



TO: T.C. Broadnax, City Manager
FROM: Phyllis K. Macleod, Hearing Examiner *PKM*
Dana Brown, PW Division Manager, Assistant, Public Works, Engineering
Sandra Guffey, Engineering Technician IV, Public Works, Engineering
COPY: City Council and City Clerk
SUBJECT: 14-1075 – Assessment Roll for Sidewalk Abatement SCF-11 – December 2, 2014
DATE: November 10, 2014

SUMMARY:

This Ordinance would approve and confirm the Final Assessment Roll for Hazardous Sidewalk Abatement Project SCF-11. The construction of sidewalk improvements is complete and the proposed Final Assessment Roll sets forth the financial responsibility of the involved property owners.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

Completing the Hazardous Sidewalk Abatement Project and approving the Final Assessment Roll will support several strategic policy priorities:

- Strengthen and maintain a strong fiscal management position.
- Foster neighborhood, community, and economic development vitality and sustainability.
- Plan for and improve public infrastructure that meets the transportation needs of all Tacoma residents and visitors.

BACKGROUND:

The Hazardous Sidewalk Abatement/Improvement SCF-11 Project began in October 2011 when the Council adopted Resolution No. 38351, which authorized the Department of Public Works to initiate unfit or unsafe sidewalk procedures regarding 91 identified properties. The Resolution set a hearing before the Hearing Examiner which was held on November 17, 2011. The Hearing Examiner forwarded a recommendation to the City Council supporting creation of the sidewalk abatement/improvement project. On March 6, 2012, the City Council adopted Ordinance No. 28054, which authorized re-construction of sidewalks for specified properties and directed the levy of special assessments according to the properties' proportionate share of the project costs. A contractor hired by the City completed construction of sidewalk improvements on 70 sites in July 2013. Of the remaining 21 properties, 19 had completed repairs that were accepted by the City prior to the start of construction and 2 properties had changed ownership.

The final assessment for the sidewalk construction work totaled \$168,472.35, which was a sizeable reduction from the Preliminary Assessment estimates which totaled \$314,577.20. A few property owners received a larger final assessment than estimated during the preliminary assessment process. The amounts being assessed against each individual property include the sum of construction costs attributable to work on the individual site and a proportionate share of engineering, inspection, and administrative costs. The Assessment Roll has a 5-year term.

Certain property owners being assessed for work performed during the project appeared at the hearing to contest their assessments. Three property owners expressed the opinion that neighbors in the area had sidewalks in worse condition than theirs, yet were not forced to participate in the project. Questions were also raised about the specific methods used to calculate individual assessments. The City provided supplemental information for the record responding to these comments. After considering the specific points raised by the protesting citizens, the Hearing Examiner concluded that the proposed assessments included only costs properly incurred for work

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performed on the designated sidewalk improvements. Written Findings of Fact, Conclusions of Law, and a Recommendation to the City Council supporting approval of the proposed Final Assessment Roll was issued on October 28, 2014.

ISSUE:

N/A

ALTERNATIVES:

The Council could choose to modify the proposed Final Assessment Roll or remand the matter to the Hearing Examiner for further proceedings. The evidence in the record, however, demonstrates that the proposed assessment roll meets the governing standards for approval.

RECOMMENDATION:

It is hereby recommended that the proposed Final Assessment Roll for SCF-11 be approved and confirmed by the Tacoma City Council.

FISCAL IMPACT:

Please see next page.

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EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
1060 Transportation Capital Fund	662030		\$328,511
TOTAL			\$328,511

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
Property Owner Assessments	662030		\$168,472
1060 Transportation Capital Fund	662030		\$160,039
TOTAL			\$328,511

POTENTIAL POSITION IMPACT:

POSITION TITLE	PERMANENT/ PROJECT TEMPORARY POSITION	FTE IMPACT	POSITION END DATE
TOTAL			

This section should only be completed if a subsequent request will be made to increase or decrease the current position count.

FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: None

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.

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