



REQUEST FOR

ORDINANCE **RESOLUTION**

Request #: 12950
Ord./Res. #: 27999

1. **DATE:** May 27, 2011

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| 2. SPONSORED BY: COUNCIL MEMBER(S) N/A | | |
| 3a. REQUESTING DEPARTMENT/DIVISION/PROGRAM Hearing Examiner 3b. "DO PASS" FROM <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> To Committee as information only <input checked="" type="checkbox"/> Did not go before a Committee 3c. DID THIS ITEM GO BEFORE THE PUBLIC UTILITY BOARD? <input type="checkbox"/> Yes, on <input checked="" type="checkbox"/> Not required | 4a. CONTACT (for questions): Louisa Legg (OHEX) Troy Stevens (RPS) | PHONE: 253-591-5195 253-591-5535 |
| | 4b. Person Presenting: Rodney Kerslake | PHONE: 253-591-5195 |
| | 4c. ATTORNEY: Jeff Capell | PHONE: 253-591-5638 |
| | N/A Budget Officer/Finance Director | City Manager/Director Utilities |

5. **REQUESTED COUNCIL DATE:** June 21, 2011

6. **SUMMARY AGENDA TITLE: PETITIONER: POINT RUSTON, LLC / FILE NO. 124.1282**

Real Property Services has received a petition to vacate a 40 to 65 foot wide portion of Ruston Way lying northwesterly of North 49th Street, as shown on the attached map exhibit.

7. **BACKGROUND INFORMATION/GENERAL DISCUSSION:**

The request is recommended for approval, subject to conditions with the appraised value of the portion of Ruston Way right-of-way proposed to be vacated be determined in accordance with the agreement between the City of Tacoma and Point Ruston entitled, "Agreement for Improvements Within the Asarco-Tacoma Smelter Superfund Site Area OU2", excerpts which are set forth in the RPS report at Exhibit G.

8. **LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:**

| Source Documents/Backup Material | Location of Document |
|------------------------------------------|----------------------|
| Hearing Examiner Report | Attached |
| Real Property Services Report w/Exhibits | Attached |

9. **WHICH OF THE CITY'S STRATEGIC GOALS DOES THIS ITEM SUPPORT? (CHECK THE GOAL THAT BEST APPLIES)**

- A. **A SAFE, CLEAN AND ATTRACTIVE COMMUNITY**
- B. **A DIVERSE, PRODUCTIVE AND SUSTAINABLE ECONOMY**
- C. **A HIGH-PERFORMING, OPEN AND ENGAGED GOVERNMENT**

REQUEST (CONT)

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10. IF THIS CONTRACT IS FOR AN AMOUNT OF \$200,000 OR LESS, EXPLAIN WHY IT NEEDS LEGISLATIVE APPROVAL:

11. FINANCIAL IMPACT: EXPENDITURE REVENUE

- A. NO IMPACT (NO FISCAL NOTE)
 - B. YES, OVER \$100,000, Fiscal Note Attached
 - C. YES, UNDER \$100,000, (NO FISCAL NOTE)
- Provide funding source information below:

FUNDING SOURCE: (Enter amount of funding from each source)

| Fund Number & Name: | State \$ | City \$ | Other \$ | Total Amount |
|---------------------|----------|---------|----------|--------------|
|---------------------|----------|---------|----------|--------------|

If an expenditure, is it budgeted? Yes No Where? Cost Center: _____
 Acct #: _____