



City of Tacoma

City Council Action Memorandum

**TO:** Elizabeth A. Pauli, City Manager  
**FROM:** Jeff H. Capell, Hearing Examiner *JHC*  
Ralph K. Rodriguez, LID Administrator, Public Works Engineering Division *RKR*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance Request No. 21-0154 – LID No. 3971 Formation – March 2, 2021  
**DATE:** February 11, 2021

---

**SUMMARY AND PURPOSE:**

An ordinance forming Local Improvement District No. 3971, to extend the wastewater main in East 48th Street from East D Street west to East C Street, thence north in East C Street, approximately 390 feet.

**BACKGROUND:**

The Hearing Examiner’s recommendation to approve formation of Local Improvement District No. 3971 (“LID 3971”) is based on submissions from the parties and on the evidence and testimony presented at the public hearing held on October 26, 2020. LID 3971 proposes to extend an eight-inch wastewater main with tees and/or risers for wastewater laterals, utility access maintenance points, and all other work necessary for the extension, on East 48th Street from East D Street west to East C Street, thence north in East C Street, approximately 390 feet. LID 3971 is a City of Tacoma (“City”) initiated LID. No property owners within the LID boundary have voiced opposition to the formation of the LID, but Ms. Evelyn Dorsey (“Dorsey”) objected to being included in the LID because she is already connected to the City’s wastewater system in East D Street. The City confirmed Dorsey’s connection, but believed she should be included in the LID in case she chooses to subdivide her property in the future. The Examiner rejected Dorsey’s inclusion given her objection and in the absence of any evidence that she intends to subdivide her property precipitating the need for an additional connection. As a result, the Examiner recommends formation of LID 3971, excluding the Dorsey property, and the City amended its costs and legal description to account for the exclusion.

**COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:**

All property owners within the LID were notified of the public hearing, held on October 26, 2020, at which they could attend to express their concerns and voice support for, or opposition to the formation of LID 3971. Two property owners did testify at the hearing primarily for the purpose of asking clarifying questions about the LID to City staff. Ms. Dorsey, as referenced in the background section of this memorandum, objected to being included in LID 3971 because she is already lawfully connected to the City’s wastewater system. Property owners within the LID 3971 boundary will benefit by being connected to the needed wastewater facilities, receiving a long-term financing option from the City, and from the City’s contribution to the LID improvements.



**2025 STRATEGIC PRIORITIES:**

**Equity and Accessibility:**

Positive impacts on equity and accessibility result from approving this LID formation because residents within the LID boundary can convert from outdated septic systems and have access to more environmentally friendly City wastewater facilities.

**Livability: Equity Index Score: Moderate Opportunity**

Improve access and proximity by residents of diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

**Explain how your legislation will affect the selected indicator(s).**

The formation of the Local Improvement District acknowledges the overall support of the property owners to form the LID and supports their opportunity to have direct involvement in public improvements in their neighborhood.

**ALTERNATIVES:**

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. The Council could approve the LID formation under different terms than those recommended.	Any positive impact arising from varying from the Examiner’s recommendation would depend on what those variations are.	Any variation from the current recommendation could potentially delay the LID formation and construction of the improvements.
2. The Council could reject the LID formation.	The most positive impacts come from approving the LID formation.	The most positive impacts come from approving the LID formation, thereby making the improvements that are supported by the City and the property owners.

**EVALUATION AND FOLLOW UP:**

All evaluation and follow up should be coordinated between the appropriate City Department and property owners within the LID.

**STAFF/SPONSOR RECOMMENDATION:**

The Hearing Examiner recommends formation of Local Improvement District No. 3971, after excluding the Dorsey property, and following the costs and legal description as revised in the Addendum to the Hearing Examiner’s Report and Recommendation.



**FISCAL IMPACT:**

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
4300-ES Wastewater	LID-3971W	5600000	\$278,962
<b>TOTAL</b>			<b>\$278,962</b>

**What Funding is being used to support the expense?**

LID-3971W-FS-AD-01, Fund Revenue - \$181,993  
LID-3971W-FS-AD-02, LID assessments - \$96,969

**Are the expenditures and revenues planned and budgeted in this biennium’s current budget?**

**YES**  
ES Wastewater is budgeted at the fund level.  
LID assessments are budgeted at the project level upon adoption of the formation ordinance.

**Are there financial costs or other impacts of not implementing the legislation?**

**No**  
There are no financial costs to the city for not setting the formation of this Local Improvement District.

**Will the legislation have an ongoing/recurring fiscal impact?**

**YES**  
The wastewater main will require periodic cleaning which will be more than offset by additional revenue from additional customers using the extended wastewater system.

**Will the legislation change the City’s FTE/personnel counts?**

**No**  
Existing staff will design, inspect, and maintain the additional 630 feet of the new wastewater main.

**ATTACHMENTS:**

The following attachments can be found in Legistar:

- The Hearing Examiner’s City Council Action Memorandum, dated February 11, 2021.
- The Hearing Examiner’s Addendum to Findings of Fact, Conclusions of Law, and Recommendation, issued on January 19, 2021.
- The Hearing Examiner’s Reply Memo to Public Works, dated December 9, 2020.
- Public Work’s Response to the Examiner’s Report and Recommendation Memo, dated November 25, 2020.
- The Hearing Examiner’s Findings of Fact, Conclusions of Law, and Recommendation, issued on November 16, 2020.
- The City Witness List, Exhibit List, and Exhibits C-1 through C-9.
- Verbatim electronic recording from the hearing held on October 26, 2020.