



## Legislation Passed April 23, 2024

The Tacoma City Council, at its regular City Council meeting of April 23, 2024, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 41406**

A resolution authorizing an increase and extending the contract with BERK Consulting, Inc., in the amount of \$201,520.00, plus applicable taxes, for a cumulative total of \$1,430,785.73, budgeted from the General Fund, for the Tideflats Subarea Plan and Environmental Impact Statement, through June 30, 2025 - Specification No. PL19-0288F.

[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

### **Resolution No. 41407**

A resolution accepting a grant from the Washington State Department of Ecology, in the amount of \$3,300,000, and accepting and depositing said sum into the Tacoma Rail Fund, for the acquisition of a zero-emission, battery-electric switcher locomotive.

[Alan Matheson, Assistant Rail Superintendent; Dale King, Rail Superintendent]

### **Resolution No. 41408**

A resolution revising the appointments of 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.

[Mayor Woodards]

### **AMENDED Ordinance No. 28962**

An ordinance enacting a temporary moratorium on the nomination and designation of new Historic Special Review and Conservation Districts, for a period of one year.

[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]



## RESOLUTION NO. 41406

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the increase and extension of the  
3 contract with BERK Consulting, Inc., in the amount of \$201,520.00, plus  
4 applicable taxes, for a cumulative total of \$1,430,785.73, budgeted  
5 from the General Fund, for the Tideflats Subarea Plan and Environmental  
6 Impact Statement, through June 30, 2025, pursuant to Specification  
7 No. PL19-0288F.

8 WHEREAS the City has complied with all applicable laws and processes  
9 governing the acquisition of those supplies, and/or the procurement of those  
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"  
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the  
13 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

14 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

15 Section 1. That the Council of the City of Tacoma concurs with the Board of  
16 Contracts and Awards to adopt the recommendation for award as set forth in the  
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to  
19 increase and extend Contract No. CW2233677, with BERK Consulting, Inc., in the  
20 amount of \$201,520.00, plus applicable taxes, for a cumulative total of  
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1 \$1,430,785.73, budgeted from the General Fund, for the Tideflats Subarea Plan  
2 and Environmental Impact Statement, through June 30, 2025, pursuant to  
3 Specification No. PL19-0288F, consistent with Exhibit "A."  
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5 Adopted \_\_\_\_\_  
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7 \_\_\_\_\_  
8 Mayor

9 Attest:  
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11 \_\_\_\_\_  
12 City Clerk

13 Approved as to form:  
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16 City Attorney  
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## RESOLUTION NO. 41407

1 A RESOLUTION relating to the Department of Public Utilities, Beltline Division,  
2 (d.b.a. "Tacoma Rail"); authorizing the acceptance of a grant from the  
3 Washington State Department of Ecology, in the amount of \$3,300,000,  
4 and depositing said sum into the Tacoma Rail Fund, for the acquisition of  
5 a zero-emission, battery-electric switcher locomotive.

6 WHEREAS the City of Tacoma, Department of Public Utilities, Division  
7 (d.b.a. "Tacoma Rail"), was awarded a grant in the amount of \$3,300,000, from  
8 the Washington State Department of Ecology, to assist with the acquisition of a  
9 zero emission battery-electric switcher locomotive, and

10 WHEREAS the grant funds were awarded as a distribution from the  
11 State's Volkswagen Settlement Fund after a competitive call for projects from  
12 the Department of Ecology, and

13 WHEREAS this project will continue Tacoma Rail's efforts toward  
14 decarbonization by eliminating the annual consumption of up to 30,000 gallons  
15 of diesel fuel by replacing a genset diesel-electric locomotive with a battery-  
16 electric locomotive and rendering two diesel engines manufactured between  
17 2008 and 2009 inoperable, and

18 WHEREAS it is anticipated that the installation of locomotive charging  
19 equipment from the initial battery-electric project will be sufficient to support this  
20 additional battery-electric switcher locomotive, and

21 WHEREAS the current estimated cost for a battery-electric switcher  
22 locomotive is approximately \$5,500,000 and Tacoma Rail will be required to  
23 cover all associated project costs that exceed this grant award, and

24 WHEREAS Section 4.11 of the Tacoma City Charter requires that all  
25 matters relating to the "incurring of indebtedness . . . shall be initiated by the  
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Board, subject to approval by the Council, and executed by the Board,” prior to  
1 acceptance of the agreement, and

2 WHEREAS, by adoption of Public Utility Board Resolution No. U-11452  
3 on April 10, 2024, the Public Utility Board approved the proposed grant  
4 agreement, pending authorization by the City Council; Now, Therefore,  
5

6 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

7 Section 1. That the City of Tacoma, Department of Public Utilities,  
8 Beltline Division (d.b.a. “Tacoma Rail”) is authorized to accept the grant funding  
9 in the amount of \$3,300,000 from the Washington State Department of Ecology,  
10 to assist with the acquisition of a zero-emission battery-electric switcher  
11 locomotive, and to deposit said funding into the Tacoma Rail Fund.  
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Section 2. That the proper officers of the City are authorized to execute any necessary or convenient agreements needed to complete the acceptance of the grant funding with the State of Washington Department of Ecology, subject to all agreements being approved as to form by the City Attorney's Office.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-11452



## RESOLUTION NO. 41408

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to committees, boards, and commissions; revising the  
3 appointments of City Council to various national, state, regional, and local  
4 committees, boards, and commissions, including the City Council's  
standing committees, effective through December 31, 2024.

5 WHEREAS the Mayor and City Council Members are called upon to serve  
6 on a number of local, regional, state, and national committees, boards, and  
7 commissions, and

8  
9 WHEREAS, in addition to incorporating feedback from the City Council,  
10 Mayor Woodards strives to balance committee, board, and commission  
11 assignments based on a number of criteria, including City Council Member  
12 areas of interest and expertise, availability, and number of roles assigned, and

13  
14 WHEREAS since the passage of Resolution No. 41330 on January 9, 2024,  
15 there have been shifts in availability by appointed City Council Members, and

16 WHEREAS, pursuant to the Tacoma City Charter and the rules,  
17 regulations, and procedures of the City Council, the City Council Members  
18 named on Exhibit "A" have been nominated to serve on said committees,  
19 boards, and commissions listed thereon; Now, Therefore,

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21 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

22 That those nominees to the committees, boards, and commissions listed  
23 on Exhibit "A" are hereby confirmed, and the City Council Members designated  
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1 thereon shall be appointed as members of such committees, boards, and  
2 commissions, as set forth on said Exhibit "A," through December 31, 2024.

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4 Adopted \_\_\_\_\_

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6 \_\_\_\_\_  
7 Mayor

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9 Attest: \_\_\_\_\_  
10 City Clerk

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12 Approved as to form: \_\_\_\_\_  
13 City Attorney

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EXHIBIT "A"

2024 CITY COUNCIL APPOINTMENTS

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1. Association of Washington Cities Board – Hines
2. Association of Washington Cities Large City Advisory Committee – Bushnell, ~~Vacant (alternate)~~ [Hines](#)
3. Association of Washington Cities Legislative Priorities Committee – Ushka, ~~Vacant (alternate)~~ [Daniels](#)
4. City Manager Performance Review Committee – Woodards, Hines, Ushka, Walker
5. Community Council Liaison – Bushnell, Diaz (alternate)
6. Community Vitality and Safety Committee –Rumbaugh, Scott, Walker, Ushka, Hines (alternate)
7. Community’s Police Advisory Committee – Woodards, Bushnell (alternate)
8. Cross District Association of Tacoma – Rumbaugh, Bushnell (alternate)
9. Crystal Judson Family Justice Center – Hines, Rumbaugh, Scott (alternate)
10. Economic Development Board Executive Committee – Woodards
11. Economic Development Committee –Bushnell, Daniels, Diaz, Scott, Rumbaugh (alternate)
12. Firemen’s Pension Fund Board of Trustees – Woodards, Hines (alternate)
13. ~~ForeverGreen Trails – Walker~~
14. Foundation for Tacoma Students –Woodards, Rumbaugh (alternate)
15. Government Performance and Finance Committee – Bushnell, Daniels, Hines, Rumbaugh, Walker (alternate)
16. Infrastructure, Planning, and Sustainability Committee – Diaz, Hines, Ushka, Walker, Bushnell (alternate)
17. Investment and Finance Committee – Woodards



- 178. Joint Municipal Action Committee –Rumbaugh, Walker, Bushnell (alternate)
- 1 189. Law and Justice Council – Ushka
- 2 1920. Law and Justice Community Oversight Subcommittee – Ushka
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- 4 204. National League of Cities –Walker, Ushka (alternate)
- 5 212. Opioid Abatement Council – Hines, Ushka (alternate)
- 6 223. Parks Policy Group – Daniels, Walker
- 7 234. Pierce County Commission Against Domestic Violence – Rumbaugh,  
8 Scott (alternate)
- 9 245. Pierce County Flood Control Zone District Advisory Committee – Diaz
- 10 256. Pierce County Regional Council –~~Rumbaugh~~Vacant, Diaz, Hines,  
11 Bushnell (alternate)
- 12 267. Pierce Transit Board – Diaz, Hines, Walker
- 13 278. Pierce County Select Committee on Homelessness – Hines, Rumbaugh
- 14 289. Police Disability and Pension Fund Board – Woodards, Walker (alternate)
- 15 2930. Puget Sound Clean Air Agency Board/Board of Directors – Bushnell,  
16 Walker (alternate)
- 17 304. Puget Sound Regional Council/Executive Board – Walker,  
18 Woodards (alternate)
- 19 312. Puget Sound Regional Council/Economic Development District Board –  
20 Bushnell, Daniels (alternate)
- 21 323. Puget Sound Regional Council/Growth Management Policy  
22 Board – Bushnell, Rumbaugh (alternate)
- 23 334. Puget Sound Regional Council/Transportation Policy Board – Walker, Diaz  
24 (alternate)
- 25 345. Puyallup Tribe Community Contribution Committee [2 percent] – Woodards,  
26 Ushka (alternate)
- 356. Regional Access Mobility Partnership – Walker



- 1 | 367. Safe Streets Board – Hines
- 2 | 378. Sound Transit Board – Walker
- 3 | 389. South Sound 911 – Bushnell, Rumbaugh, Diaz (alternate)
- 4 | 3940. South Sound Housing Affordability Partners – Woodards, Daniels (alternate)
- 5 | 404. Tacoma Arts Commission –Scott, Diaz (alternate)
- 6 | 412. Tacoma Council of PTA/City Government Liaison – Bushnell
- 7 | 423. Tacoma Employees’ Retirement System Board of  
8 | Administration – Woodards
- 9 |
- 10 | 434. Tacoma-Pierce County Board of Health – Daniels, Ushka,  
11 | Bushnell (alternate)
- 12 | 445. Tidelands Subarea Planning Steering Committee – Woodards, Walker,  
13 | Rumbaugh (alternate)
- 14 | 456. Urban Waters Board of Directors – Diaz, Hines (alternate)
- 15 | 467. U.S. Conference of Mayors – Woodards
- 16 | 478. WorkForce Central – Woodards, Daniels, Diaz (alternate for Council Member  
17 | only)
- 18 | 489. Youth and Young Adult Violence Reduction Executive Steering Committee –  
19 | Woodards (Chair), Daniels (Vice-Chair)
- 20 | 4950. Zoo Trek Authority – Hines, Rumbaugh

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## ORDINANCE NO. 28962

1 AN ORDINANCE relating to land use regulation; enacting a temporary moratorium  
2 on the nomination and designation of new Historic Special Review and  
Conservation Districts, for a period of one year.

3 WHEREAS Tacoma Municipal Code (“TMC”) 13.07.060 outlines regulations  
4 for the local Tacoma Register of Historic Places and the nomination and  
5 designation process for Historic Special Review and Conservation Districts  
6 (“Districts”), and

7  
8 WHEREAS the Landmarks Preservation Commission (“LPC”) and Planning  
9 Commission (“PC”) both have roles in reviewing nominations and making  
10 recommendations, and,  
11

12 WHEREAS in reviewing applications for Districts over the last year, both  
13 commissions noted concerns about the existing historic district designation process  
14 and recommended that a review and potential update to the process should be  
15 conducted in the earliest possible plan and code amendment cycle, and

16  
17 WHEREAS the PC adopted its Work Program for 2023-2025 in November  
18 2023, and the City Council's Infrastructure, Planning, and Sustainability Committee  
19 concurred with the work program in December 2023, and the work program  
20 includes the 2024 Comprehensive Plan Periodic Update, which is anticipated to be  
21 completed in mid-2025, and

22  
23 WHEREAS a Historic Preservation Plan Update including a policy/code  
24 review of local historic districts is included in the current scope for the 2024  
25 Comprehensive Plan Periodic Update (“Comprehensive Plan”), and

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WHEREAS the requested review is planned to be included in the upcoming 2024 Comprehensive Plan update process, however, in the interim, applications for Districts may continue to be submitted, and

WHEREAS by Resolution No. 41226, the City Council directed the PC, in coordination with the LPC, to conduct a public process to develop findings of fact and recommendations as to whether a moratorium on nomination and designation of local historic districts is warranted, and the PC adopted a review schedule and set a public hearing on September 20, 2023, and

WHEREAS following the public hearing, the PC also sought feedback and input from the LPC, and

WHEREAS the LPC did not feel that a moratorium was a necessary step to address existing policy issues within the normal scope of its work, but the PC found there are significant unresolved policy and code questions relating to historic district creation, and the PC workplan would benefit from a temporary pause on historic district review afforded by a moratorium, and

WHEREAS the PC expressed that before the establishment of any new Districts additional study was needed regarding the interplay between the current code and the City's efforts to increase all income housing availability, and increase housing density within the City, and

WHEREAS the PC further noted that before the establishment of any new Districts study of the current code was needed to focus on addressing the impacts



1 of systemic racism on home ownership and wealth-building opportunities for people  
2 of color in the City, and

3 WHEREAS, in its recommendation to the City Council regarding the  
4 proposed moratorium, the Commission noted that Council Ordinance 28793, which  
5 adopted Home In Tacoma Phase 1, in part “strengthened Tacoma’s commitment to  
6 ‘addressing the lingering impacts of systemic racism and facilitating home  
7 ownership and wealth-building opportunities for people of color.”, and

9 WHEREAS, the Planning Commission also advised that the Landmarks  
10 Commission may need time to review its current program components for potential  
11 unintentional contributions to the legacy effects of discriminatory housing policies  
12 and, therefore, the primary policy questions regarding local historic districts are  
13 centered on Tacoma’s residential areas to support that focus the moratorium should  
14 be limited to residential areas, and

16 WHEREAS on November 15, 2023, the PC voted to recommend that the  
17 City Council establish a moratorium on the consideration and adoption of new  
18 Districts for a period of one year while the PC’s established workplan on the subject  
19 is implemented, and

21 WHEREAS on March 5, 2024, the City Council held a public hearing to seek  
22 comment on the PC recommendation; Now, Therefore,

24 BE IT ORDAINED BY THE CITY OF TACOMA:

25 Section 1. That the City Council hereby adopts the Recitals of this  
26 Ordinance as its formal legislative findings.



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Section 2. That a temporary moratorium on the nomination and designation of new Historic Special Review and Conservation Districts, is hereby enacted, for a period of one year or until the work is complete whichever is less.

Section 3. This moratorium shall be applicable only to those areas of Tacoma that have the following residential land use designations: Low-Scale Residential; Mid-Scale Residential; High-Density Multifamily; Airport Compatibility Residential.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance or its application to any other person or situation.

Section 5. Effective Date. This Ordinance shall be effective ten days after its publication.



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Section 6. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney