

October 18, 2019

Tacoma City Council
Tacoma Municipal Building
747 Market St.
Tacoma, WA 98402-3768

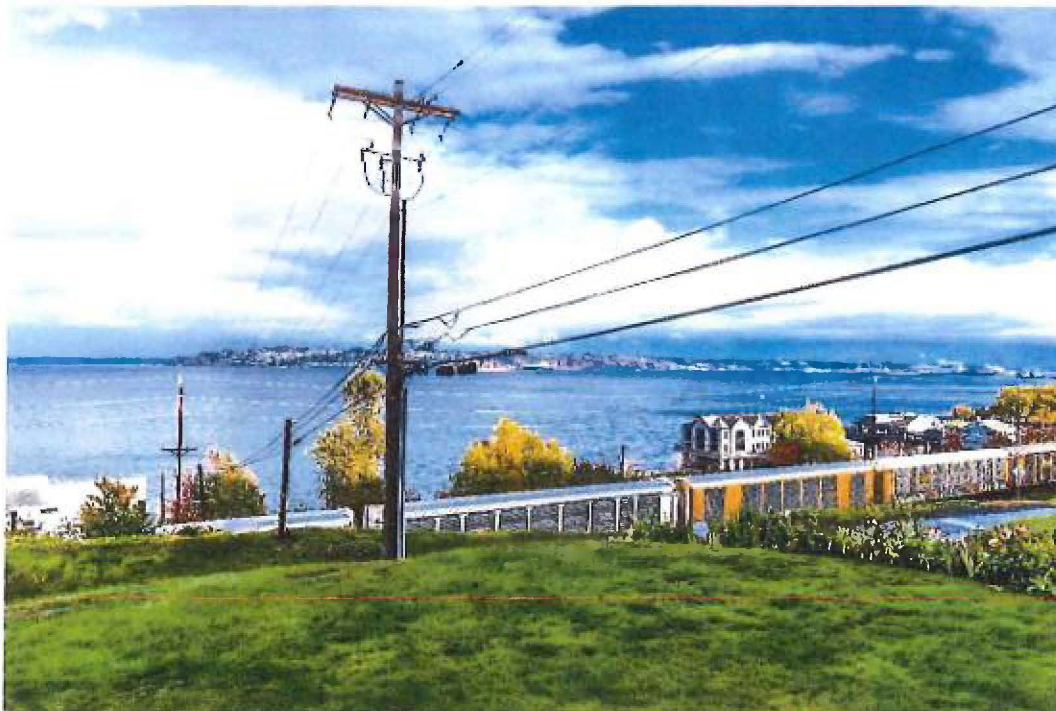
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CITY CLERK'S OFFICE

Re: Appeal of Office of the Hearing Examiner's Revised Recommendation on Request for Reconsideration in the Matter of: Formation of Proposed Local Improvement District No. 7731

Greg and Nadine Duras, residing at 4302 N. Waterview St., Tacoma, Washington, appeal the Revised Recommendation on Request for Reconsideration submitted by Hearing Examiner Jeff H. Capell, on October 8, 2019, regarding Local Improvement District No. 7731.

Although we concur with the Hearing Examiners recommendation that the City Council should remand LID No. 7731 back to the LID Administrator's office for further review and consideration of our request to include burial of the power lines denoted by the Hearing Examiner as SEBOL, we also respectfully request that the City Council exclude us from the LID if the LID Administrator's office decides that the SEBOL lines will not be buried. We are not even sure why we were included in LID 7731 in the first place.

Even the Hearing Examiner recognizes that SEBOL should probably be included in LID 7731. Under the current LID proposal, we are being treated differently than other LID members because no power/communication lines will be taken down in front of our house because there are none except for the SEBOL. And we will be left with unsightly lines and poles upon project completion. A picture is enclosed showing the SEBOL.



This unequal treatment will require us to pay about the same amount (\$19,249.20), as other property owners on our street with similar size lots, who will have lines in front of their houses buried. Effectively, we are being required to pay for the burial of lines and poles for the benefit of our neighbors which is not fair and is a clearly erroneous application of the law to the facts. Therefore, in order to comply with the terms of RCW, Chapter 35.43, the SEBOL should be included.

The SEBOL lines go across our lawn close to our house and are some of the most obtrusive ones for the many Tacoma residents who enjoy walking on Ruston Way. When this LID is complete, we will be the only property on N. Waterview St that still has power/communication lines and poles in front of us. We believe this LID will devalue our home in comparison to others on our street.

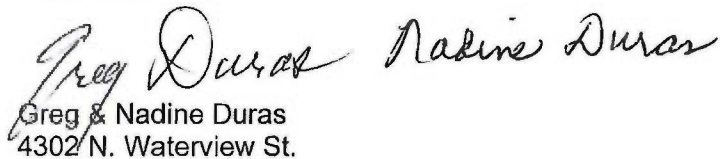
We were told by the City engineer at the LID No. 7731 hearing, and by others who do these types of utility line projects, that the SEBOL lines and poles could be buried. We are not requesting that the lines and poles that are on the steep hill behind our house be included, only the lines that run over our lawn and the poles and lines in front of us should be included. Several photos are attached showing the those lines and the view from our dining room.

We assign error to the Hearing Examiner's Revised Recommendation on Request for Reconsideration Findings in so far as it includes the following language:

Should the City Council reject this recommendation to remand and add the SEBOL to the scope of work for proposed LID No. 7731, the Initial Recommendation stands, as the Examiner does not recommend granting the Durases' request to be removed from the LID based on their request for reconsideration.

We request that the SEBOL be included in LID No. 7731 and if that is not done, we request to be removed from the LID.

Very truly yours,


Greg & Nadine Duras

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