



## Legislation Passed August 27, 2024

The Tacoma City Council, at its regular City Council meeting of August 27, 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. 41515**

A resolution appointing and reappointing individuals to the Equity in Contracting Advisory Committee.

[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

### **Resolution No. 41516**

A resolution appointing Mandy Zylstra to the Tacoma Creates Advisory Board.

[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

### **Resolution No. 41517**

A resolution appointing and reappointing individuals to the Transportation Commission.

[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

### **Resolution No. 41518**

A resolution awarding a contract to Miles Resources LLC, in the amount of \$5,417,405.81, plus applicable taxes, plus a 15 percent contingency, budgeted from the Street Fund and Streets Initiative Fund, for the disposal of construction debris, for an initial contract period of five years, for a projected contract total of \$6,230,016.68 - Specification No. PW23-0202F.

[Jake Green, Assistant Division Manager; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

### **Resolution No. 41519**

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Alder Smart 1S, LLC, for the development of 14 multi-family market and regulated rate rental housing units, located at 3210 South 43rd Street in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Project Manager; Patricia Beard, Interim Director, Community and Economic Development]

### **Resolution No. 41520**

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Northwest Smart Homes LLC, for the development of 36 multi-family market and regulated rate rental housing units, located at 315 South 30th Street in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Patricia Beard, Interim Director, Community and Economic Development]

**Resolution No. 41521**

A resolution authorizing the execution of an agreement with Sound Transit, in an amount not to exceed \$42,310,763, budgeted from the Transportation Capital Fund, for funding provided by Sound Transit for the preliminary engineering, final design, and construction of access improvements to the South Tacoma Sounder Station. [Josh Lauer, Project Manager; Ramiro A. Chavez, P.E. PgMP, Director/City Engineer, Public Works]

**Resolution No. 41522**

A resolution amending Resolution No. 39787, authorizing an increase to the contract amount with Pierce County Recycling, Composting and Disposal, LLC, d.b.a. LRI, by \$90,000,000.00, for a cumulative total of \$237,290,930.15, budgeted from the Solid Waste Fund, to cover increased costs associated with contractual price adjustments and increased average tonnage disposed of, through February 2030. [Lewis Griffith, Solid Waste Division Manager; Geoffrey M. Smyth, P.E., Interim Director, Environmental Services]

**Ordinance No. 28977**

An ordinance approving a six-month extension of Ordinance No. 28872, which enacted interim land use regulations within the South Tacoma Groundwater Protection District (STGPD) to temporarily prohibit the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD, as approved by the City Council, and as previously extended by Ordinance No. 28958. [Adam Nolan, Senior Planner; Peter Huffman, Director, Planning and Development Services]



# RESOLUTION NO. 41515

1 BY REQUEST OF COUNCIL MEMBERS BUSHNELL, DANIELS, DIAZ, AND  
2 SCOTT

3 A RESOLUTION relating to committees, boards, and commissions; appointing and  
4 reappointing individuals to the Equity in Contracting Advisory Committee.

5 WHEREAS vacancies exist on the Equity in Contracting Advisory  
6 Committee, and

7 WHEREAS, at its meeting of August 13, 2024, the Economic Development  
8 Committee conducted interviews and recommended the appointment and  
9 reappointment of the individuals to said committee, and

10 WHEREAS, pursuant to City Charter Section 2.4, the persons named on  
11 Exhibit "A" have been nominated to serve on the Equity in Contracting Advisory  
12 Committee; Now, Therefore,

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

14 That those nominees to the Equity in Contracting Advisory Committee, listed  
15 on Exhibit "A," are hereby confirmed and appointed as members of such committee  
16 for such terms as are set forth on the attached Exhibit "A."  
17

18 Adopted \_\_\_\_\_

19 \_\_\_\_\_  
20 Mayor

21 Attest:  
22 \_\_\_\_\_

23 City Clerk

24 Approved as to form:

25 \_\_\_\_\_  
26 City Attorney



**EXHIBIT "A"**

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**EQUITY IN CONTRACTING ADVISORY COMMITTEE**

Appointing **Catina Patton** to the "Certified Business No. 1" position to fill an unexpired term, to expire August 31, 2026.

Appointing **Katherine Ginn** to the "District No. 3" position to fill an unexpired term, to expire August 31, 2026.

Appointing **Justin Baker** to the "Union Signatory Firm" position to fill an unexpired term, to expire August 31, 2025.

Reappointing **Michael Jordan** to the "TPU Service Area No. 2" position to a three-year term, effective September 1, 2024, to expire August 31, 2027.



# RESOLUTION NO. 41516

1 BY REQUEST OF COUNCIL MEMBERS BUSHNELL, DANIELS, DIAZ, AND  
2 SCOTT

3 A RESOLUTION relating to committees, boards, and commissions; appointing an  
4 individual to the Tacoma Creates Advisory Board.

5 WHEREAS a vacancy exists on the Tacoma Creates Advisory Board, and

6 WHEREAS, at its meeting of July 30, 2024, the Economic Development

7 Committee (“Committee”) conducted interviews, and at the August 13, 2024,

8 meeting, the Committee recommended the appointment of Mandy Zylstra to said

9 board, and

10 WHEREAS, pursuant to City Charter Section 2.4, Mandy Zylstra has been

11 nominated to serve on the Tacoma Creates Advisory Board; Now, Therefore,

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

13 That Mandy Zylstra is hereby confirmed and appointed as a member of the

14 Tacoma Creates Advisory Board, to the “Science” position, to fill an unexpired term,

15 effective September 1, 2024, to expire August 31, 2026.

16 Adopted \_\_\_\_\_

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18 Mayor

19 Attest: \_\_\_\_\_

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21 City Clerk

22 Approved as to form: \_\_\_\_\_

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24 City Attorney



# RESOLUTION NO. 41517

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BY REQUEST OF DEPUTY MAYOR HINES AND COUNCIL MEMBERS BUSHNELL, DIAZ, AND WALKER.

A RESOLUTION relating to committees, boards, and commissions; appointing and reappointing individuals to the Transportation Commission.

WHEREAS vacancies exist on the Transportation Commission, and

WHEREAS, at its meeting of August 14, 2024, the Infrastructure, Planning, and Sustainability Committee conducted interviews and recommended the appointment and reappointment of individuals to said commission, and

WHEREAS, pursuant to City Charter Section 2.4, the persons named on Exhibit "A" have been nominated to serve on the Transportation Commission; Now, Therefore,

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

That those nominees to the Transportation Commission, listed on Exhibit "A," are hereby confirmed and appointed or reappointed as members of such commission for such terms as are set forth on Exhibit "A."

Adopted \_\_\_\_\_

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Mayor

Attest:  
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City Clerk

Approved as to form:  
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City Attorney



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**EXHIBIT "A"**

**TRANSPORTATION COMMISSION**

Appointing **Quanah Spencer** to the "At-Large No. 3" position to a three-year term, effective September 1, 2024, to expire August 31, 2027.

Reappointing **Joe Korbuszewski** to the "District No. 1" position to a three-year term, effective September 1, 2024, to expire August 31, 2027.

Reappointing **Rubén Casas** to the "District No. 2" position to a three-year term, effective September 1, 2024, to expire August 31, 2027.



## RESOLUTION NO. 41518

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with Miles  
3 Resources LLC, in the amount of \$5,417,405.81, plus applicable taxes, plus  
4 a 15 percent contingency, budgeted from the Street Fund and Streets  
5 Initiative Fund, for the disposal of construction debris, for an initial contract  
6 period of five years, for a projected contract total of \$6,230,016.68, pursuant  
7 to Specification No. PW23-0202F.

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 enter into a contract with Miles Resources LLC, in the amount of \$5,417,405.81,  
20 plus applicable taxes, plus a 15 percent contingency, budgeted from the Street  
21 Fund and Streets Initiative Fund, for the disposal of construction debris, for an  
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1 initial contract period of five years, for a projected contract total of \$6,230,016.68,  
2 pursuant to Specification No. PW23-0202F, consistent with Exhibit "A."

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

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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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## RESOLUTION NO. 41519

1 A RESOLUTION relating to the multi-family property tax exemption program;  
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property  
 3 Tax Exemption Agreement with Alder Smart 1S, LLC, for the development of  
 4 14 multi-family market-rate and affordable rental housing units to be located  
 5 at 3210 South 43rd Street in the Tacoma Mall Mixed-Use Center.

6 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of  
 7 Washington, designated several Residential Target Areas for the allowance of a  
 8 limited property tax exemption for new multi-family residential housing, and

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program  
 10 whereby property owners in Residential Target Areas may qualify for a Final  
 11 Certificate of Tax Exemption which certifies to the Pierce County  
 12 Assessor-Treasurer that the owner is eligible to receive a limited property tax  
 13 exemption, and

14 WHEREAS Alder Smart 1S, LLC, is proposing to develop 14 new market-  
 15 rate and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
3	Studio	238 Square Feet
8	One bedroom, one bath	430 Square Feet
Affordable Rate		
1	Studio	238 Square Feet
2	One bedroom, one bath	430 Square Feet

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 21 WHEREAS the affordable units will be rented to households whose income  
 22 is at or below 70 percent of Pierce County Area Median Income, adjusted for  
 23 household size, as determined by the Department of Housing and Urban  
 24 Development on an annual basis, and rent will be capped at 30 percent of those  
 25 income levels, adjusted annually, and  
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WHEREAS the project will also include nine on-site residential parking stalls,

and

WHEREAS the Interim Director of Community and Economic Development has reviewed the proposed property tax exemption and recommends that a conditional property tax exemption be awarded for the property located at 3210 South 43rd Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A"; Now, Therefore,

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

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Alder Smart 1S, LLC, for the property located at 3210 South 43rd Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."



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Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Alder Smart 1S, LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

Legal description approved:

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

\_\_\_\_\_  
Chief Surveyor  
Public Works Department



**EXHIBIT "A"**

**PROJECT DESCRIPTION**

Address: 3210 South 43rd Street

Tax Parcel: 5405000200

Number of Units	Type of Unit	Average Size	Expected Rental Rate
<b>Market Rate</b>			
3	Studio	238 Square Feet	\$1,295
8	One bedroom, one bath	430 Square Feet	\$1,495
<b>Affordable Rate</b>			
1	Studio	238 Square Feet	\$1,247
2	One bedroom, one bath	430 Square Feet	\$1,425 (including utility allowance)

The affordable units will be rented to households whose income is at or below 70 percent of Pierce County Area Median Income, adjusted for household size, as determined by the Department of Housing and Urban Development on an annual basis. Rent will be capped at 30 percent of those income levels, adjusted annually.

**LEGAL DESCRIPTION**

Legal Description:

LOTS 1 AND 2, BLOCK 12, MADISON PARK ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3 OF PLATS, PAGE 99, RECORDS OF PIERCE COUNTY AUDITOR.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



## RESOLUTION NO. 41520

1 A RESOLUTION relating to the multi-family property tax exemption program;  
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property  
 3 Tax Exemption Agreement with Northwest Smart Homes LLC, for the  
 4 development of 36 multi-family market-rate and affordable rental housing  
 units to be located at 315 South 30th Street in the Downtown Regional  
 Growth Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of  
 6 Washington, designated several Residential Target Areas for the allowance of a  
 7 limited property tax exemption for new multi-family residential housing, and

8 WHEREAS the City has, through Ordinance No. 25789, enacted a program  
 9 whereby property owners in Residential Target Areas may qualify for a Final  
 10 Certificate of Tax Exemption which certifies to the Pierce County  
 11 Assessor-Treasurer that the owner is eligible to receive a limited property tax  
 12 exemption, and  
 13

14 WHEREAS Northwest Smart Homes LLC, is proposing to develop 36 new  
 15 market-rate and affordable rental housing units to consist of:  
 16

Number of Units	Type of Unit	Average Size
Market Rate		
19	Studio	238 Square Feet
9	One bedroom, one bath	430 Square Feet
Affordable Rate		
5	Studio	238 Square Feet
3	One bedroom, one bath	430 Square Feet

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 21 WHEREAS the affordable units will be rented to households whose income  
 22 is at or below 70 percent of Pierce County Area Median Income, adjusted for  
 23 household size, as determined by the Department of Housing and Urban  
 24 Development on an annual basis, and rent will be capped at 30 percent of those  
 25 income levels, adjusted annually, and  
 26



1           WHEREAS the project will also include 15 on-site residential parking stalls,  
2 and

3           WHEREAS the Interim Director of Community and Economic Development  
4 has reviewed the proposed property tax exemption and recommends that a  
5 conditional property tax exemption be awarded for the property located at 315  
6 South 30th Street in the Downtown Regional Growth Center, as more particularly  
7 described in the attached Exhibit "A"; Now, Therefore,

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

10  
11           Section 1. That the City Council does hereby approve and authorize a  
12 conditional property tax exemption, for a period of 12 years, to Northwest Smart  
13 Homes LLC, for the property located at 315 South 30th Street in the Downtown  
14 Regional Growth Center, as more particularly described in the attached Exhibit "A."

15           Section 2. That the proper officers of the City are authorized to execute a  
16 Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with  
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1 Northwest Smart Homes LLC, said document to be substantially in the form of the  
2 proposed agreement on file in the office of the City Clerk.

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

5 \_\_\_\_\_  
6 Mayor

7  
8 Attest: \_\_\_\_\_  
9 City Clerk

10 Approved as to form: \_\_\_\_\_ Legal description approved:

11 \_\_\_\_\_  
12 Deputy City Attorney \_\_\_\_\_  
13 Chief Surveyor, Assistant  
14 Public Works Department

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**EXHIBIT "A"**

**PROJECT DESCRIPTION**

Address: 315 South 30th Street

Tax Parcel: 2080090031

Number of Units	Type of Unit	Average Size	Expected Rental Rate
<b>Market Rate</b>			
19	Studio	238 Square Feet	\$1,295
9	One bedroom, one bath	430 Square Feet	\$1,495
<b>Affordable Rate</b>			
5	Studio	238 Square Feet	\$1,247
3	One bedroom, one bath	430 Square Feet	\$1,425 (including utility allowance)

The affordable units will be rented to households whose income is at or below 70 percent of Pierce County Area Median Income, adjusted for household size, as determined by the Department of Housing and Urban Development on an annual basis. Rent will be capped at 30 percent of those income levels, adjusted annually.

**LEGAL DESCRIPTION**

Legal Description:

LOTS 3 THROUGH 6, INCLUSIVE, BLOCK 8009, THE TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT FILED FOR RECORD JULY 7, 1884, IN THE OFFICE OF THE PIERCE COUNTY AUDITOR, IN PIERCE COUNTY, WASHINGTON.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



## RESOLUTION NO. 41521

1 A RESOLUTION relating to transportation; authorizing the execution of an  
2 agreement with Sound Transit, in an amount not to exceed \$42,310,763,  
3 budgeted from the Transportation Capital Fund, for funding provided by  
4 Sound Transit for the preliminary engineering, final design, and  
5 construction of access improvements to the South Tacoma Sounder  
6 Station.

7 WHEREAS the Sound Transit high-capacity transit system expansion  
8 plan (“ST2 Plan”) was approved by voters in November 2008 and included the  
9 South Tacoma Station Access Improvements Project (“Project”), and

10 WHEREAS the ST2 Plan included access to improvements to the South  
11 Tacoma Sounder Station which primarily consisted of a parking structure, and

12 WHEREAS Sound Transit initiated the Project in January 2021 and  
13 worked closely with City staff and the community to develop a list of priority  
14 projects that address barriers to safe and comfortable active transportation and  
15 local transit access to the South Tacoma Sounder Station, and

16 WHEREAS the Sound Transit Board of Directors adopted Resolution  
17 R2024-05 on March 28, 2024, amending the ST2 Plan to select and implement  
18 the Project, and

19 WHEREAS the ST2 Plan authorized the Board to amend the ST2 Plan  
20 and the South Tacoma Station Access Improvements Project to construct  
21 identified alternatives to the parking structure to meet rider access demands  
22 and needs if the original scope is deemed impracticable or unaffordable, and

23 WHEREAS this agreement will fund the City of Tacoma’s preliminary  
24 engineering, final design, and construction of the selected priority projects that  
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enhance pedestrian and bicycle safety and access, making it easier to walk,  
bike, roll and take local transit to the South Tacoma Sounder Station; Now,  
Therefore,

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

That the proper officers of the City are hereby authorized to enter into an  
agreement with Sound Transit, in an amount not to exceed \$42,310,763,  
budgeted from the Transportation Capital Fund, for funding provided by Sound  
Transit for the preliminary engineering, final design, and construction of access  
improvements to the South Tacoma Sounder Station, as more specifically set  
forth in the document on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 41522

1 A RESOLUTION amending Resolution No. 39787, relating to solid waste disposal;  
2 authorizing an increase to the contract amount with Pierce County  
3 Recycling, Composting and Disposal, LLC, d.b.a. LRI, by \$90,000,000.00,  
4 for a cumulative total of \$237,290,930.15, budgeted from the Solid Waste  
5 Fund, to cover increased contract costs associated with contractual price  
6 adjustments and increased average tonnage disposed of through February  
7 2030.

8 WHEREAS solid waste in the City is collected by the City's Environmental  
9 Services, Solid Waste Division ("Solid Waste") or brought to the Recovery and  
10 Transfer Center by customers, and  
11

12 WHEREAS although the City no longer operates a landfill disposal facility,  
13 there is still a continued need to efficiently collect and dispose of solid wastes, and  
14 this service must be contracted to a third party, and  
15

16 WHEREAS the City has contracted these services with Pierce County  
17 Recycling, Composting and Disposal, LLC, d.b.a. LRI ("LRI") since 1989, and  
18

19 WHEREAS the City's current contract with LRI was entered into in 2000  
20 for a 20-year term under a tiered fee structure based on disposal tonnage  
21 pursuant to Resolution No. 34662, and although it was not reflected as an explicit  
22 contract provision, City Council authorized a total contract amount of  
23 \$71,567,702.15 for municipal solid waste ("MSW") disposal, and  
24

25 WHEREAS in August 2017, the City authorized Amendment No. 1  
26 pursuant to Resolution No. 39787 to extend the contract through February 2030,  
27 revise the fee structure and other requirements and again, although not reflected  
28 as an explicit contract provision, increased the total contract amount for MSW  
29 disposal by \$75,723,228.00, for a cumulative total of \$147,290,930.15, and



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WHEREAS pursuant to Amendment No. 1 and beginning in 2020, the fee structure updated from a tiered fee structure based on disposal tonnage to a base rate per tonnage adjusted annually to track the consumer price index (“CPI”), and

WHEREAS subsequently, the annual CPI adjustments have increased the rate for MSW disposal by 20 percent, from \$39.00 per ton in 2020 to \$46.69 per ton in 2024, and

WHEREAS the increase to the total contract value approved by Resolution No. 39787 in 2017 was based on an assumed 180,000 tons of disposed MSW annually, but the actual amount of MSW disposed by Solid Waste between 2020 and 2023 has averaged over 205,000 tons, and

WHEREAS due to the annual CPI adjustments and the increase in the average tonnage disposed of, Solid Waste is requesting approval to increase the total contract amount by \$90,000,000.00 for a cumulative total of \$237,290,930.15, to continue to provide efficient disposal of MSW collected from our customers through 2030, and

WHEREAS while Solid Waste is the predominant user of the contract, other City departments such as Public Works, Tacoma Water, and Tacoma Rail also use the contract periodically to dispose of materials such as demolition waste, contaminated soil, and non-biologic sewer debris, which is budgeted from and charged to their respective departmental funds and the recommended increase of \$90,000,000.00 considers this periodic use of the contract, and



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WHEREAS due to the nature of compensation structure included in the contract, the increase to the total contract amount does not require a contract amendment, but City Council approval is required consistent with Tacoma Municipal Code 1.06.269.E; Now, Therefore,

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

That the proper officers of the City are hereby authorized to increase expenditures under the contract with Pierce County Recycling, Composting and Disposal, LLC, d.b.a. LRI ("LRI"), in the amount of \$90,000,000.00, for a cumulative total contract amount of \$237,290,930.15, budgeted from the Solid Waste Fund, for disposal of municipal solid waste, through February 2030, as more specifically set forth in the documents on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



## ORDINANCE NO. 28977

1 AN ORDINANCE regarding groundwater protections; approving a six-month  
2 extension of Ordinance No. 28872, which enacted interim land use  
3 regulations within the South Tacoma Groundwater Protection District  
4 (“STGPD”) to temporarily prohibit the establishment of new or the  
5 expansion of existing underground storage tanks, metal recycling, and  
6 auto wrecking facilities within the STGPD, as approved by the City  
7 Council, and as previously extended by Ordinance No. 28958.

8 WHEREAS in March 2021, the South Tacoma Neighborhood Council  
9 (“STNC”) submitted an application to the Planning Commission (“Commission”) for  
10 consideration during the 2022 Annual Amendment process, and  
11

12 WHEREAS the Commission conducted an assessment of STNC’s  
13 application, pursuant to Tacoma Municipal Code (“TMC”) 13.02.070.E, considered  
14 public comments received through a public scoping hearing in June 2021, and  
15 made a determination in July 2021 to move the application forward for technical  
16 analysis following a phased approach:

17 (1) Phase 1A – Development of a Work Plan for South Tacoma  
18 Groundwater Protection District (“STGPD”) Code Amendments; and

19 (2) Phase 1B – Implementation of the South Tacoma Groundwater  
20 Protection District Work Plan, and

21 WHEREAS upon completing technical analyses and factoring in public  
22 comments, the Commission forwarded its recommendations to the City Council in  
23 May 2022, and

24 WHEREAS with respect to the STNC’s application, the Commission  
25 recommended that the City Council:

26 (1) Approve the work plan for STGPD code amendments; and



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(2) Consider the merits of a moratorium on future development projects, given that significant permit activity and development during the phased process could preempt the broader planning efforts, and

WHEREAS on June 28, 2022, the City Council adopted Amended Substitute Resolution No. 40985, approving the work plan for the STGPD code amendments, and directed the Commission to conduct a public process to develop findings of fact and recommendations as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the STGPD is warranted, and

WHEREAS the Commission completed its review and deliberations of the matter through a public process and forwarded to the City Council the Commission’s Findings of Fact and Recommendations Report on Consideration for a Moratorium within the STGPD, along with a letter of recommendations, both dated August 17, 2022, and

WHEREAS the Commission concluded that a broad moratorium could result in detrimental, inequitable and/or disproportionate impacts to diverse businesses and uses that are of various types, purposes, characteristics, operations and maintenance needs, and risks to the environment, and recommended instead that a targeted moratorium was warranted for the following uses within the STGPD: underground storage tanks; metal recycling/auto wrecking; vehicle service and repair; and vehicle service and repair – industrial, and

WHEREAS staff presented the Commission’s recommendations to the City Council at a study session on September 20, 2022, and in response, the City





1 Council referred the recommendations to the Infrastructure, Planning, and  
2 Sustainability Committee (“Committee”) for further consideration, and

3 WHEREAS following that referral, on November 30, 2022, the Committee  
4 forwarded an amended moratorium proposal to the City Council:  
5

6 (1) Use Categories: The Committee did not find sufficient risk to  
7 groundwater resources from the establishment or expansion of vehicle service and  
8 repair or industrial vehicle service and repair uses to warrant a moratorium,  
9 therefore, the moratorium should apply only to metal recycling/auto wrecking and  
10 underground storage tanks; and  
11

12 (2) Existing Uses: The Committee found that a moratorium that is too  
13 restrictive on the expansion of existing uses could have the counter effect of  
14 prohibiting improvements that provide environmental benefit or reduce the risks and  
15 impacts of existing uses, therefore, the moratorium should allow for reasonable  
16 facility and site development that improves environmental outcomes while avoiding  
17 the introduction of new risks to the City’s groundwater resources, and  
18

19 WHEREAS on March 7, 2023, following a public hearing and substantial  
20 public input, the City Council adopted Ordinance No. 28872, enacting a moratorium  
21 within the STGPD as recommended by the Committee, and  
22

23 WHEREAS the moratorium in Ordinance No. 28872 became effective  
24 March 20, 2023, and was enacted for an initial period of up to one year, to expire on  
25 March 20, 2024, and applied to the following uses: underground storage tanks; and  
26 metal recycling/auto wrecking, and



1           WHEREAS the Commission recommended at its December 20, 2023,  
2 meeting, that the work plan be updated to adopt a more comprehensive approach  
3 that considers both existing and upcoming initiatives linked to the STGPD code  
4 update, this recommendation was grounded in several significant changes and  
5 resource allocations since the initial adoption of the work plan, and  
6

7           WHEREAS following the update to the STGPD work plan and the  
8 identification of ongoing research needs, the City Council passed Ordinance  
9 No. 28958 on March 5, 2024, to extend the moratorium for six months, expiring on  
10 September 20, 2024, and  
11

12           WHEREAS following the moratorium extension in March 2024, significant  
13 progress has been made in several key areas:

14           (1) Tacoma Water’s Integrated Resource Plan (“IRP”) update:

15           To update the IRP Tacoma Water has engaged an external consultant  
16 whose work includes a comprehensive review and recommendations regarding the  
17 STGPD standards, and additionally, they will develop new insights into groundwater  
18 supply and demand forecasts, integrating considerations of climate change  
19 impacts, and Tacoma Water has also established a Public Advisory Committee to  
20 assist in this effort;  
21

22           (2) STGPD Health Impact Assessment (“HIA”):

23           Planning and Development Services (“PDS”) has allocated funding to  
24 support an HIA linked to the STGPD code amendments, and PDS will collaborate  
25 with the Tacoma-Pierce County Health Department (“TPCHD”) on this assessment,  
26



1 ensuring holistic considerations of public health within the code update, and since  
2 the last moratorium extension, TPCHD has formed a community advisory group to  
3 aid in this effort, with community engagement and the scoping phase to begin later  
4 in the summer;

5  
6 (3) Comprehensive Plan and Critical Areas Code update:

7 PDS is currently working on updating the Comprehensive Plan and Critical  
8 Areas Code update, with an expected completion date of June 2025, which will  
9 include a thorough review of critical aquifer recharge areas, aligning closely with the  
10 goals of the STGPD, and in May and June 2024, eight visioning workshops were  
11 conducted in each neighborhood council district to gather public input for drafting  
12 the Comprehensive Plan;

13  
14 (4) Other programmatic and regulatory updates:

15 Significant efforts are underway by the City and its partners to update  
16 various programs and regulations that support the objectives of the STGPD, with  
17 initiatives such as the Wellhead Protection Plan, Urban Waters Protection Plan, and  
18 Stormwater Comprehensive Plan currently in progress to enhance the protection  
19 and sustainability of groundwater resources, and the Environmental Services  
20 Department has hired a consultant to help with the Stormwater Comprehensive  
21 Plan, to be completed in 2025, and they are currently gathering baseline  
22 information on stormwater utility functions from City departments responsible for  
23 implementation; and  
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(5) South Tacoma Landscaping Code update:

Following the moratorium public hearing and community feedback, it has become evident that there is a strong desire to amend landscaping and tree canopy standards, particularly focusing on industrial areas and the Tacoma Mall Regional Growth Center, and since March, PDS staff have been benchmarking City landscaping/tree canopy standards with other regional jurisdictions, and

WHEREAS staff is now asking for an extension of the current moratorium to continue prohibiting the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD, while allowing the current level of these uses and activities to be maintained for an additional six months; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

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

Section 2. That a six-month extension of Ordinance No. 28872, which enacted interim land use regulations within the South Tacoma Groundwater Protection District ("STGPD") to temporarily prohibit the establishment of new or the expansion of existing underground storage tanks, metal recycling, and auto wrecking facilities within the STGPD as approved by the City Council, and previously extended by Ordinance No. 28958, is hereby approved.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance  
2 numbering, section/subsection numbers, and any references thereto.

3  
4 Passed \_\_\_\_\_

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

7 Attest:

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9 \_\_\_\_\_

10 City Clerk

11 Approved as to form:

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Chief Deputy City Attorney

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