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*By Hearing Examiner's Office at 11:43 am, Dec 07, 2020*

**Meyers, Aundrea**

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**From:** Annette Mora <msannettemora@gmail.com>  
**Sent:** Friday, December 4, 2020 7:01 PM  
**To:** Hearing Examiner  
**Subject:** Public Hearing Scheduled For Monday, December 14, 2020 at 5:00 pm  
**Attachments:** Public Hearing LID Formation.pdf

Dear Hearing Examiner:

Attached are supporting documents for the upcoming Public Hearing scheduled for December 14, 2020 at 5:00 p.m.

Sincerely,

Annette Mora

December 4, 2020

Tacoma City Clerk's Office  
733 Market St  
Room 11  
Tacoma, WA 98402

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DEC 09 2020  
**CITY CLERK'S OFFICE**

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

Re: Public Hearing Scheduled for Monday, December 14, 2020 at 5:00 p.m.

Dear Hearing Examiner:

Starting in 2004 homeowners on the 5300 block of N Ruby Street have been in contact with the City of Tacoma to get the street paved to no avail.

Now five years into the Tacoma Street Initiative passed in 2015 we are still waiting for paving to be started.

At the Ruby Street public meeting held on April 25, 2018 two options were presented:

Option 1: At no additional cost to homeowners the street would be paved with 2 inches of asphalt over 4 inches of gravel.

Option 2: Street improvement with the addition of concrete curb and gutter which would be paid for by each homeowner via a Local Improvement District.

We reject Option 2 as noted in the April 25, 2018 Ruby Street Public Meeting (document attached) and the LID formation. We present this petition opposing curb and gutter.

Sincerely,



Annette Mora  
5317 N Ruby St  
Tacoma, WA 98407  
206.679.8536

Attachments:

Petition to Reject the Concrete Curb and Gutter Option  
Ruby Street Public Meeting April 25, 2018

cc: Hearing Examiner  
LID  
legal



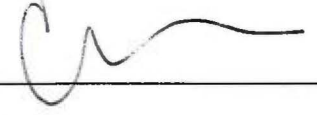

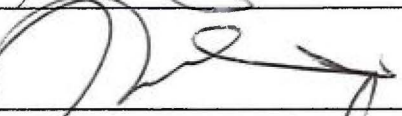

**Petition to Reject the Concrete Curb and Gutter Option for the 5300 Block of N Ruby Street Pavement Project**

We, the undersigned current homeowners on the 5300 block of N. Ruby Street, sign opposing the concrete curb and gutter option. We just want the street paved as part and parcel of the 2015 Tacoma Street Initiative Program.

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Name	Address	Phone #	Date	Signature
Annette Mora	5317 N Ruby St.	206.679.8536	11.28.2020	Annette Mora
Micelle Malfit	5326 N. Ruby	(253) 678-4605	11/28/20	
Robin Preciso	5308 N Ruby St	253-2600	11/28/2020	
Casey Brown	5312 N. Ruby St	376-2200	11/28/2020	
Jeanette McKel	5320 N Ruby	253-752-0816	11/28/2020	Jeanette M. Keel
Alexey Shvets	5342 N. Ruby St	253 9704704	11/27/2020	
Thomas Garrico	5325 N Ruby	253 448 1727	11/28	
JERRY TOMAL	5323 N RUBY	253 841 9591	11/28	
KEISU LANE	5309 N. RUBY	503 791-8328	11/28	Keisu Lane
Dean Libhart	4816 Baltimore St	253 752 2065	11/28	Libhart





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## RUBY STREET – PAVING

### Why are we being contacted?

- The City of Tacoma Public Works Department through the 2015 Streets Initiative is planning on replacing the street surface on Ruby Street from Baltimore to Shirley Street. The meeting is to provide information regarding options to upgrade the level of street restoration thorough a Local Improvement District.

### What happened to the petition for curbs & gutter circulated in 2007?

- Petition 8280 was returned to the Public Works Department on May 8, 2007 and supported by 69% of the neighborhood. The petition was for curbs, gutters, paving with a structural section and was subject to the availability of City Match funding. At that time 42 other petitions were also returned, and match funding exceeded our contribution budget. The department presented options to the Public Works Committee, a subcommittee of the City Council and explained that petitions returned exceeded the availability of city matching funds. The committee presented their findings to the entire City Council, who agreed to honor the rates on the petitions returned, directed the department to process the petitions in the order received, and allocated partial funding. The department is proceeding with contacting the neighborhoods to determine if they are still interested. Of the original property owners signing the petition on Ruby Street 36.48% continue to be property owners. The policy of the City Council is that a majority must be supportive of an LID before a formation hearing can be scheduled. The department is attempting to determine the level of support for the LID.

### Why must we pay to have our street paved?

- You don't. The City of Tacoma has over 800 miles of residential streets. The intent of the 2015 Streets Initiative was to pave as many of these streets as possible, the paving consisting of 2-inches of asphalt over 4-inches of gravel (CSTC). Where streets have been identified for paving in the past owners have asked why concrete curbs and gutters were not installed. Additional concrete curb & gutter was not included in the cost projects of the initiative. As such, for neighborhoods opting for concrete curb & gutter, owners would be responsible for the additional cost, which could be financed via the Local Improvement District process.
  - Local Improvement District - Requires a majority support of the property owners being assessed. The Local Improvement District provides public financing allowing owners to finance their assessment over time. Owners

are responsible for a portion of the total cost of the design, inspection and construction. Parcels halfway to the next block are included within the assessment district. It is presumed that the parcels receive benefit, on a diminishing basis, if the street is paved.

#### What is the difference in paving sections?

- The 2-inch asphalt surface treatment consists of 2-inches of asphalt over 4-inches of CSTC.
- The surface with curb & gutter will consist of 5-inches of crushed ballast (CSBC), 2.5-inches of CSTC, 3-inches of asphalt with cement concrete curb & gutter. The street will be centered within the street Right-of-Way with the top of the curb being 2% lower than the street edge of the sidewalk.

#### How is a majority determined?

- The City of Tacoma has used Local Improvement District for over 100 years. The City uses the assessable units of frontage (AUFs), as stipulated in the Revised Code of Washington (RCWs), when determining LID support and in calculating assessments. Staff calculated the Assessable Units of Frontage (AUFs) from the edge of the Ruby Street Right-of-Way to the mid-point of the block. 30-foot zones were created with the square footage calculated in each zone per parcel. The square footages were multiplied by a coefficient per zones. The coefficients are
  - Zone 1 - .015
  - Zone 2 - .00833333
  - Zone 3 - .006666
  - Zone 4 - .0033333
  - Zone 5 - .0016666
- The total Assessable Units of Frontage are:
  - Ruby Street from Baltimore to Shirley Street
    - 1,085.864 AUF
- A majority is determining by 50% plus 1 of the AUFs.
  - $1,085.864 \times 50\% = 542.932$  AUF

#### With the street being paved what is our out of pocket expense?

- With 2-inches of asphalt over 4-inches of CSTC you would not have any out of pocket expense, the costs of paving of the street is provided by the Streets Initiative.
- With the concrete curb & gutter option, the owners are responsible for that portion above what would be covered by the Streets Initiative and possibly other city matching funds.



### How much is my assessment?

- With the curb & gutter option your assessment is based on the width, depth and proximity of your property to the improvement. Attached is a sheet with the estimated cost per parcel and annual assessment values if you elect to finance the improvement with the City of Tacoma.
- Consolidated Local Improvement District Bonds are issued on the bond market, with interest calculated on a declining balance of the outstanding assessment balance.

### Cost of the improvement?

- The estimated cost of the improvement with curb & gutter is \$587,000.
- The total assessment for the owners per advisory survey 8556-B is \$173,738 with the balance being the responsibility of the City provided by the Streets Initiative.
- The total assessment for the owners per advisory survey 8556-A is \$100,865 with the balance being the responsibility of the City provided by the Streets Initiative and other available matching funds.

### Would there be additional costs if I support an LID?

- Staff will contact each owner abutting Ruby Street to inquire if they desire to have the LID contractor perform additional work. If requested, staff will provide an estimate of the additional work. The additional work is added to the LID assessment and is eligible to be financed through the City of Tacoma. Additional work may include:
  - Constructing new sidewalk.
  - Removing and replacing the existing sidewalk.
  - Cement Concrete driveway approach (required for properties with existing driveways).

### What are the next steps?

- The purpose of the meeting and the next step in the process is the determination of how the neighborhood wishes to proceed. If you are supportive of a Local Improvement District that would provide financing of the street with curb, gutter and a structural section we ask that you sign advisory survey No. 8556-A or 8556-B. The policy governing LIDs requires majority support from the properties within the proposed district.
- If you're supportive of a street consisting of 2-inches of asphalt over 2-inches of CSTC with no assessment for the paving of the street we ask that you sign advisory survey No. 8556-C.

## PROGRAMS

### LID Assistance

- The program is administered by the Community & Economic Development Department and pays 100% of the base LID assessment for eligible low or fixed income property owners who live on the property being included within the boundaries of a Local Improvement District; the program does not cover the cost of additional work. (Sample application included)



## Meyers, Aundrea

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**From:** jjdarlington@gmail.com  
**Sent:** Monday, December 14, 2020 5:50 PM  
**To:** Hearing Examiner  
**Subject:** LID 8667

Hello Mr. Examiner, my husband Corey Darlington and I reside at 4610 North Mullen and we are in favor of the LID 8667. I attempted to submit my information through the chat at the Zoom hearing but without success. Therefore, I am sending this email asking you to recommend formation of the LID, as it relates to North Mullen between 46<sup>th</sup> and 47<sup>th</sup>.

Thanks very much,

Jennifer Taylor Darlington

Sent from [Mail](#) for Windows 10

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By Hearing Examiner's Office at 1:27 pm, Dec 15, 2020

DEC 15 2020

DEC. 15, 2020

CITY CLERK'S OFFICE

TO: HEARING EXAMINER  
RE: PAVING RUBY STREET FROM BALTIMORE  
TO SHIRLEY STREET

MY COMPUTER SKILLS ARE LIMITED AND  
COULDN'T COMMENT @ MONDAY HEARING.

MY FINANCIAL SITUATIONS HAS CHANGED  
DRASTICLY OVER THE PAST 28 YEARS THAT  
I HAVE LIVED AT 4816 N. BALTIMORE, I'M  
NOW ON FIXED RETIREMENT INCOME AND  
MY WIFE'S WORK HOURS HAVE BEEN CUT  
IN HALF WITH T.P.S., WE ARE DEALING  
WITH FAELING, BECAUSE OF REMOTE LEARNING,  
AND SAVING FOR COLLEGE IN THE FALL,  
EVERY PENNY WE EARN WE NEED, EVEN  
\$35.<sup>00</sup> A MONTH.

YOU WOULD BE REMOVING A TREE THAT  
BLOCKS CARS FROM CRASHING INTO MY HOUSE,  
PLUS THE TREE IS OVER 60 YRS. OLD.

I ALSO WORRY THAT NEXT YEAR OR SO  
YOU WILL BE ASKING ME TO PAY TO PAVE  
BALTIMORE ST. PLEASE TAKE THIS LETTER  
AS A NO TO CURB, GUTTER, SIDEWALK, ETC.

THANK YOU

MARVUS DEAN LIBHART

marvus Dean Libhart

LID 8667

Sec 1

## **Meyers, Aundrea**

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**From:** Aram Greenman <aramgre@gmail.com>  
**Sent:** Wednesday, December 16, 2020 8:27 PM  
**To:** Hearing Examiner  
**Subject:** Local Improvement District 8667 - opposed

Dear Hearing Examiner,

We are opposed to the formation of Local Improvement District 8667, which would add upgrades including concrete curb and gutter to the repaving of Mullen St. from N 46th St to N 47th St. While we are glad to see improvements being done in the city, we do not have frontage on Mullen St. (we are around the corner and halfway down the block on N 46th St) so there would be little, if any, benefit to us from the upgrades. We also consulted our real estate agent and their opinion was that this upgrade would not raise our property value because we don't have frontage on the street.

We did attend the hearing on Dec. 14, 2020, where the LID Administrator clarified that each property owner pays an adjusted cost based on their location within the block, however, we do not feel that the \$6700 cost to us is justifiable.

Thank you,

Aram Greenman and Meghan Mitchell  
4711 N 46th St  
Tacoma, WA 98407  
(253) 310-6833

## Meyers, Aundrea

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**From:** Zeno Martin <zeno.martin@gmail.com>  
**Sent:** Wednesday, January 6, 2021 3:58 PM  
**To:** Hearing Examiner  
**Cc:** Rodriguez, Ralph; Garrison, Michael; lissatorres1@yahoo.com; aprilskou@yahoo.com; mjohnston91@gmail.com; cbitz4@gmail.com; aramgre@gmail.com; gavnutley@gmail.com; rkleach74@gmail.com; nancybks@hotmail.com; cdarling@cityoftacoma.com; fmalfet@gmail.com; dougkeil@comcast.net; robinpreciso@hotmail.com; cornatopia@hotmail.com; jayg@harbornet.com; kclarson1@msn.com; cjones@harbornet.com; lex-s@hotmail.com; maesjohnny@gmail.com; John.maes@comcast.net; whirlytim@hotmail.com; kelsie.r.lane@gmail.com; dougkeil2@comcast.net; dustin.l.lane@gmail.com; msannettemora@gmail.com; jaygarus@yahoo.com; rslawless27@yahoo.com; biffle.french@icloud.com; debo1958@hotmail.com; jjdarlington@gmail.com; Victor, Steve(Legal); Krupa, Angie (Legal); City Clerk's Office  
**Subject:** Re: HEX2020-036 Replacement Page 10, Proposed Formation LID 8669

Dear City,

I'm not pleased to see this outcome. I was never informed of anything on this matter prior to notice received about the December 14, 2020 hearing. The City's written communications received regarding the December 14, 2020 hearing did not indicate that a decision would be made on the project dependent on comments received at the December 14, 2020 hearing, nor did the notice provide any clear means to communicate my opinion on the proposal prior to the December 14, 2020 hearing (I looked for an email address - could not find one until now when after the hearing you send me this email).

My property is not even directly adjacent to either of the proposed projects. I'm not in favor of spending more money beyond what I already provide in annual taxes to improve streets not directly adjacent to my property.

I'm disappointed to have been so uninformed by you about the opportunity and consequence to object to this proposal.

Zeno Martin  
4812 N Baltimore St  
Tacoma, WA 98407  
253-752-5205

On Wed, Jan 6, 2021 at 2:39 PM Hearing Examiner <[hexcal@cityoftacoma.org](mailto:hexcal@cityoftacoma.org)> wrote:

Dear Parties,

Recently the Examiner's office discovered a scrivener's error on Page 10, Line 4 of the attached Hearing Examiner's Findings of Fact, Conclusions of Law and Recommendation, to the City Council, entered on December 30, 2020. Also attached is replacement Page 10. The Examiner's office apologizes for the error and any confusion it may have caused.



Sincerely,

**Louisa Legg**

Office Administrator  
Tacoma Hearing Examiner Office  
Ph: 253-591-5195 | Fax: 253.591.2003

[Hearing.examiner@cityoftacoma.org](mailto:Hearing.examiner@cityoftacoma.org)

## Meyers, Aundrea

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**From:** Hearing Examiner  
**Sent:** Friday, January 15, 2021 10:32 AM  
**To:** Legg, Louisa  
**Subject:** FW: Previously Opposed - Now In Favor | LID 8667  
**Attachments:** LID 8667\_Homeowners Signatures.pdf

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**From:** City Clerk's Office  
**Sent:** Friday, January 15, 2021 10:32:04 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Grassi, Joanne (Legal); Hearing Examiner; Rodriguez, Ralph  
**Subject:** Previously Opposed - Now In Favor | LID 8667

Hello,  
The Clerk's Office received the attached document regarding LID 8667.  
Thank you,  
Mary Crabtree  
City of Tacoma | City Clerk's Office  
Phone: 253-591-5505 | Fax: 253-591-5300

January 13, 2021

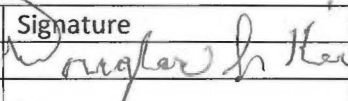
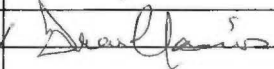
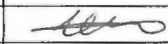
Re: City of Tacoma LID 8667  
Segment 1 – Ruby Street, from Baltimore Street to Shirley Street

Tacoma City Clerk's Office  
City of Tacoma Office of the Hearing Examiner  
Tacoma Municipal Building  
747 Market Street  
Tacoma, WA 98402

Attention: Ralph Rodriguez, LID Administrator  
Attention: Jeff H. Capell, Hearing Examiner

Dear Mr. Rodriguez and Mr. Capell,

Below please find signatures of homeowners of the 5300 block of North Ruby who, although previously opposed to formation of an LID for the aforementioned block, are now in favor of formation of an LID.

Printed Name	Address	Phone	Date	Signature
Douglas J. Keil	5335 N. Ruby St Tacoma	253759-0728	1/14/2021	
JUAN GARCIA	5325 N. Ruby St	939-5902387	1-14-2021	
Aleksey Shvet	5342 N. Ruby St	2539704704	1/14/21	

Sincerely,

Kimberly C. Larson  
5334 N Ruby Street  
Tacoma, WA 98407  
253-468-3365

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JAN 15 2021  
CITY CLERK'S OFFICE