



## RESOLUTION NO. 38818

1 BY REQUEST OF DEPUTY MAYOR CAMPBELL

2 A RESOLUTION relating to community and economic development and the  
3 disposition of surplus real property; authorizing the execution of a Purchase  
4 and Sale Agreement and Restrictive Covenant with Advanced Technology  
5 Construction, in the amount of \$120,000, for the sale of the Swan Creek  
6 Library, located at 3828 Portland Avenue, for the operation of a licensed  
7 construction company business office.

8 WHEREAS, in January 2011, as a result of necessary budget cuts and the  
9 looming costs of building repairs, the City closed the Swan Creek Library located at  
10 3828 Portland Avenue, and

11 WHEREAS, in December 2011, the Tacoma Public Library Board of  
12 Trustees ("TPL Board") recommended the City sell the Swan Creek Library such  
13 that the future use of the property improve and enhance the community in which it  
14 is located, and

15 WHEREAS the City conducted separate Requests for Proposals in April and  
16 June 2012, but did not receive responses either time, and

17 WHEREAS the City contracted with a real estate broker to assist in the sale  
18 of the facility, which resulted in four proposals for the purchase of the property, and

19 WHEREAS a Selection Advisory Committee, comprised of City and Library  
20 staff, as well as representatives of the neighborhood, weighed each proposal  
21 against the following four criteria: (1) consideration offered; (2) alignment with the  
22 vision and goals of the neighborhood; (3) alignment with the City's goal of a safe,  
23 clean, and attractive community; and (4) alignment with the City's planning and  
24 economic development goals, and  
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WHEREAS, based on their evaluation of the proposals, the Selection Advisory Committee recommended that the Swan Creek Library be sold to 4 Rent Check.com, LLC, and

WHEREAS, on March 19, 2013, the City Council authorized the execution of a purchase and sale agreement and restrictive covenant for said property with 4 RentCheck.com, LLC; however, 4 RentCheck.com, LLC was ultimately unable to close on the purchase of the property, and

WHEREAS, in October 2013, Advanced Technology Construction (“ATC”), a full service general contractor with 49 full-time employees, expressed interest in acquiring the property from the City for the amount of \$120,000, and

WHEREAS the majority of ATC’s work is for the U.S. Navy, Coast Guard, and Department of Veteran Affairs, and ATC, currently headquartered in Renton, Washington, is seeking a location more centrally located between Seattle, Bremerton, and Joint Base Lewis-McChord to better serve its clients, and

WHEREAS Section 9.1 of the Tacoma City Charter requires City Council authorization for the sale, lease, or conveyance of real property belonging to the City; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute a Purchase and Sale Agreement with Advanced Technology Construction, in the amount of \$120,000, for the real property formerly comprising the Swan Creek Library (“Property”), located at 3828 Portland Avenue, for the purposes



hereinabove enumerated, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to execute a Restrictive Covenant with Advanced Technology Construction, governing the future uses of the Property for a period of five years, said document to be substantially in the form of the proposed covenant on file in the office of the City Clerk.

Section 3. That the proper officers of the City are hereby directed to deposit proceeds from the sale of the Property, in the amount of \$6,000, into the FGRT, CED Special Revenue Fund, in accordance with applicable federal law pursuant to the investment made from said Fund in Tacoma Public Library facilities, and deposit the remainder of proceeds from the sale of the Property, in the amount of \$106,800, into the General Fund.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney