

1 Sponsored by: Councilmembers Douglas G. Richardson, Connie Ladenburg, Joyce McDonald,  
2 Rick Talbert, and Derek Young  
3 Requested by: County Executive/Facilities Management  
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## 6 **RESOLUTION NO. R2016-149**

### 7 8 **A Resolution of the Pierce County Council Relating to South Sound 911** 9 **and Financing for Construction of a New South Sound 911** 10 **Public Safety Communications Center Project Through a** 11 **63-20 Lease and Leaseback Financing and Delivery** 12 **Arrangement; and Expressing the Council's Policy and** 13 **Intent to Utilize Certain County-Owned Real Property to** 14 **Construct the Project.**

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16 **Whereas**, on July 5, 2011, the Pierce County Council ("Council") adopted  
17 Resolution No. R2011-84 authorizing the Pierce County Executive to enter into an  
18 Interlocal Agreement for Communications Services (hereinafter "Original ILA")  
19 establishing South Sound 911 as a new emergency communications agency to provide  
20 consolidated public safety communications services and facilities to its Member  
21 Agencies; and

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23 **Whereas**, the Original ILA was executed by South Sound 911 Member Agencies  
24 and became effective January 1, 2012; and

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26 **Whereas**, the Original ILA provided for construction of a new South Sound 911  
27 consolidated public safety emergency communications center (hereinafter "the Project")  
28 financed by bonds repaid from the proceeds of a new countywide one-tenth of one  
29 percent sales and use tax (hereinafter "South Sound 911 Tax"); and

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31 **Whereas**, on July 26, 2011, the Council adopted Resolution No. R2011-87,  
32 submitting the South Sound 911 Tax to Pierce County voters; and

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34 **Whereas**, the South Sound 911 Tax was approved by Pierce County voters on  
35 November 8, 2011; and

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37 **Whereas**, on September 9, 2014, the Council adopted Resolution No. R2014-  
38 101 authorizing the Executive to execute an Amended and Restated Interlocal  
39 Agreement for Communication Services (hereinafter "Amended ILA"). The Amended  
40 ILA provides for construction of the Project on county-owned real property utilizing a  
41 lease and leaseback financing and construction delivery arrangement authorized by  
42 Revised Code of Washington (hereinafter "RCW") 36.34.205 and U.S. Department of  
43 the Treasury, Internal Revenue Service, Revenue Ruling 63-20, the applicable  
44 operating rules of Revenue Procedure 82-26, and related revenue rulings thereunder  
45 (hereinafter "63-20 Financing"); and



1           **Whereas**, the Amended ILA was executed by South Sound 911 Member  
2 Agencies and became effective October 22, 2014; and

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4           **Whereas**, on February 26, 2014, Pierce County issued Request for  
5 Qualifications (hereinafter "RFQ") No. 1254 seeking a qualified non-profit entity to assist  
6 Pierce County with constructing the Project utilizing 63-20 Financing; and

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8           **Whereas**, after reviewing the responses to RFQ 1254, Pierce County selected  
9 National Development Council; and

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11           **Whereas**, on March 25, 2014, the Council adopted Resolution No. R2014-34s  
12 ratifying Pierce County's selection of National Development Council to assist with  
13 constructing the Project utilizing 63-20 Financing; and

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15           **Whereas**, on May 28, 2014, Pierce County and South Sound 911 entered into a  
16 Memorandum of Understanding pursuant to which the Pierce County's Facilities  
17 Management Department was to locate and negotiate an agreement to purchase a  
18 parcel of real property meeting South Sound 911's criteria for constructing the Project  
19 utilizing 63-20 Financing; and

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21           **Whereas**, on June 4, 2014, Pierce County issued RFQ No. 1326 seeking a  
22 qualified development team to assist Pierce County with constructing the Project  
23 utilizing 63-20 Financing; and

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25           **Whereas**, between November 17, 2014 and November 16, 2015, the Council  
26 adopted four budget ordinances appropriating funds to pay anticipated costs incurred by  
27 Pierce County's Facilities Management Department to locate and negotiate an  
28 agreement to purchase a parcel of real property meeting South Sound 911's criteria for  
29 the Project and to select a qualified development team to assist Pierce County with  
30 constructing the Project utilizing 63-20 Financing; and

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32           **Whereas**, on November 21, 2014, Pierce County and South Sound 911 issued  
33 RFP No. 1429 requesting from each respondent to RFQ No. 1326 a proposal for pre-  
34 development services relating to the design and construction of the Project utilizing 63-  
35 20 Financing; and

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37           **Whereas**, after reviewing the responses to RFP No. 1429, Pierce County  
38 selected the development team led by Trammell Crow Company and is currently in  
39 negotiations with Trammell Crow Company for a pre-development agreement relating to  
40 the design and construction of the Project utilizing 63-20 Financing; and

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42           **Whereas**, the Pierce County Executive and the Executive Director of South  
43 Sound 911, with assistance from Pierce County's Facilities Management Department,  
44 have determined the county-owned real property commonly known as the Puget Sound  
45 Behavior Health Site, 3580 Pacific Avenue, Tacoma, Washington 98418 (hereinafter  
46 "PSBH Site") meet South Sound 911's criteria for the Project; and



1           **Whereas**, on July 27, 2016, the South Sound 911 Policy Board and the South  
2 Sound 911 Operations Board adopted motions supporting the PSBH Site for  
3 construction of the Project; and  
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5           **Whereas**, on November 8, 2016, the Council adopted Ordinance No. 2016-82s  
6 appropriating \$2.7 million for demolition of all structures on the PSBH Site in preparation  
7 for construction of the Project; **Now Therefore**,

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9           **BE IT RESOLVED by the Council of Pierce County:**

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11           Section 1. The Council hereby ratifies all previous actions of Pierce County and  
12 South Sound 911 relating to the design and construction of the Project utilizing 63-20  
13 Financing and adopts this Resolution in furtherance of the previous actions of the  
14 County and South Sound 911 for the Project.  
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16           Section 2. The Council hereby expresses its policy and intent to move forward  
17 with constructing the Project on the PSBH Site utilizing 63-20 Financing.  
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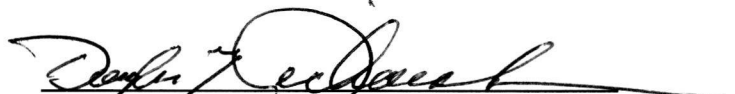
19           Section 3. The Council hereby authorizes the Pierce County Executive, subject  
20 to budget appropriations and further Council action, to: (a) continue negotiations with  
21 South Sound 911 for a mutually acceptable legal and financial framework to construct  
22 the Project on the PSBH Site utilizing 63-20 Financing; (b) continue negotiations with  
23 Trammell Crow Company for a pre-development agreement for the design and  
24 construction of the Project on the PSBH Site utilizing 63-20 Financing; and (c) take such  
25 further action(s) as may be necessary and appropriate to facilitate construction of the  
26 Project on the PSBH Site utilizing 63-20 Financing.  
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29           **ADOPTED this** 8th **day of** November, **2016.**

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31 **ATTEST:**

**PIERCE COUNTY COUNCIL**  
Pierce County, Washington

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36 **Denise D. Johnson**  
37 Clerk of the Council  
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39 **Douglas G. Richardson**  
40 Council Chair

