



Legislation Passed May 16, 2023

The Tacoma City Council, at its regular City Council meeting of May 16, 2023, 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. 41196

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 1918 MLK LLC, for the development of six market-rate, for-sale housing units, located at 1918-1928 Martin Luther King Jr. Way, in the Downtown Regional Growth Center.

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

Resolution No. 41197

A resolution acknowledging the devastating impact of gun violence in our country and in the City of Tacoma; naming the disparity of those impacts on Black youths, boys, and children; affirming our ongoing commitment to decreasing violence in the community; and directing the City Manager to implement a range of immediate actions related to bolstering community safety and the wellbeing of Tacoma's youth.

[Council Member Daniels]

Ordinance No. 28877

An ordinance vacating portions of South 23rd Street and South Cushman Avenue, to cure existing building encroachments.

(SoHo Properties Inc. dba SoHo Properties 2 Inc; File No. 124.1439)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28881

A supplemental ordinance authorizing the execution of an amendment to the Note Purchase Agreement related to the City's Electric System Subordinate Revenue Note, Series 2020 (Taxable); and delegating the authority to approve the final terms of the amendment.

[Michelle Brown, Financial Planning Supervisor; Chris Robinson, Power Superintendent]



RESOLUTION NO. 41196

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 1918 MLK LLC, for the
 4 development of six multi-family market-rate for sale housing units to be
 located at 1918-1928 Martin Luther King Jr. Way 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

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 1918 MLK LLC is proposing to develop six multi-family
 16 market-rate for sale housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
6	2 bed, 3 bath	1,600 Square Feet

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 18
 19 as well as six on-site residential parking stalls, and

20 WHEREAS the Director of Community and Economic Development has
 21 reviewed the proposed property tax exemption and recommends that a conditional
 22 property tax exemption be awarded for the property located at 1918-1928 Martin
 23 Luther King Jr. Way in the Downtown Regional Growth Center, as more particularly
 24 described in the attached Exhibit "A"; Now, Therefore,
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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 1918 MLK LLC, for the property located at 1918-1928 Martin Luther King Jr. Way 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 1918 MLK 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



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EXHIBIT "A"

PROJECT DESCRIPTION

Number of Units	Type of Unit	Average Size	Expected Sales Price
Market Rate			
6	2 bed, 3 bath	1,600 Square Feet	\$550,000

The project will also provide six on-site residential parking stalls.

LEGAL DESCRIPTION

Legal Description:

APN 2019220061
1918 Martin Luther King Jr. Way

Lot 1 of City of Tacoma Short Plat No. LU22-0214 recorded under Recording No. 202302075003, records of Pierce County Auditor, Washington.

APN 2019220062
1920 Martin Luther King Jr. Way

Lot 2 of City of Tacoma Short Plat No. LU22-0214 recorded under Recording No. 202302075003, records of Pierce County Auditor, Washington.

APN 2019220063
1922 Martin Luther King Jr. Way

Lot 3 of City of Tacoma Short Plat No. LU22-0214 recorded under Recording No. 202302075003, records of Pierce County Auditor, Washington.

APN 2019220064
1924 Martin Luther King Jr. Way

Lot 4 of City of Tacoma Short Plat No. LU22-0214 recorded under Recording No. 202302075003, records of Pierce County Auditor, Washington.



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APN 2019220065
1926 Martin Luther King Jr. Way

Lot 5 of City of Tacoma Short Plat No. LU22-0214 recorded under
Recording No. 202302075003, records of Pierce County Auditor,
Washington.

APN 2019220066
1928 Martin Luther King Jr. Way

Lot 6 of City of Tacoma Short Plat No. LU22-0214 recorded under
Recording No. 202302075003, records of Pierce County Auditor,
Washington.

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



RESOLUTION NO. 41197

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR WALKER, AND
2 COUNCIL MEMBERS DANIELS AND USHKA

3 A RESOLUTION relating to gun violence; acknowledging the devastating impact of
4 gun violence in our country and in Tacoma; naming the disparity of those
5 impacts on Black youths, boys, and children; affirming the City of Tacoma's
6 ongoing commitment to decreasing violence in our community; and directing
7 the City Manager to implement a range of immediate actions related to
8 bolstering community safety and the wellbeing of Tacoma's youth.

9 WHEREAS the youth in our country are experiencing surging levels of gun
10 violence, creating a dire crisis that has no quick fix and reached alarming new
11 heights in 2020, when gun violence became the leading cause of death for
12 Americans under the age of eighteen, and

13 WHEREAS nationally, gun violence has shown no signs of being a
14 temporary phenomenon among youths in America and has risen steadily and
15 sharply throughout the past decade, and

16 WHEREAS gun violence is affecting American youths in disparate ways – as
17 of 2021, Black children were about five times more likely to die from gunfire than
18 their White counterparts, and in addition, boys, and those ages 12-17 account for
19 most gun-related deaths, and

20 WHEREAS, the City's youth are not immune to gun violence, and we have
21 already lost beloved children, many of whom are youths of color, cherished by their
22 families and friends, with full lives ahead of them, and

23 WHEREAS, in the City, as across our country, youths are not only victims of
24 gun violence but are also finding ways to access firearms, with 10 percent of
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1 children in Tacoma Public Schools participating in the Healthy Youth Survey in
2021 claiming it would be easy to get access to a gun, and

2 WHEREAS, while we recognize and do not seek to infringe on law-abiding
3 Americans' Second Amendment rights to keep and bear arms, legally purchased
4 guns are being stolen in record numbers, from 2017 to 2021 more than one million
5 firearms were stolen from private citizens across the United States, a number that is
6 likely vastly underrepresented because it includes only thefts reported to
7 authorities, and

8 WHEREAS, in the City, a gun is stolen from a vehicle in Tacoma every 57
9 hours and failures to safely store legally purchased firearms are resulting in
10 firearms ending up in the hands of youths and an unknown number of guns illegally
11 circulating in our community, and

12 WHEREAS the tragic loss of life from gun violence has far-reaching
13 consequences in our City because gun violence does not only irrevocably change
14 or cut lives short, but it also traumatizes perpetrators, witnesses, and families, while
15 stoking stress, fear, and anxiety in our schools and neighborhoods, and

16 WHEREAS, we recognize and applaud the efforts undertaken thus far in the
17 City, State, and Nation to address gun violence and safe storage, we commend the
18 steady and committed work of our community partners who are working closely with
19 at-risk youth and helping to educate us all, and we see great value in the City,
20 State, and Nation's efforts to fund violence prevention programs, and

21 WHEREAS we seek to maintain the City's commitment to investing in
22 services that increase safety and supports systems, while decreasing violence in
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our community, such as our past work on the 2022 Youth and Young Adult Violence
1 Assessment and our 2019 Tacoma Gang Assessment, and

2 WHEREAS the City contracts with 11 agencies representing 19 programs,
3 including 12 new programs, and the City has increased the youth violence reduction
4 budget by \$870,086 in 2023-2024, including a \$400,000 grant received from the
5 Department of Commerce, Office of Firearm Safety and Violence Prevention, to
6 reach a total of \$2,044,852, and

7
8 WHEREAS, in response to the alarming year-over-year increase in youth
9 deaths due to gun violence, Mayor Woodards convened representatives from
10 concerned government agencies, including Tacoma, Pierce County and its Juvenile
11 Court, Metro Parks Tacoma, Tacoma-Pierce County Health Department, Tacoma
12 Public Schools, the Puyallup Tribe of Indians, and Pierce Transit, beginning in
13 January 2023 to discuss shared concerns and a collaborative approach to this
14 important issue, and this resolution seeks to capture the outcomes of those
15 conversations to date, and

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18 WHEREAS it takes all of us, working as a village, to ensure every student is
19 safe, healthy, engaged, and supported, and we have an opportunity to act
20 alongside our community partners, cooperatively aligning existing resources to
21 address youth violence to expand summer programming in the spirit of the Whole
22 Child initiative, and

23
24 WHEREAS, because violence often presents itself within a complex set of
25 issues which can be societal, systemic, cyclical, or intergenerational in nature, we
26 must work in concert to address community safety and youth violence in a



1 sustained manner, and the City is developing a Community Safety Plan using a
2 public health lens, defined and driven by community voices, and

3 WHEREAS, the unacceptable number of our youth affected by gun violence,
4 the human anguish spurred by the death and maiming of our children, and the
5 increasing availability of illegally obtained firearms in our community, demands
6 urgent and immediate action aimed at enhancing violence prevention efforts,
7 especially to protect our Black male children; Now, Therefore,

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

9 Section 1. The City Manager is hereby directed to provide \$200,000 in
10 funding for safe space for youth and \$100,000 in funding for youth programming for
11 the summer of 2023.
12

13 Section 2. That the City Manager is hereby directed to ensure that the
14 ongoing work to create a Community Safety Plan includes an effort to: (1) identify a
15 set of data-driven goals for reducing gun violence in Tacoma and disrupting the
16 cycle of violence affecting young people, (2) identify pathways beyond policing to
17 help achieve strategic outcomes and violence prevention, and (3) place a priority
18 focus on youths of color, boys, and those ages 12-18.
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20 Section 3. That the City Manager is hereby directed to research the
21 feasibility of enhancing efforts to prevent legally purchased firearms from being
22 used illegally by or against youths, such as increasing the accessibility of gun safes
23 and trigger locks, and to evaluate whether there are unrealized or underutilized
24 opportunities in the Bipartisan Safer Communities Act, signed into law in June
25 2022, that could help curb the spread of unlawfully obtained firearms in the City.
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Section 4. The City Manager is hereby directed to undertake efforts to work with public policy research organizations on youth asset mapping and work towards expanding community partnerships and programming specific to violence prevention among male youths of color who are ages 12-18.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



ORDINANCE NO. 28877

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating portions
4 of South 23rd Street and South Cushman Avenue, to cure existing
5 building encroachments; and adopting the Hearing Examiner's
6 Findings, Conclusions, and Recommendations related thereto.

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

10 BE IT ORDAINED BY THE CITY OF TACOMA:

11 Section 1. That the City Council hereby adopts the Hearing Examiner's
12 Findings, Conclusions, and Recommendations as contained in the Hearing
13 Examiner's Report and Recommendation to the City Council bearing File
14 No. 124.1439 and dated February 21, 2023, which Report is on file in the
15 office of the City Clerk.
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Section 2. That the portions of South 23rd Street and South Cushman Avenue, legally described as follows:

That portion of South Cushman Avenue and South 23rd Street lying Westerly and Southerly of Block 27, Smith and Fife's Addition to New Tacoma, as recorded in Book 1 of Plats at Page 63, in Pierce County, Washington, more particularly described as follows:

BEGINNING at the Southwesterly corner of said Block 27;
THENCE North 82°35'30" East, along the Southerly right-of-way margin of said South 23rd Street, 48.00 feet;
THENCE South 07°24'30" East, 3.00 feet to a line 3.00 feet South of and parallel with said margin;
THENCE South 82°35'30" West, 50.00 feet to a line 2.00 feet West of and parallel with the East right-of-way margin and its Southerly prolongation of South Cushman Avenue;
THENCE North 07°25'08" West, along said parallel line, 44.00 feet;
THENCE North 82°34'52" East, 2.00 feet to the Easterly right-of-way margin of said South Cushman Avenue;
THENCE South 07°25'08" East, along said margin, 41.00 feet to the TRUE POINT OF BEGINNING.

All 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:

Tacoma Power

- a. Tacoma Power requests an easement be reserved over the entire area proposed for vacation along the north side of South 23rd Street for power facilities; and,
- b. Tacoma Power also requests an easement be reserved over the southerly 6 feet of the 2-foot-wide Vacation Area in South Cushman Avenue.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: Portions of South 23rd Street and South Cushman Avenue.
Petitioner: SoHo Properties Inc. dba SoHo Properties 2 Inc
Request No.: 124.1439



SUPPLEMENTAL ORDINANCE NO. 28881

1 AN SUPPLEMENTAL ORDINANCE of the City of Tacoma, Washington, relating to
2 Tacoma Power; authorizing a second amendment to the Note Purchase
3 Agreement related to the City's Electric System Subordinate Revenue Note,
4 Series 2020 (Taxable); delegating the authority to approve the final terms of
5 the amendment; and approving certain other matters in connection therewith.

6 WHEREAS the City of Tacoma, Washington ("City"), by Ordinance
7 No. 23514, passed on November 20, 1985 (as amended and supplemented,
8 including as amended and restated by Ordinance No. 28146, passed on April 30,
9 2013, collectively, the "Senior Bond Ordinance"), authorized electric system
10 revenue bonds of the City ("Senior Bonds") to be issued in series having a parity of
11 lien and charge on the Revenues of the Electric System after the payment of
12 Operating Expenses (as those terms are defined therein), if certain conditions are
13 met, and made covenants in connection with the issuance of such Senior Bonds,
14 and

15 WHEREAS the Senior Bond Ordinance permits the City to issue obligations
16 that are junior and subordinate to the payment of the Senior Bonds and that are
17 payable out of Revenues of the Electric System, after payment of Operating
18 Expenses, only after the prior payment of all amounts required to be paid or set
19 aside under the Senior Bond Ordinance for the Senior Bonds, as the same shall
20 become due at the times and in the manner as required in the Senior Bond
21 Ordinance, and

22 WHEREAS on April 21, 2015, the City Council passed Ordinance No. 28295
23 (as amended, the "Master Subordinate Ordinance") to authorize a new issue of
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1 revenue bonds of the City, junior and subordinate to the Senior Bonds, to be
2 known as the City of Tacoma Electric System Subordinate Revenue Bonds
3 (“Subordinate Bonds”) in one or more series to finance costs of the Electric
4 System, and

5
6 WHEREAS pursuant to the Master Subordinate Ordinance and Ordinance
7 No. 28669 adopted on May 5, 2020 (the “First Supplemental Ordinance”), the City,
8 acting through its Department of Public Utilities, Light Division (d/b/a “Tacoma
9 Power”) issued its Electric System Subordinate Revenue Note, Series 2020
10 (Taxable), to evidence a revolving line of credit in the principal amount of not to
11 exceed \$100,000,000 outstanding at any time (the “2020 Note”), and
12

13 WHEREAS the 2020 Note was sold to and purchased by KeyBank National
14 Association (“Purchaser”) pursuant to the terms of the Note Purchase Agreement
15 dated May 21, 2020 (the “Original Note Purchase Agreement”), between the
16 Purchaser and the City, acting by and through its Public Utilities Board (the
17 “Board”), and
18

19 WHEREAS pursuant to Ordinance No. 28772 adopted on August 3, 2021
20 (the “Second Supplemental Ordinance”) and the First Amendment to Note
21 Purchase Agreement dated September 16, 2021 (the “First Amendment” and
22 together with the Original Note Purchase Agreement, the “Amended Note
23 Purchase Agreement”), the City and the Purchaser agreed to reduce the available
24 principal amount of the 2020 Note to \$50,000,000, to extend the final maturity of
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1 the 2020 Note and to amend certain provisions of the Original Note Purchase
2 Agreement, as set forth therein, and

3 WHEREAS implementation of the 2020 Note and the Amended Note
4 Purchase Agreement has provided liquidity and financial sustainability and
5 increased Tacoma Power’s fiscal position, all of which are consistent with City
6 policy and fundamental to sound long range planning and government
7 performance, and

9 WHEREAS the 2020 Note currently bears interest at a variable rate based
10 on the London Interbank Offered Rate (“LIBOR”), and

12 WHEREAS LIBOR is scheduled to be discontinued as of June 30, 2023,
13 and

14 WHEREAS in anticipation of the pending unavailability of LIBOR, the
15 Amended Note Purchase Agreement reflected certain terms related to alternate
16 benchmark rates, including the Secured Overnight Financing Rate (“SOFR”), and

18 WHEREAS Tacoma Power has requested that the interest rate on the 2020
19 Note be converted to an index rate based on SOFR and the Board has initiated
20 and recommended to the City Council for its approval a second amendment to the
21 Amended Note Purchase Agreement (the “Second Amendment,” and the
22 Amended Note Purchase Agreement, and as it may be further amended, is
23 referred to as the “Note Purchase Agreement”) to reflect the terms, and
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WHEREAS the City Council now desires to authorize the execution of the Second Amendment and related documents subject to the terms and conditions set forth in this Supplemental Ordinance; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

ARTICLE I

DEFINITIONS

Section 1.1. Definitions and Interpretation of Terms. Unless otherwise defined in the recitals and elsewhere in this Supplemental Ordinance, capitalized terms used herein shall have the meanings set forth in the Master Subordinate Ordinance, as previously amended.

ARTICLE II

PARITY AND OTHER FINDINGS

Section 2.1. Parity Findings. In connection with the 2020 Note, the City hereby makes the following findings:

A. There is, and as of the effective date of the Second Amendment there will be, no deficiency in the Bond Fund, and no Event of Default has occurred or shall have occurred and being continuing.

B. The principal of and interest on the 2020 Note shall continue to be paid out of the Bond Fund and subject to the terms of the Master Subordinate Ordinance, the First Supplemental Ordinance, the Second Supplemental Ordinance, this Supplemental Ordinance and the Note Purchase Agreement.



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C. On the effective date of the Second Amendment, there will be on file with the City, if necessary, a certificate satisfying the conditions set forth in Section 6.1 of the Master Subordinate Ordinance.

Section 2.2. Findings as to Sufficiency of Gross Revenue. The City hereby confirms, finds, and determines that the Revenues of the Electric System at the rates to be charged for power and other services and commodities from the Electric System will be more than sufficient to meet all Operating Expenses, to make all required payments with respect to the Senior Bonds, and to permit the setting aside into the Bond Fund out of the Revenues of amounts sufficient to pay the principal of and interest on the 2020 Note when due at maturity and upon any mandatory sinking fund redemption thereof. The City further finds and determines that in creating the Bond Fund and in fixing the amounts to be paid into the Bond Fund, it has exercised due regard for Operating Expenses, and the City has not bound and obligated itself to set aside and pay into the Bond Fund a greater amount or proportion of the Revenues than in the judgment of the City will be available over and above the Operating Expenses.

ARTICLE III
AUTHORIZATION

Section 3.1. Authorization.

A. The City Council has determined that it would be in the best interest of the City to delegate to the Director of Public Utilities and the Tacoma Power



1 Superintendent (each, a “Designated Representative”), for a limited time the
2 authority to approve the terms of the Second Amendment, as provided herein.

3 Subject to the terms and conditions set forth in this Section 3.1, each
4 Designated Representative is hereby authorized to approve the final terms of the
5 Second Amendment and to agree to any additional terms and covenants that are
6 in the best interest of the City and consistent with this Supplemental Ordinance,
7 provided that

9 (a) The available principal amount of the 2020 Note that may be
10 outstanding at any time remains not to exceed \$50,000,000;

12 (b) The final maturity of the 2020 Note remains no later than December 1,
13 2024; and

14 (c) The interest rate on draws on the line of credit represented by the
15 2020 Note does not exceed a variable rate equal to the Term SOFR Rate (as
16 defined in the Second Amendment) plus 54 basis points for funds used, and 20
17 basis points for funds not drawn under the Note Purchase Agreement, as such
18 terms may be adjusted under the Note Purchase Agreement; provided, that the
19 2020 Note may be subject to a standby letter of credit fee of not to exceed 125
20 basis points and an issuance fee of not to exceed \$200 for the portion, if any, of
21 the 2020 Note converted to a letter of credit in accordance with the Note Purchase
22 Agreement, and to a default rate upon the occurrence and continuation of an Event
23 of Default as provided for in the Note Purchase Agreement.
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Subject to the terms and conditions set forth in this Section 3.1, each Designated Representative is hereby authorized to approve the final terms and conditions of the Second Amendment in coordination with Bond Counsel, the Municipal Advisor and the City Attorney's Office, to agree to any additional terms and covenants that are in the best interest of the City and consistent with this Supplemental Ordinance, and to execute and implement the Second Amendment (including the payment of any financing costs associated with the delivery of the Second Amendment), and such approval shall be conclusively evidenced by such individual's execution thereof.

The authority granted to the Designated Representatives by this section shall expire on July 1, 2023. If the Second Amendment has not been executed by such date, the authorization provided herein shall be rescinded, and the Second Amendment shall not be executed unless such authority has been re-authorized by ordinance of the City Council at the request of the Board.

B. The terms of the 2020 Note shall otherwise be as set forth in the Note Purchase Agreement. The principal of and interest on the 2020 Note shall be due and payable at the rates, on the dates, and in the manner as set forth in the Note Purchase Agreement.



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ARTICLE IV

MISCELLANEOUS

Section 4.1. Ratification of Prior Acts. Any action taken consistent with the authority and prior to the effective date of this Supplemental Ordinance is ratified, approved, and confirmed.

Section 4.2. General Authorization. Upon the passage and approval of this Supplemental Ordinance, the proper officials of the City including the Designated Representatives, the Borrower Representatives, the Mayor, the City Treasurer, the Finance Director, the Assistant Finance Director/Controller and the City Clerk are authorized and directed to undertake all action necessary for the prompt execution and delivery of the Second Amendment and further to execute all closing certificates, agreements, and other documents required to effect the delivery of the Second Amendment in accordance with the terms of this Supplemental Ordinance.

Notwithstanding anything herein or in the Master Subordinate Ordinance to the contrary, the signature of one authorized official, including but not limited to the Designated Representatives, shall be sufficient to bind the City.

Section 4.3. Terms of 2020 Note Subject to the Master Subordinate Ordinance, as amended; Ratification. Except as expressly provided herein, every term and condition contained in the Master Subordinate Ordinance, the First Supplemental Ordinance and the Second Supplemental Ordinance shall apply to this Supplemental Ordinance and the 2020 Note with the same force and effect as if the same were herein set forth at length, with such omissions, variations and



1 modification as may be appropriate to make the same conform to this
2 Supplemental Ordinance.

3 In the event of any inconsistency between the terms and provisions
4 provided for in this Supplemental Ordinance and the Master Subordinate
5 Ordinance, the First Supplemental Ordinance and/or the Second Supplemental
6 Ordinance, the terms and provisions of this Supplemental Ordinance shall control.
7

8 Except as supplemented and amended by this Supplemental Ordinance,
9 the Master Subordinate Ordinance, the First Supplemental Ordinance and the
10 Second Supplemental Ordinance are hereby ratified, approved and confirmed and
11 shall continue in full force and effect in accordance with the terms and provisions
12 thereof, as amended and supplemented.
13

14 Section 4.4. Provisions of Note Purchase Agreement. The terms and
15 provisions of the 2020 Note as set forth in the Note Purchase Agreement shall
16 control over any inconsistent provision of this Supplemental Ordinance.
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Section 4.5. Effective Date of Ordinance. This Supplemental Ordinance shall take effect and be in force 10 days after its passage, approval and publication as required by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form and legality:

Pacifica Law Group LLP
Bond Counsel

By _____



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CLERK'S CERTIFICATE

I, the undersigned, City Clerk of the City of Tacoma, Washington, DO

HEREBY CERTIFY:

1. That the attached is a true and correct copy of Supplemental Ordinance No. ____ (the "Ordinance") of the City, duly passed at a regular meeting of the City Council (the "Council") of the City held on _____, 2023.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of said Ordinance; that all other requirements and proceedings incident to the proper passage of said Ordinance have been fully fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City as of this ____ day of _____, 2023.

City Clerk
City of Tacoma, Washington