



TO: T.C. Broadnax, City Manager
FROM: Phyllis Macleod, Hearing Examiner *PKM*
Ralph Rodriguez, L.I.D. Administrator, Public Works, Engineering *RHS*
COPY: City Council and City Clerk
SUBJECT: Ordinance Request No. 15-0388 – LID No. 6979 – May 12, 2015
DATE: April 21, 2015

SUMMARY:

An ordinance approving and confirming a recalculated Final Assessment Roll for Local Improvement District (L.I.D.) 6979, which called for the installation of street lights along S. 69th Street, from S. Durango Street to S. Madison Street; and along Proctor Street, from S. 69th Street north approximately 225 feet, together with all other work necessary to complete the project in accordance with maps, plans, and specifications prepared and on file in the Office of the Director of Public Works.

COUNCIL SPONSORS:

N/A

STRATEGIC POLICY PRIORITY:

Approving the Assessment Roll for this L.I.D. project will support the following 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:

L.I.D. 6979 involves construction of street lights along S. 69th Street, from S. Durango Street to S. Madison Street and along Proctor Street, from S. 69th Street north approximately 225 feet. Work on the project has been completed and a Final Assessment Roll has been prepared. The Final Assessment Roll was filed in the City Clerk's Office in December 2013 and it showed the assessments against each lot within the L.I.D. The Hearing Examiner conducted a public hearing on the Assessment Roll for this project, as well as for related L.I.D. projects covering street improvements and utilities in the same area, on July 31, 2014. The record was held open on the street light and street improvement L.I.D.s several times for additional submissions by the City and by interested parties, including property owner Matthew Austin. The additional submissions contained expert appraisal testimony regarding the benefits received by properties included in the assessment process. Mr. Austin presented evidence that his property at the corner of S. 69th Street and Madison had an existing street light that served his tri-plex. The existing street light was not modified by the L.I.D. improvements and continues to serve his property. The closest street light added by the project was approximately 75 feet from his property. The other portions of the L.I.D. served by the improvement had no street lights prior to the project. Mr. Austin claimed that his property was not benefitted by the street light L.I.D. The Herrera property is across S. 69th Street from the Austin parcel and was similarly situated as to the street lights. The appraisal testimony provided in the case focused on street improvements and did not specifically identify a benefit associated with the addition of street lights in the L.I.D. area. The Hearing Examiner concluded that the Austin and Herrera properties should not be assessed for the street light improvements because their properties received no benefit from the installation. Accordingly, the Hearing Examiner recommends that the Assessment Roll be re-calculated to exclude the Austin and Herrera properties.

ISSUE:

N/A



ALTERNATIVES:

- (1) The Council could adopt the Hearing Examiner's recommendation and modify the Assessment Roll to exclude assessments against the properties owned by Johanna Herrera and Matthew Austin.
- (2) The Council could choose to modify the Assessment Roll in some other manner.
- (3) The Council could confirm the originally proposed Assessment Roll with no modification.

The Hearing Examiner recommended excluding the two properties from the Assessment Roll because the street light improvements did not abut the Herrera and Austin properties and the existing street light serving their parcels was not modified by the project.

RECOMMENDATION:

The Hearing Examiner recommends that the Assessment Roll for L.I.D. 6979 be recalculated and modified to exclude properties owned by Johanna Herrera and Matthew Austin. The Hearing Examiner further recommends that the modified Assessment Roll for L.I.D. 6979 be confirmed and approved.

FISCAL IMPACT:

Please see report.



EXPENDITURES:

FUND NUMBER & FUND NAME *	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
1060 – Streets Special Revenue	LID-6979R	5600000	\$106,566.40
TOTAL			\$106,566.40

* General Fund: Include Department

REVENUES:

FUNDING SOURCE	COST OBJECT (CC/WBS/ORDER)	COST ELEMENT	TOTAL AMOUNT
1060 – Streets Special Revenue	LID-6979R-FS-AD-03	6398645	\$93,433.95
3211 – REET	LID-6979R-FS-AD-02	6311064	\$13,132.45
TOTAL			\$106,566.40

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: N/A

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes

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