybrid format that includes a remote option, on Tuesday, December 13, 2022,
4 upon completion of Regular Agenda Items, no earlier than 5:15 p.m. or as soon
5 thereafter as the same may be heard.
6

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

9
10 Adopted _____

11 _____
12 Mayor

13 Attest:

14 _____
15 City Clerk

16 Approved as to form:

17 _____
18 Chief Deputy City Attorney

19 Requested by Public Utility Board
20 Resolution No. U-11364

21
22
23
24
25
26



RESOLUTION NO. 41071

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the increase of Contract
3 No. 4600014190 with Tupper Mack Wells, PLLC, in the amount of \$300,000,
4 plus applicable taxes, for a cumulative total of \$1,100,000, budgeted from
5 the Wastewater Fund, to provide legal services with respect to permit
6 requirements imposed by the Washington State Department of Ecology.

7 WHEREAS the City has complied with all applicable laws and processes
8 governing the acquisition of those supplies, and/or the procurement of those
9 services, inclusive of public works, as is shown by the attached Exhibit "A,"
10 incorporated herein as though fully set forth, and

11 WHEREAS the Board of Contracts and Awards has concurred with the
12 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

14 Section 1. That the Council of the City of Tacoma concurs with the Board of
15 Contracts and Awards to adopt the recommendation for award as set forth in the
16 attached Exhibit "A."

17 Section 2. That the proper officers of the City are hereby authorized to
18 increase Contract No. 4600014190 with Tupper Mack Wells, PLLC, in the amount
19 of \$300,000, plus applicable taxes, for a cumulative total of \$1,100,000, budgeted
20

21
22
23
24
25
26



1 from the Wastewater Fund, to provide legal services with respect to permit
2 requirements imposed by the Washington State Department of Ecology, consistent
3 with Exhibit "A."
4

5 Adopted _____
6

7
8 _____
Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13
14 _____
City Attorney

15
16
17
18
19
20
21
22
23
24
25
26



RESOLUTION NO. 41072

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with SJ Apartments LLC, for the development of
 4 20 multi-family market-rate and affordable rental housing units to be located
 5 at 1215 South "J" Street in the Downtown Regional Growth Center.

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

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

14 WHEREAS SJ Apartments LLC, is proposing to develop 20 new market-rate
 15 and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
13	One bedroom, one bath	450 Square Feet
2	Two bedroom, two bath	900 Square Feet
Affordable Rate		
5	One bedroom, one bath	450 Square Feet

20 WHEREAS the affordable units will be rented to households whose income
 21 is at or below 70 percent of Pierce County Area Median Income, adjusted for
 22 household size, as determined by the Department of Housing and Urban
 23 Development on an annual basis, and rent will be capped at 30 percent of those
 24 income levels, adjusted annually, and
 25
 26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS the project will also include three on-site residential parking stalls, 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 1215 South "J" 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 12 years, to SJ Apartments LLC, for the property located at 1215 South "J" Street in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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 SJ Apartments 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"

PROJECT DESCRIPTION

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
13	One bedroom, one bath	450 Square Feet	\$1,650
2	Two bedroom, two bath	900 Square Feet	\$1,795
Affordable Rate			
5	One bedroom, one bath	450 Square Feet	\$1,425 (including utility allowance)

The affordable units will be rented to households whose income is at or below 70 percent of Pierce County Area Median Income, adjusted for household size, as determined by Department of Housing and Urban Development on an annual basis. Rent will be capped at 30 percent of those income levels, adjusted annually. The project will include three on-site residential parking stalls.

LEGAL DESCRIPTION

Tax Parcel: 2012190034

Legal Description:

LOTS 8 AND 9, BLOCK 1219, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 03, 1875, IN THE OFFICE OF PIERCE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF ALLEY ABUTTING THEREON VACATED BY THE CITY OF TACOMA BY ORDINANCE NUMBER 1830, WHICH ATTACHED BY THE OPERATION OF LAW TO SAID PREMISES.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



RESOLUTION NO. 41073

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with Union Development Holdings, LLC, for the
 4 development of 86 multi-family market-rate and affordable rental housing
 units to be located at 1555 Tacoma Avenue South 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

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

13 WHEREAS Union Development Holdings, LLC, is proposing to develop 86
 14 new market-rate and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
38	Studio	378 Square Feet
13	One bedroom, one bath	504 Square Feet
17	Two bedroom, one bath	811 Square Feet
Affordable Rate		
11	Studio	378 Square Feet
3	One bedroom, one bath	504 Square Feet
4	Two bedroom, one bath	811 Square Feet

15 WHEREAS the affordable units will be rented to households whose income
 16 is at or below 70 percent of Pierce County Area Median Income, adjusted for
 17 household size, as determined by the Department of Housing and Urban
 18



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Development on an annual basis, and rent will be capped at 30 percent of those income levels, adjusted annually, and

WHEREAS the project will also include four on-site residential parking stalls, 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 1555 Tacoma Avenue South 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 12 years, to Union Development Holdings, LLC, for the property located at 1555 Tacoma Avenue South in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit "A."



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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 Union Development Holdings, 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"

PROJECT DESCRIPTION

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
38	Studio	378 Square Feet	\$1,460
13	One bedroom, one bath	504 Square Feet	\$1,770
17	Two bedroom, one bath	811 Square Feet	\$2,750
Affordable Rate			
11	Studio	378 Square Feet	\$1,247 (including utility allowance)
3	One bedroom, one bath	504 Square Feet	\$1,425 (including utility allowance)
4	Two bedroom, one bath	811 Square Feet	\$1,603 (including utility allowance)

The affordable units will be rented to households whose income is at or below 70 percent of Pierce County Area Median Income, adjusted for household size, as determined by Department of Housing and Urban Development on an annual basis. Rent will be capped at 30 percent of those income levels, adjusted annually. The project will include four on-site residential parking stalls.

LEGAL DESCRIPTION

Tax Parcels: 2015110-150 & -160

Legal Description:

That portion of the Northeast Quarter of the Southeast Quarter of Section 05, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 24, 25 and 26, Block 1511, Map of New Tacoma, Washington Territory, according to the plat thereof filed for record February 3, 1875 in the Office of the County Auditor, in Tacoma, Pierce County, Washington.

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



RESOLUTION NO. 41074

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS BUSHNELL
2 AND DIAZ

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$5,000,
4 budgeted from the Council Contingency Fund, for the purpose of
5 sponsoring the 2022 Santa Parade.

6 WHEREAS, over the last 10 years, Santa AI has been building the Santa
7 Parade event, which has grown from a flatbed truck with Santa aboard to now
8 broadcasting and announcing the largest parade in Tacoma, and

9 WHEREAS, in 2021, the parade had about 8,500 attend the event, with
10 approximately 10,000 viewed digitally via broadcast, including viewers from four
11 other states and three countries, and

12 WHEREAS over 1,000 participants are expected in the parade lineup this
13 year, and, in addition, parade organizers will be giving out over 1,000 toys between
14 the Wishing Well event on December 3rd and parade day, and

15 WHEREAS there will be close to 40 vendors, interviews, and performances
16 before the parade, and

17 WHEREAS Council Member Diaz shared a Council Consideration Request
18 to authorize the one-time use of \$5,000 from the Council Contingency Fund for the
19 purpose of sponsoring the 2022 Santa Parade, and

20 WHEREAS this sponsorship level will provide the following benefits:

21 (1) City logo displayed during live stream with thank you; (2) a half-page full color
22 City logo in event program; (3) stage banner recognition; and (4) a pre-parade
23 interview or commercial to play, and
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS RCW 35.34.250 and 35.34.260 authorize a withdrawal from the Council Contingency fund for any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the budget, and

WHEREAS Ordinance No. 22569 requires an affirmative vote of not less than six members of the Council in order to withdraw moneys from this fund; Now, Therefore,

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

That one-time funding in the amount of \$5,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of sponsoring the 2022 Santa Parade.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney