



Legislation Passed September 19, 2023

The Tacoma City Council, at its regular City Council meeting of September 19, 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. 41270

A resolution awarding a contract to Crescent Mechanical Inc., in the amount of \$1,120,075.00, plus applicable taxes, plus a 25 percent contingency, budgeted from the Capital Project Fund, for the replacement of air handling units and electrical upgrades at the Fleet-Police Warehouse, for a projected contract total of \$1,400,093.75 - Specification No. PW23-0108F.

[David Pagel, Project Manager, Public Works Facilities Management
Josh Diekmann, P.E. PTOE, Interim Public Works Director/City Engineer, Public Works]

Resolution No. 41271

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$8,000, to support the Historic Cushman Street Fair.

[Council Member Hines]

Resolution No. 41272

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$5,000, to sponsor the 2023 From Poverty to Possibilities Summit.

[Mayor Woodards]

Ordinance No. 28876

An ordinance vacating a portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street, to facilitate a healthcare redevelopment project.

(MultiCare Health System; File No. 124.1426)

[Jeff H. Capell, Hearing Examiner]



RESOLUTION NO. 41270

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Crescent Mechanical Inc, in the amount of \$1,120,075.00, plus applicable
4 taxes, plus a 25 percent contingency, budgeted from the Capital Project
5 Fund, for the replacement of air handling units and electrical upgrades at
6 the Fleet-Police Warehouse, for a projected contract total of \$1,400,093.75,
7 pursuant to Specification No. PW23-0108F.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Crescent Mechanical Inc, in the amount of
20 \$1,120,075.00, plus applicable taxes, plus a 25 percent contingency, budgeted
21 from the Capital Project Fund,
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for the replacement of air handling units and electrical upgrades at the Fleet-Police Warehouse, for a projected contract total of \$1,400,093.75, pursuant to Specification No. PW23-0108F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41271

1 BY REQUEST OF DEPUTY MAYOR WALKER AND COUNCIL MEMBERS HINES
2 AND RUMBAUGH

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$8,000,
4 budgeted from the Council Contingency Fund, for the purpose of supporting
5 the Historic Cushman Street Fair.

6 WHEREAS the North End Neighborhood Council is sponsoring the Historic
7 Cushman Street Fair (“Street Fair”), a family-friendly event designed to celebrate
8 community and raise public awareness about the City’s historical Cushman and
9 Adams Substations, and

10 WHEREAS this event will also celebrate the re-launch of the commitment by
11 the City and Tacoma Public Utilities to finding three potential uses for the Cushman
12 and Adams Substation buildings and properties, and

13 WHEREAS the Street Fair will include music, food, drinks, free treats for
14 kids, family activities, a video tour inside the Cushman Substation, and an
15 opportunity to learn more about the City’s Proctor Neighborhood Plan, and

16 WHEREAS the Street Fair is planned for September 23, 2023, and builds on
17 the tradition of the first Cushman Street Fair held in 2018, with community members
18 from across the City invited to participate, and event organizers are stressing
19 messaging that “these historical buildings belong to all Tacomans,” and

20 WHEREAS this request would provide funding as follows:

21 (1) entertainment/music/rentals, \$3,500, (2) barricades/permits/insurance, \$1,500,
22 (3) food/drinks, \$1,500, and materials/supplies/decorations, \$1,500, for a total
23 expenditure of \$8,000, and
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WHEREAS, at the September 12, 2023, Study Session, Council Member Hines shared a City Council Consideration Request to authorize the one-time use of \$8,000 from the Council Contingency Fund for sponsorship of the Street Fair, and

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's contribution, and

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:

Section 1. That one-time funding in the amount of \$8,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the Historic Cushman Street Fair, sponsored by the North End Neighborhood Council (NENC).



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Section 2. That the proper officers of the City are hereby authorized to confirm deliverables with the NENC for the purposes hereinabove enumerated, and document as appropriate.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41272

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR WALKER, AND
2 COUNCIL MEMBER 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 sponsoring
5 the 2023 From Poverty to Possibilities Summit.

6 WHEREAS United Way of Pierce County ("United Way") guides regional
7 cooperation to eliminate poverty and has stated a bold goal of lifting 15,000
8 households out of poverty by 2028, and moving them into financial stability, and

9 WHEREAS United Way continues to maintain regular outreach to its
10 participants and partners to ensure alignment of resources and programming to
11 meet that goal, and

12 WHEREAS the City of Tacoma ("City") and United Way have partnered in
13 this work to shift narratives and break down barriers through Growing Resilience in
14 Tacoma, the City's guaranteed income pilot, and

15 WHEREAS this work is the embodiment of the efforts and conversations
16 through the From Poverty to Possibilities Summit ("Summit"), and

17 WHEREAS this year's Summit will continue to focus on how organizations
18 and advocates can deconstruct the narrative with those in poverty and move
19 towards disrupting the systems that create barriers for those in poverty, and

20 WHEREAS by addressing the interconnected issues affecting children and
21 families in the community, the Summit ensures families are stronger, individuals
22 gain stability and kids are more successful, and

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WHEREAS in order to move the needle on challenging and complex issues like poverty, individual and cross-sector collaborations that are focused on results are required, and United Way can and does facilitate such work, and

WHEREAS, at the September 12, 2023, Study Session, Mayor Woodards, Deputy Mayor Walker, and Council Member Diaz shared a City Council Consideration Request to authorize the one-time use of \$5,000, from the Council Contingency Fund for the purpose of sponsoring the 2023 From Poverty to Possibilities Summit, and

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's contribution, and

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:

Section 1. 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 2023 From Poverty to Possibilities Summit.



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Section 2. That the proper officers of the City are hereby authorized to confirm deliverables for the purposes hereinabove enumerated, and document as appropriate.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28876

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of South "L" Street, lying north of South 5th Street, and a portion of
5 South 4th Street, lying west of South "L" Street, to facilitate a health-
6 care redevelopment project; and adopting the Hearing Examiner's
7 Findings, Conclusions, and Recommendations related thereto.

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

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's
13 Findings, Conclusions, and Recommendations as contained in the Hearing
14 Examiner's Report and Recommendation to the City Council bearing File
15 No. 124.1426 and dated January 24, 2023, which Report is on file in the office
16 of the City Clerk.
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Section 2. That a portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street, legally described as follows:

THAT PORTION OF SOUTH L STREET AND SOUTH 4TH STREET IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CITY OF TACOMA, PIERCE COUNTY, WASHINGTON; SAID PORTIONS BEING DESCRIBED AS FOLLOWS:

SOUTH L STREET

THAT PORTION OF SOUTH L STREET LYING BETWEEN AND ADJACENT TO LOTS 3 THROUGH 12, BLOCKS 423 AND 424, MAP OF NEW TACOMA, WASHINGTON TERRITORY, RECORDED FEBRUARY 3, 1875.

AND

SOUTH 4TH STREET

THAT PORTION OF SOUTH 4th STREET LYING BETWEEN THE NORTH EXTENSION OF THE WEST LINE OF THE EASTERLY 10 FEET OF THE ALLEY VACATED IN ORDINANCE NO. 2773, SAID NORTH EXTENSION TO INTERSECT WITH THE NORTH LINE OF SOUTH 4th STREET, AND THE NORTH EXTENSION OF THE EAST LINE OF BLOCK 424, MAP OF NEW TACOMA, WASHINGTON TERRITORY, RECORDED FEBRUARY 3, 1875, TO INTERSECT WITH THE NORTH LINE OF SOUTH 4th STREET.

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



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2 hereby vest in the owners of the property abutting thereon, all in the manner
3 provided by law; provided, however, that there is hereby retained and
4 reserved, pursuant to the statutes of the state of Washington, the following
5 easements, to-wit:
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8 Public Works/Traffic Engineering and Safety

- 9 a. Public Works Traffic Signal/Streetlighting requires that the
10 streetlights in the Vacation Areas (see Exhibit C-7) be
11 disconnected from the City's streetlighting system by the City, at
12 Petitioner's expense, within 6 months of the approval of the
13 street vacation.
14 b. The City shall be compensated (see Estimating Form, Exhibit 1
15 to Exhibit C-7) for the decommissioned City assets within the
16 Vacation Areas.
17 c. The Petitioner will notify the City of Tacoma Traffic
18 Signal/Streetlight Shop (253) 591- 5287, to coordinate the
19 disconnection of the lighting within the Vacation Areas from the
20 City's system. Until such time that this work is completed, the
21 City shall operate and maintain the lighting system and shall
22 have complete access to the system.

23
24 Tacoma Power and Tacoma Water

- 25 a. A City utility easement will be reserved over the east 20 feet and
26 the south 20 feet of South "L" Street as proposed for vacation.
This easement will protect existing and future underground
power lines and above ground pad mounted equipment to serve
multiple parcels on the east side of South "L" Street.

Note: Tacoma Power HFC will not require a separate easement reservation, the Petitioner/Developer is put on notice of customer-owned conduit that crosses under South "L" Street.



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b. A City utility easement will be reserved for Tacoma Water facilities in South 4th Street and South "L" Street as follows:

The southerly 50 feet of the proposed vacation of South "L" Street, as well as the easterly 40 feet of the proposed vacation area of South "L" Street; and the southerly 20 feet of the proposed vacation area of South 4th Street.

Note: The South 4th Street area will not be required in the easement if customer chooses to abandon the water main prior to street vacation.

City utility easement for Tacoma Water facilities shall include the following requirements:

- a) Property Owner/Developer (Petitioner) will need to maintain clearances from Tacoma Water's facilities.
- b) A minimum 10' of clearance must be maintained from any mains, and a minimum 5' of horizontal clearance and minimum 1' of vertical clearance must be maintained from any hydrants.
- c) If existing Tacoma Water facilities need to be relocated or adjusted, they will be relocated by Tacoma Water at the Property Owner/Developer's (Petitioner's) expense.
- d) Tacoma Water facilities must remain accessible at all times. Any damage to Tacoma Water facilities will be repaired by Tacoma Water crews at the expense of the Property Owner/Developer (Petitioner).



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Environmental Services

- a. A City utility easement must be reserved within the Vacation Areas to protect, maintain, and allow for replacement and access to the following facilities:

Environmental Services asset, SAP #6263833, within the proposed vacation. The surface water segment is a 10-inch line.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of South "L" Street, lying north of South 5th Street, and a portion of South 4th Street, lying west of South "L" Street.
Petitioner: MultiCare Health System
Request No.: 124.1426