



City of Tacoma City Council Agenda

747 Market Street, Tacoma, WA 98402, Council Chambers
Dial: 253-215-8782 Meeting ID: 848 3423 3126
Webinar Link: www.zoom.us/j/84834233126 Passcode: 349099
January 9, 2024
5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:01 p.m.

Newly elected and re-elected Council Members were sworn in and made comments.

ROLL CALL

PRESENT: 9

Council Member Ushka participated virtually.

FLAG SALUTE

Council Member Diaz stated that we gratefully honor and acknowledge that we rest on the traditional lands of the Puyallup People where they make their home and speak the Lushootseed language.

The flag salute was led by Council Member Diaz.

MOMENT OF SILENCE

The City Council meeting recessed at 5:24 p.m., and reconvened at 5:31 p.m.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. 23-1226 Minutes of the Tacoma Arts Commission, November 13, 2023.
2. 23-1225 Minutes of the Tacoma Creates Advisory Board, November 6, 2023.
3. 23-1242 Minutes of the Public Utility Board study session, November 15, 2023.
4. 23-1243 Minutes of the Public Utility Board meeting, November 15, 2023.

AGENDA MODIFICATIONS

Mayor Woodards stated that there are two modifications to the agenda, to move first readings of Ordinance Nos. 28934 through 28952 to the Consent Agenda and to move Item 16, Resolution No. 41327 to be considered at this time.

MOTION: Walker

SECOND: Hines

ACTION: To suspend Rule 4A of the Rules of Procedure of the Council of the City of Tacoma to amend the agenda as follows:

- to move first reading of Ordinance Nos. 28934 through 28952 to the Consent Agenda; and
- to consider Item 16, Resolution No. 41327, regarding the Deputy Mayor election, at this time.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

- 16. **RES41329** A resolution nominating and electing Council Member John Hines to the office of Deputy Mayor to serve a one-year term to expire December 31, 2024.

MOTION: Walker

SECOND: Hines

ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

CONSENT AGENDA

- 5. **23-1244** Minutes of the City Council meeting, June 13, 2023.
- 6. **23-1245** Minutes of the City Council meeting, June 20, 2023.
- 7. **23-1246** Minutes of the City Council meeting, June 27, 2023.
- 8. **23-1247** Minutes of the City Council meeting, July 11, 2023.
- 9. **23-1248** Minutes of the City Council meeting, July 18, 2023.
- 10. **23-1249** Minutes of the City Council meeting, July 25, 2023.
- 11. **23-1250** Minutes of the City Council meeting, August 1, 2023.
- 12. **23-1251** Minutes of the City Council meeting, August 8, 2023.

ASSESSMENT ROLLS

- 13. **24-0034** The Director of Public Works presents the Assessment Roll for the following:
LID No. 8642

Construction of permanent pavement and the installation of concrete curbs and gutters, surface water mains, and surface water catch basins, where needed, on:

- Mullen Street from North 42nd Street to North 43rd Street,
- North 40th Street from Baltimore Street to Bennett Street,
- Mason Avenue from North 35th Street to North 36th Street,
- Cheyenne Street from North 37th Street to North 38th Street, and
- Fir Street from North 15th Street to North 17th Street;

and rescheduling the date and time for a hearing by the Hearing Examiner from Thursday, January 11, 2024, at 9:00 a.m., to Thursday, February 1, 2024, at 1:30 p.m.

PURCHASE RESOLUTIONS

- 14. RES41328** A resolution awarding a contract to MESA Products, Inc., in the amount of \$745,229.00, plus applicable taxes, plus a 20 percent contingency, budgeted from the Wastewater Fund, for construction of the Central Wastewater Treatment Plant Outfall Cathodic Protection Improvements project, for a projected contract total of \$894,274.80 - Specification No. ES23-0244F.

PAYMENTS

- 15. 23-1262** Date Range - 12/04/2023 to 12/17/2023
Payroll in the amount of \$20,896,292.36; Payments in the amount of \$27,743,567.24; for a total of \$48,639,859.60.

MOTION: Hines

SECOND: Walker

ACTION: The Consent Agenda was declared adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0 Items Removed: 0

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

Comments from the newly elected and re-elected Mayor and Council Members.

PUBLIC COMMENT

Public Comment began at 5:39 p.m.

The City Clerk's Office received one written comment for Public Comment, regarding Ordinance No. 28947.

Three individuals addressed the City Council.

Public Comment ended at 5:47 p.m.

REGULAR AGENDA

APPOINTMENTS

16. **RES41329** A resolution nominating and electing Council Member John Hines to the office of Deputy Mayor to serve a one-year term to expire December 31, 2024.

This item was considered earlier in the meeting.

17. **RES41330** A resolution appointing City Council Members to various national, state, regional, and local committees, boards, and commissions, including the City Council's Standing Committees, through December 31, 2024.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

PURCHASE RESOLUTIONS

18. **RES41331** A resolution authorizing an increase to the contract with Continuant, Inc., in the amount of \$2,050,000, plus applicable taxes, for a cumulative total of \$2,550,000, budgeted from various funds, for conference room improvements - Specification No. IT22-0270F.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

19. **RES41332** A resolution awarding a contract to Global Contractors, LLC, in the amount of \$2,989,539, plus applicable taxes, plus a 10 percent contingency, budgeted from various departmental funds, for concrete panel and pedestrian curb ramp work at various locations within the City, for a projected contract total of \$3,288,493 - Specification No. PW23-0203F.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

20. **RES41333** A resolution relating to Tacoma Venues and Events; authorizing an interim contract extension with Staff Pro Inc. d.b.a. Allied Universal Security Services, in the amount of \$2,250,000, plus applicable taxes, budgeted from the Tacoma Dome and Convention Center Operations Funds, for provisions of security and guest services for the Tacoma Dome and Greater Tacoma Convention Center, retroactive from December 31, 2023, to June 1, 2024, for a cumulative total of \$15,350,000, plus applicable taxes, pursuant to Specification No. PF16-0328F, to maintain essential services while a competitive selection process is completed for a longer-term services contract.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

RESOLUTIONS

21. **RES41334** A resolution authorizing the execution of an interest-free loan agreement with the Washington State Department of Transportation, in the amount of \$408,000, accepting and depositing said sum into the Tacoma Rail Fund, and further authorizing matching funds in the amount of \$399,877, to partially fund a railroad track rehabilitation project.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

22. **RES41335** A resolution authorizing the execution of an interest-free loan agreement with the Washington State Department of Transportation, in the amount of \$1,622,000, accepting and depositing said sum into the Tacoma Rail Fund, and further authorizing matching funds in the amount of \$1,118,625, to partially fund a railroad rehabilitation project.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

23. **RES41336** A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Star Communities Inc, for the development of ten multi-family market and regulated rate rental housing units, located at 2108 S “J” Street, in the Downtown Regional Growth Center.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

24. **RES41337** A resolution authorizing the execution of a cooperative agreement with the Environmental Protection Agency, in the amount of \$500,000, and accepting and depositing said sum into the Local Employment and Apprenticeship Training Program Fund, for the Brownfields Job Training Program.

MOTION: Hines
SECOND: Walker
ACTION: Adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

FINAL READING OF ORDINANCES

25. **ORD28931** An ordinance amending Chapter 1.07 of the Municipal Code, relating to Equity in Contracting, by amending various sections, and by repealing Section 1.07.050, entitled “Approval as a Certified Business”, to replace outdated elements of the former Small Business Enterprise Program and clarify expectations for review of the program.

ACTION: Passed.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

FIRST READING OF ORDINANCES

26. **ORD28932** A supplemental ordinance of the City of Tacoma, Washington, relating to the electric system; providing for the issuance and sale of one or more series of electric system revenue and refunding bonds in an aggregate principal amount not to exceed \$225,000,000 to provide funds to finance and refinance capital improvements to the electric system, to redeem certain obligations of the electric system, and to pay costs of issuance for the bonds; fixing or setting parameters with respect to certain terms and covenants of the bonds, and appointing the City’s designated representatives to approve the final terms of the sale of the bonds; repealing City Ordinance No. 28920 in its entirety; and approving certain other matters in connection therewith.

Set over for final reading next week.

27. **ORD28933** An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, by amending Chapter 6A.50, entitled “Electricity Business and Solid Waste Collection”, by renaming the Chapter to “Electricity Business and Solid Waste Collection Business”, and further amending this Chapter and Chapter 6A.100, entitled “Utilities Gross Earnings Tax - Public Utilities”, to simplify the deduction for collection of commercial recyclable materials and align language regarding taxable income.

Set over for final reading next week.

28. **ORD28934** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28911, relating to Electric Energy - Regulations and Rates; which amended Chapter 12.06 of the Municipal Code, to add a new Section 12.06.266, entitled "Very large load service of 10 aMW or more - Schedule VLL", and by amending various sections to align with the new Schedule VLL, effective January 1, 2024.

Set over for final reading next week.

29. **ORD28935** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28912, relating to Water - Regulations and Rates; which amended Chapter 12.10 of the Municipal Code, by amending Section 12.10.301, entitled “Fire hydrant services fee”, and Section 12.10.400, entitled “Rates - Inside and outside City limits”, effective January 1, 2024.

Set over for final reading next week.

30. **ORD28936** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28913, relating to general property tax; which authorized an increase in the Ad Valorem general property tax revenue collection in terms of both dollars and percentage for the general property tax levy in 2024.

Set over for final reading next week.

31. **ORD28937** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28914, relating to tax levies; which fixed the amount of the Ad Valorem tax levies necessary to identify the amount of the estimated revenues from property tax levies to match estimated expenditures for debt service and other funding requirements.

Set over for final reading next week.

32. **ORD28938** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28915, relating to Emergency Medical Services; which authorized an increase for the Emergency Medical Services property tax levy in terms of both dollars and percentage.

Set over for final reading next week.

33. **ORD28939** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28916, relating to Emergency Medical Services; which fixed the amount of the Emergency Medical Services levy necessary to identify the amount of the estimated revenues from the property tax levy to match estimated expenditures for debt service and other funding requirements.

Set over for final reading next week.

34. **ORD28940** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28917, relating to the Biennial Operating Budget; which amended the 2023-2024 Biennial Operating Budget to appropriate funds for contractual obligations, transfers, and other budget adjustments; authorized interfund transfers and contributions; and accepted, deposited, and appropriated miscellaneous donations, contributions, and/or fees.

Set over for final reading next week.

35. **ORD28941** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28918, relating to the Capital Budget; which modified the 2023-2024 Capital Budget to recognize changes in transfers, additional revenues, and budget adjustments.

Set over for final reading next week.

36. **ORD28942** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28919, relating to property tax levies; which amended Chapter 3.11 of the Municipal Code, relating to Emergency Medical Transportation, by amending Section 3.11.060, entitled "Patient transportation service rates", to restore the Emergency Medical Services levy and allow the levy to pay for medical transport charges incurred by qualified City residents, as passed by voters in Proposition 1 in the August 1, 2023, Primary Election.

Set over for final reading next week.

37. **ORD28943** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28922, relating to Animal Control and Public Safety; which amended Titles 17 and 8 of the Municipal Code, by amending Section 17.02.140, entitled "Public disturbance noise and public nuisance noise made by an animal", and Section 8.12.060, entitled "Public disturbance noises", to revise requirements for enforcement of an unlawful action and to remove the criminal misdemeanor charge for public disturbance and public nuisance noise made by an animal.

Set over for final reading next week.

38. **ORD28944** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28923, relating to Animal Control; which amended Title 17 of the Municipal Code, by adding a new Section 17.02.155, entitled “Cat Declawing”, to establish a ban on performing a procedure that results in the partial or complete declawing of a cat except when conducted by a licensed veterinarian for a therapeutic purpose, effective March 31, 2024.

Set over for final reading next week.

39. **ORD28945** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28924; which authorized the annexation of the Manitou Potential Annexation Area, located near Lakewood Drive West and 66th Street West, to the City of Tacoma, effective April 1, 2024, as set forth in the Interlocal Agreement and Memorandum of Understanding with Pierce County executed December 15, 2021.

Set over for final reading next week.

40. **ORD28946** An ordinance providing for the ratification and reconfirmation of Substitute Ordinance No. 28925, relating to pay and compensation; which amended Chapter 1.12 of the Municipal Code, to implement rates of pay and compensation for certain represented and nonrepresented employees; and changes in classifications to reflect the organizational structure.

Set over for final reading next week.

41. **ORD28947** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28926, relating to urban forestry; which amended Title 9 of the Municipal Code, relating to Public Ways, by repealing Chapters 9.18, 9.19, and 9.20 in their entirety and replacing Chapter 9.20 with a new chapter entitled “Urban Forestry”, to establish permit requirements and related regulations for pruning, removal, and planting of street trees, establish policies and procedures for discretionary review of requests to prune trees on public property, establish a heritage tree program, and provide for enforcement and penalties for violations; amended Title 1 of the Municipal Code, relating to Administration and Personnel, by amending Chapter 1.23 of the Municipal Code, entitled “Hearing Examiner”, to provide for administrative appeals; and established effective dates.

Set over for final reading next week.

42. **ORD28948** An ordinance providing for the ratification, reconfirmation, and effective date of Ordinance No. 28921; which amended the current non-exclusive Right of Use Agreement and Franchise with Pierce Transit, extending the renewal term an additional five-years, and amending the current expiration from January 1, 2024, to January 1, 2029, for transit-related infrastructure within City rights-of-way.

Set over for final reading next week.

43. **ORD28949** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28927, relating to the Tax and License Code; which amended Ordinance No. 28910 to include an additional exhibit amending Municipal Code Chapters 6B.10 and 6B.20, effective November 13, 2023.

Set over for final reading next week.

44. **ORD28950** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28928, relating to background checks; which amended Subtitle 6B of the Municipal Code, relating to the License Code, by amending Section 6B.10.030, entitled “License definitions”, and Section 6B.10.190, entitled “Investigations and background checks”, to meet Federal Bureau of Investigation requirements to allow the City to conduct nationwide background checks for certain license applicants.

Set over for final reading next week.

45. **ORD28951** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28929, relating to the tax and license code; which amended Subtitle 6A of the Municipal Code, relating to the Tax Code, by amending Section 6A.30.065, entitled “Job credits”, to narrow the definition of a green job and increase the value of the green job tax credit from \$250 to \$1,000 per year; and amended various sections throughout Chapter 6A.30, to update language, address areas of inconsistency, and comply with state law.

Set over for final reading next week.

46. **ORD28952** An ordinance providing for the ratification and reconfirmation of Ordinance No. 28930; which amended Chapter 6A.30 of the Municipal Code, relating to Business and Occupation Tax, by adding a new Section 6A.30.067, entitled “Job Credit - Work Opportunity”, to provide a new \$1,000 job tax credit for employers adding a new position and filling the position with an individual with a disability, as identified through the vocational referral in the federal Work Opportunity Tax Credit.

Set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

COMMUNITY FORUM

Community Forum began at 6:14 p.m.

The City Clerk’s Office received two written comments for Community Forum regarding the Manny Ellis trial and Tacoma Business License Rates.

21 individuals addressed the City Council.

Community Forum ended at 6:59 p.m.

REPORTS BY THE CITY MANAGER

There was no report.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Infrastructure, Planning, and Sustainability Committee

Moved to next week.

Mayor recognized the Tacoma Fire Department (TFD) for a note from a member of the community thanking TFD personnel. She further announced that a moment of silence will be held for Jacob Carter at the January 16, 2024, City Council meeting.

MOTION: Hines

SECOND: Walker

ACTION: Motion to convene to an Executive Session for 20 minutes.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

The City Council convened to Executive Session at 7:05 p.m. The Executive Session was extended for an additional 15 minutes at 7:25 p.m.

The Executive Session concluded, and the meeting reconvened, at 7:47 p.m.

ADJOURNMENT

The meeting was adjourned at 7:48 p.m.