



Legislation Passed December 17, 2024

The Tacoma City Council, at its regular City Council meeting of December 17, 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.

Resolution No. 41581

A resolution awarding a contract to Axon Enterprise, Inc., in the amount of \$615,618.36, plus applicable taxes, budgeted from the General Fund, for dash cameras inclusive of software, maintenance, and accessories, for an initial contract period of up to five years - Sourcewell Contract No. 101223-AXN - CW2270229.
[Mayra Wheelock, Police Financial Manager; Avery Moore, Police Chief]

Resolution No. 41582

A resolution setting Monday, January 13, 2025, at 5:00 p.m., as the date to reconvene a hearing by the Hearing Examiner to consider Local Improvement District No. 7731 for the conversion of the overhead primary electrical distribution, telephone, and cable television systems to underground along:

- Segment No. 1 - Waterview Street from North 49th Street southeasterly 4,400 feet, more or less, also along Dale Street from Waterview Street southwesterly 100 feet, more or less;
 - Segment No. 2 - North 43rd Street from Ruston Way to Tacoma Utility Pole No. 19510, being approximately 160 feet southwesterly of Waterview Street.
- [Ralph Rodriguez, LID Administrator; Ramiro A. Chavez, P.E. PgMP, Director/City Engineer, Public Works]

Resolution No. 41583

A resolution authorizing the execution of an interlocal agreement with Pierce Conservation District, in the amount up to \$611,878, budgeted from the Stormwater Fund, to assist with green stormwater infrastructure and low impact development projects, co-manage the open space volunteer program, and help grow the City's urban tree canopy, through December 31, 2026.
[Elizabeth Matteri, Associate Natural Resources Analyst; Geoffrey M. Smyth, P.E., Interim Director, Environmental Services]

Resolution No. 41584

A resolution authorizing the execution of an interlocal agreement with the University of Washington Tacoma, in the amount of \$637,078, budgeted from various departmental funds, to design, implement, and manage an engineering pathways program in support of engineer careers for a five-year term.
[Lewis Griffith, P.E., Solid Waste Division Manager; Geoffrey M. Smyth, P.E., Interim Director, Environmental Services]

Resolution No. 41585

A resolution reappointing individuals to the Landmarks Preservation Commission.
[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

Resolution No. 41586

A resolution appointing and reappointing individuals to the Tacoma Arts Commission.
[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

Resolution No. 41587

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 4315 S Alder Street LLC, for the development of ten multi-family market-rate rental housing units, located at 4315 South Alder Street in the Tacoma Mall Mixed-Use Center.
[Debbie Bingham, Program Manager; Pat Beard, Interim Director, Community and Economic Development]

Resolution No. 41588

A resolution transmitting a ballot measure to the Pierce County Auditor to be placed on the April 22, 2025, Special Election ballot, that would authorize an increase in the City of Tacoma property tax of \$0.25 per \$1,000 of assessed value for a maximum levy rate of \$1.95 for collection in 2026 and authorize an increase in gross earnings tax on certain utilities in the amount of 2 percent for the sole purpose of funding street repair, maintenance, and safety improvements including pedestrian and bicycle improvements; and directing the City Clerk to transmit to the Pierce County Auditor a certified copy of this resolution.
[Ramiro A. Chavez, P.E. PgMP, Director/City Engineer, Public Works]

Resolution No. 41589

A resolution approving the cancellation of the following 11 regular City Council meetings and 11 regular study sessions in 2025:
January 21, February 18, March 11, May 27, September 2, September 23, November 4, November 12, November 25, December 23, and December 30.
[Mayor Woodards]

Resolution No. 41590

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$15,000, to sponsor the Special Olympics Washington statewide competition.
[Council Member Walker]

Substitute Ordinance No. 28997

An ordinance amending the Official Schedule of Stormwater and Wastewater Utility Service Rates and Fees, effective January 1, 2025, and January 1, 2026.
[Geoffrey M. Smyth P.E., Interim Director, Environmental Services]

Ordinance No. 29004

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the Tacoma Police Management Association, Local 26; and the Professional Public Safety Management Association.

[Kari Louie, Assistant Director; Shelby Fritz, Director, Human Resources]

Ordinance No. 29005

An ordinance amending Chapter 1.06 of the Municipal Code, relating to Administration, to repeal Sections 1.06.228, 1.06.229, 1.06.230, and 1.06.231, and to repeal, replace, and rename Section 1.06.226 as "Claims and Collections", to update and consolidate the claims and collections procedures and provide for an increase in administrative settlement authority.

[Chris Bacha, City Attorney; Andy Cherullo, Director, Finance]

Ordinance No. 29006

An ordinance amending Chapter 6A.100 of the Municipal Code, relating to Utilities Gross Earnings Tax - Public Utilities, by amending Section 6A.100.040, entitled "Deductions", to add a deduction for grants; expand the deduction for interdepartmental rent to include all utilities; repeal tax deductions for Contributions In Aid of Construction, interest earned from bond proceeds, and the sale of property; remove deductions no longer utilized; update the tax deduction for hauling recyclable materials to a tiered structure; and clarify language.

[Danielle Larson, Tax and License Manager; Andy Cherullo, Director, Finance]

Ordinance No. 29007

An ordinance amending Chapter 6A.110 of the Municipal Code, relating to Property Tax Exemptions for Multi-Family Housing, to move specific application fees to the City's Fee Schedule, and clarify conditions for Final Certificates of Tax Exemption, effective January 1, 2025.

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

Ordinance No. 29008

An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, to add a new Chapter 6A.140, entitled "Vendor Refreshment Serving Tax", to impose an excise tax on major vendors responsible for the sale of food and beverage at specific City-owned facilities, effective January 1, 2025.

[Adam Cook, Director, Tacoma Venues and Events]

Ordinance No. 29009

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 Business" to update the tax deduction for hauling recyclable materials, and by amending various chapters to align language regarding tax deductions and refund statutes, effective January 1, 2025.

[Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]

Ordinance No. 29010

An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, by amending Section 12.09.070, entitled "Special Permits," to expand reporting requirements, clarify the City's enforcement authority, and assist in the administration of related taxes and deductions, effective January 1, 2025.

[Lewis Griffith, P.E., Solid Waste Division Manager; Geoffrey M. Smyth, P.E., Interim Director, Environmental Services]

Ordinance No. 29011

An ordinance amending Chapter 13.05 of the Municipal Code, relating to Land Use Permits and Procedures, to revise levels of service timelines and public noticing procedures for land use permits, to implement Washington State Substitute Senate Bill 5290 and Substitute House Bill 1105, effective January 1, 2025.

[Shirley Schultz, Interim Land Use Division Manager; Peter Huffman, Director, Planning and Development Services]

Ordinance No. 29012

An ordinance modifying the 2023-2024 Biennial Operating Budget to appropriate funds, adjust project budgets, and implement additional changes in transfers and other budget adjustments, as well as appropriating additional estimated revenues.

[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 29013

An ordinance modifying the 2023-2024 Capital Budget to appropriate funds, adjust project budgets, implement additional changes in transfers and other budget adjustments, and appropriate additional estimated revenues.

[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 29014

An ordinance amending Title 1 of the Municipal Code, relating to Administration and Personnel, by adding a new chapter entitled "Climate and Sustainability Commission", to establish a Climate and Sustainability Commission and appoint current members of the Sustainable Tacoma Commission to the new Commission.

[Council Member Walker]



RESOLUTION NO. 41581

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Axon Enterprise, Inc., in the amount of \$615,618.36, plus applicable
4 taxes, budgeted from the General Fund, for the purchase of dash
5 cameras inclusive of software, maintenance, and accessories, for an
6 initial contract period of up to five years, pursuant to Sourcewell Contract
7 No. 101223-AXN - CW2270229.

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 Axon Enterprise, Inc., in the amount of \$615,618.36,
20 plus applicable taxes, budgeted from the General Fund, for the purchase of dash
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1 cameras inclusive of software, maintenance, and accessories, for an initial
2 contract period of up to five years, pursuant to Sourcewell Contract No. 101223-
3 AXN - CW2270229, consistent with Exhibit "A."
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 Chief Deputy City Attorney
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RESOLUTION NO. 41582

1 A RESOLUTION relating to the conversion of overhead utilities to underground;
2 setting Monday, January 13, 2025, at 5:00 p.m., as the date to reconvene a
3 hearing before the Hearing Examiner to consider the construction of certain
4 improvements and to form Local Improvement District No. 7731 in order to
5 provide long-term financing for the improvements.

6 WHEREAS the City has received Advisory Survey Nos. 8596 and 8668,
7 which received the consent of a majority of property the owners for the
8 conversion of the existing overhead electrical primary, telephone and cable
9 television lines to underground along:

- 10 • Waterview Street from North 49th Street southeasterly 4,400
11 feet, more or less, also along Dale Street from Waterview Street
12 southwesterly 100 feet, more or less;
- 13 • North 43rd Street from Ruston Way to Tacoma Utility Pole No.
14 19510 being approximately 160 feet southwesterly of Waterview
15 Street; and

16 WHEREAS the real property to be benefited by the improvements, and
17 which will constitute Local Improvement District ("L.I.D.") No. 7731, is described
18 as follows:

19 Those portions of; the Northeast Quarter of the Southwest
20 Quarter of Section 24, Township 21 North, Range 02 East,
21 W.M., also, the Southwest Quarter of the Southeast Quarter of
22 Section 24, Township 21 North, Range 02 East, W.M., also the
23 North half of the Northeast Quarter of Section 25, Township 21
24 North, Range 02 East, W.M., more particularly described as
25 follows:

26 Platted Property:

Lots 1 through 10, Blocks 5 and 6; Lots 1 through 10, Block 4;
Lots 4 through 10, Block 3; **Mason's Shoreline Addition to
Tacoma, W.T.**; as per plat recorded in Volume 1, Page 108, filed
August 8, 1887, records of Pierce County Auditor; situate in the
City of Tacoma, County of Pierce, State of Washington;



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Except the Northeasterly 40 feet of said Blocks 3, 4, 5 and 6 as conveyed to the City of Tacoma by Warranty Deed recorded under Auditor's File No. 336584 and as conveyed per Pierce County Superior Court Cause Judgement No. 30048;

Together with those portions of vacated Herriott Street abutting said Blocks 3 and 4 per City of Tacoma Ordinance 19939.

Together with that portion of vacated Herriott Street and alley abutting said Block 4 and vacated Herriott Street abutting said Block 3 per City of Tacoma Ordinance 28325 re-recorded under Auditor's recording number 201612080490.

Together with that portion of vacated North Waterview Street abutting said Block 3 and a portion of said Block 4 per City of Tacoma Ordinance 28325 re-recorded under Auditor's recording number 201612080490.

Lots 1 through 12, Block 7; Lots 1 through 16, Block 8; **Woodruff's Second Addition to Tacoma, Pierce County, W.T.**; as per plat recorded in Volume 3, Page 61, filed August 2, 1889, records of Pierce County Auditor; situate in the City of Tacoma, County of Pierce, State of Washington;

Except the Northeasterly 40 feet of said Lot 1, Block 7 and the Northeasterly 40 feet of Lots 1 through 12, Block 8 as conveyed to the City of Tacoma by Warranty Deed recorded under Auditor's File No. 336584.

Together with the West half of vacated North Stevens Street, abutting Lots 6 through 12 of said Block 6 and the East half of vacated North Stevens Street, abutting said Block 7 per City of Tacoma Ordinance 10431 under Auditor's recording number 988765.

Together with that portion of vacated North Waterview Street abutting said Blocks 7 and 8 per City of Tacoma Ordinance 28325 re-recorded under Auditor's recording number 201612080490.

Together with a portion of North 46th Street (Water Street and First Street) vacated per City of Tacoma Ordinance 28325 re-recorded under Auditor's recording number 201612080490.



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Lots 1 and 2, Block 10; Lots 1 through 10, Block 9; Lots 1 through 10, Block 8; Lots 1 through 10, Block 7 and the North 6 feet of Lot 3; Lots 1 through 10, Block 6; **Mason's Water Front Addition to Tacoma W.T.**; as per plat recorded in Volume 1, Page 98, filed June 21, 1886, records of Pierce County Auditor; situate in the City of Tacoma, County of Pierce, State of Washington.

Except the Northeasterly 40 feet of said Blocks 6, 7, 8, 9 and 10 as conveyed to the City of Tacoma by Warranty Deed recorded under Auditor's File No. 336584.

Together with the Southerly half of vacated Morrison Street and vacated Northeasterly half of alley abutting said Block 9 per City of Tacoma Ordinance 15259 and the Northerly half of vacated Morrison Street abutting said Block 10 per City of Tacoma Ordinance 28325 re-recorded under Auditor's recording number 201612080490.

Together with that portion of vacated North 42nd Street and the Northeasterly half of vacated alley abutting said Block 7 per City of Tacoma Ordinance 16922.

Together with the Northeasterly half of the vacated alley abutting said Block 6 per City of Tacoma Ordinance 15846.

Also, that portion of vacated McIntosh Street per City of Tacoma Ordinance 18104.

Lots 1 through 10, Block 17; Lots 5 through 9, Block 13; Lots 1 through 8, Block 12; Lots 5 through 10, Block 7; **Wallaces Addition to Tacoma City, W.T.**; as per plat recorded in Volume 1, Page 61, filed July 11, 1883, records of Pierce County Auditor; situate in the City of Tacoma, County of Pierce, State of Washington.

Except the Northeasterly 40 feet of said Blocks 7, 12 and 17 as conveyed to the City of Tacoma by Warranty Deeds recorded under Auditor's File No. 336584 and No. 349702.

Together with that portion of vacated North Waterview Street, Dale Street and alley abutting said Block 17 per City of Tacoma Ordinance 17956.



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Unplatted Property:

That portion of the Northwest Quarter of the Northeast quarter of Section 25, Township 21 North, Range 02 East, W.M., described as lying between a line parallel with and 140 feet Southwesterly from the centerline of Waterview Street, between the Southerly line of said **Mason's Water Front Addition to Tacoma W.T.** and the Westerly line of said **Wallaces Addition to Tacoma City, W.T.**

Except the Northeasterly 40 feet conveyed to the City of Tacoma by Warranty Deed recorded under Auditor's File No. 336584;

Together with Northeasterly 20 feet of Waterview Street abutting as vacated per City of Tacoma Ordinance 17956.

All situate in the City of Tacoma, County of Pierce, State of Washington; and

WHEREAS the estimated cost of the improvements described above is \$1,701,546, except the sum of \$179,547, with the balance assessed against property benefitted by the improvements, and

WHEREAS the actual assessments may vary from assessment estimates, so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property, and

WHEREAS, at the option of the property owners, the assessments levied against the property shall become due and payable in cash, without interest, within 30 days after publication of notice of assessment, or in 20 equal annual installments with interest on deferred payments at a rate to be hereafter fixed, but in no event greater than one-half percent above the rate of interest fixed upon sale of bonds for the L.I.D No. 7731, and



1 WHEREAS, pursuant to Section 35.43.125 RCW, a public hearing shall
2 be reconvened on the creation of a proposed L.I.D. that is initiated by Advisory
3 Survey Nos. 8596 and 8668; Now, Therefore,

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

5 Section 1. That Monday, January 13, 2025, at 5:00 p.m., is hereby fixed
6 as the date and time, and the Council Chambers on the first floor of the
7 Tacoma Municipal Building, 747 Market Street, as the place, or alternatively, a
8 call-in option will be provided, when and where said request will be heard by
9 the Hearing Examiner of the City of Tacoma and that all persons who may
10 desire to object to the formation of the Local Improvement District No. 7731
11 shall do so in writing and file such remonstrance with the City Clerk before
12 5:00 p.m. on Monday, January 13, 2025, or shall appear and present their
13 objections at the reconvened hearing before the Hearing Examiner of the City
14 of Tacoma and that his recommendations thereafter be transmitted to the
15 Council of the City of Tacoma.
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18 Section 2. That the Department of Public Works shall give proper notice
19 of the time and place of said hearing by mail at least 15 days before the date
20 set for the hearing to the owners or reputed owners of all lots, tracts, and
21 parcels of land or other property to be specially benefitted by the proposed
22 improvements, as shown on the rolls of the county assessor, directed to the
23 address shown thereon, as required by law.
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25 Section 3. That the City Clerk shall publish this resolution in the official
26 newspaper of the City of Tacoma, as required by law.



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Section 4. That the Department of Public Works shall give proper notice

of the hearing, as required by law.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



RESOLUTION NO. 41583

1 A RESOLUTION relating to stormwater management; authorizing the execution
2 of an interlocal agreement with Pierce Conservation District, in the
3 amount up to \$611,878, budgeted from the Stormwater Fund, to assist
4 with the implementation of green stormwater infrastructure and low
5 impact development projects, co-manage the open space volunteer
6 program, and to help grow Tacoma's urban tree canopy, for a two-year
7 period through December 31, 2026.

8 WHEREAS this recommendation from the Environmental Services
9 Department is based on compliance with the Phase I Municipal Stormwater
10 Permit and City goals stated in the City's Climate Action Plan, Stormwater
11 Management Plan, and the Urban Watershed Protection Plan to ultimately
12 relieve pressures on the stormwater infrastructure and urban natural areas, and

13 WHEREAS the Green Stormwater Mini-Grants, Depave, and Make-a-
14 Splash Grants programs engage community members in Green Stormwater
15 Infrastructure/Low Impact Development ("GSI/LID") projects that protect, clean,
16 and restore surface water and promote stormwater education, and

17 WHEREAS this agreement with Pierce Conservation District ("PCD") will
18 streamline the City's reach and ability to preserve and improve the natural
19 environment by implementing GSI/LID projects, stewarding open spaces,
20 reconnecting communities to nature, providing trees, and preserving the tree
21 canopy to improve stormwater management and co-benefits such as reducing
22 heat island effects, and

23 WHEREAS additionally, this agreement will enhance and expand the
24 City's existing collaborations with PCD, allowing for increased efficiency; Now,
25 Therefore,
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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 interlocal agreement with Pierce Conservation District, in the amount of \$611,878, budgeted from the Stormwater Fund, to assist with the implementation of green stormwater infrastructure and low impact development projects, co-manage the open space volunteer program, and to help grow Tacoma’s urban tree canopy, for a two-year period through December 31, 2026, 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. 41584

1 A RESOLUTION relating to workforce development; authorizing the execution
2 of an interlocal agreement with the University of Washington Tacoma, in
3 the amount of \$637,078, budgeted from various departmental funds, to
4 design, implement, and manage an engineering pathways program in
5 support of engineer careers for a five-year term.

6 WHEREAS this request is based on the recommendation of former
7 Tacoma Mayor, and current United States Congresswoman, Marilyn Strickland,
8 and former Environmental Services (“ES”) Director Michael P. Slevin, III, to
9 develop a partnership with the University of Washington-Tacoma (“UWT”) to
10 build an engineering pathway with a concept and design to help the
11 organization open access and diversify the candidate pools for engineering jobs
12 in the City while supporting a pipeline of local talent into engineering careers in
13 the community, and Pierce County broadly, and

14 WHEREAS ES, in collaboration with Public Works (“PW”), Planning and
15 Development Services (“PDS”), and Tacoma Public Utilities (“TPU”), seeks City
16 Council approval to establish an Academic Fellowship Program with UWT to
17 forge a new engineering pathway in support of local, diverse, and often first-
18 generation college students obtaining engineering degrees, and

19 WHEREAS this is in direct alignment with Resolution No. 40622, which
20 supports the Equity and Empowerment Initiative framework of the City, and the
21 utility departments’ strategic objectives and guiding principles to become an anti-
22 racist organization, and to reflect the communities we serve through innovative
23 workforce solutions and partnerships, and
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WHEREAS the overall objective of this agreement is to engage in targeted community-based outreach and relationship building for the recruitment of students into the program who live or attend school in the Tacoma-Pierce County area, and

WHEREAS the program will provide a comprehensive pathway for such underrepresented students interested in a career in engineering, to earn additional financial assistance in the form of stipends, and to gain scaffolded work experiences while earning their college degrees, and

WHEREAS an additional and important objective is to have students return to the City as highly effective engineers, further reflecting the diversity of the community, and

WHEREAS in addition to this agreement with UWT, each department is participating in a companion contract with Degrees of Change, at various funding levels within their respective contracting authorities that do not require further Public Utility Board ("PUB"), Contracts and Awards, or City Council procurement approvals, and where the collaborating departments agree that ES will act as lead department signatory, and

WHEREAS the interlocal agreement represents a cross-collaboration effort between ES, PW, PDS, and TPU, and

WHEREAS this agreement was approved by the PUB on November 13, 2024, via Resolution No. U-11492; Now, Therefore,



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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 interlocal agreement with University of Washington Tacoma, in the amount of \$637,078, to design, implement, and manage an engineering pathways program in support of engineering careers for a five-year term, 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. 41585

1 BY REQUEST OF COUNCIL MEMBERS DIAZ, SADALGE, AND WALKER

2 A RESOLUTION relating to committees, boards, and commissions; reappointing
3 individuals to the Landmarks Preservation Commission.

4 WHEREAS vacancies exist on the Landmarks Preservation Commission,
5 and

6 WHEREAS, at its meeting of December 11, 2024, the Infrastructure,
7 Planning, and Sustainability Committee conducted reviews and recommended the
8 reappointment of individuals to said commission, and

9 WHEREAS, pursuant to City Charter Section 2.4, the persons named on
10 Exhibit "A" have been nominated to serve on the Landmarks Preservation
11 Commission; Now, Therefore,

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

13 That those nominees to the Landmarks Preservation Commission, listed on
14 Exhibit "A", are hereby confirmed and reappointed as members of such
15 commission for such terms as are set forth on the attached Exhibit "A."
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17 Adopted _____

18 _____
19 Mayor

20 Attest:

21 _____
22 City Clerk

23 Approved as to form:

24 _____
25 City Attorney
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EXHIBIT "A"

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LANDMARKS PRESERVATION COMMISSION

Reappointing **Jennifer Sullivan** to the "At-Large 2" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.

Reappointing **George Zeno** to the "At-Large 3" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.



RESOLUTION NO. 41586

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 Tacoma Arts Commission.

5 WHEREAS vacancies exist on the Tacoma Arts Commission, and

6 WHEREAS, at its special meeting of November 21, 2024, and the

7 December 10, 2024, meeting, the Economic Development Committee conducted
8 interviews and recommended the appointment and reappointment of individuals to
9 said commission, and

10 WHEREAS, pursuant to City Charter Section 2.4, the persons named on
11 Exhibit "A" have been nominated to serve on the Tacoma Arts Commission; Now,

12 Therefore,

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

14 That those nominees to the Tacoma Arts Commission, listed on Exhibit "A,"
15 are hereby confirmed and appointed or reappointed as members of such
16 commission for such terms as are set forth on the attached Exhibit "A."
17

18 Adopted _____
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20 _____
21 Mayor

22 Attest:
23

24 _____
25 City Clerk

26 Approved as to form:

City Attorney



EXHIBIT "A"

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TACOMA ARTS COMMISSION

Appointing **Vernon Ng** to the "Professional Position 4" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.

Appointing **Erica Chang** to the "At-Large No. 8" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.

Appointing **Ean Olsen** to the "Working Professional Artist" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.

Reappointing **Heide Fernandez-Llamazares** to the "Professional Position 3" position to a three-year term, effective January 1, 2025, to expire December 31, 2027.



RESOLUTION NO. 41587

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
 3 Property Tax Exemption Agreement with 4315 S Alder Street LLC, for the
 4 development of 10 multi-family market-rate rental housing units, to be
 located at 4315 South Alder Street, in the Tacoma Mall Mixed-Use 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 WHEREAS 4315 S Alder Street LLC is proposing to develop 10 new
 14 market-rate rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
5	One bedroom, one bath	446 Square Feet
5	Two bedroom, two bath	1089 Square Feet

15 as well as four on-site residential parking stalls, and

16 WHEREAS the Interim Director of Community and Economic Development
 17 has reviewed the proposed property tax exemption and recommends that a
 18 conditional property tax exemption be awarded for the property located at 4315
 19 South Alder Street in the Tacoma Mall Mixed-Use Center, as more particularly
 20 described in the attached Exhibit "A"; Now, Therefore,

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

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to 4315 S Alder Street LLC, for the property located at 4315 South Alder Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 4315 S Alder Street 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: 4315 South Alder Street

Tax Parcel: 9120000430

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
5	One bedroom, one bath	446 Square Feet	\$1,400
5	Two bedroom, two bath	1089 Square Feet	\$1,875

This project will also provide four on-site residential parking stalls.

LEGAL DESCRIPTION

Legal Description:

LOTS 5, 6, AND 7, BLOCK 17, TRAVER'S ADDITION TO TACOMA, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 8, RECORDS OF PIERCE COUNTY, WASHINGTON.

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

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RESOLUTION NO. 41588

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR HINES, COUNCIL
2 MEMBER WALKER

3 A RESOLUTION providing for the submission of a proposition to the electors of
4 the City at the Special Election to be held on Tuesday, April 22, 2025,
5 that would authorize an increase in the City of Tacoma property tax of
6 \$0.25 per \$1,000 of assessed value for a maximum levy rate of \$1.95 for
7 collection in 2026 and authorize an increase in gross earnings tax on
8 certain utilities in the amount of 2 percent for the sole purpose of funding
9 street repair, maintenance, and safety improvements including
10 pedestrian and bicycle improvements; and directing the City Clerk to
11 transmit to the Pierce County Auditor a certified copy of this resolution.

12 WHEREAS the City of Tacoma, Washington ("City"), is a first-class
13 charter city, and

14 WHEREAS Tacoma's transportation infrastructure is aging, and the City
15 faces significant financial challenges in maintaining its roads, sidewalks, and
16 other critical transportation assets, and

17 WHEREAS voters approved Propositions No. 3 and A in 2015, which
18 created the original Tacoma Streets Initiative ("Tacoma Streets Initiative I")
19 which was a transformative step in addressing long-standing issues related to
20 residential street conditions, pedestrian safety, and neighborhood accessibility,
21 and

22 WHEREAS, by increasing utility taxes and property taxes, as well as the
23 City's Transportation and Benefit District imposing a sales and use tax of 1/10th
24 of 1 percent, the Tacoma Streets Initiative I secured \$397 million over a
25 ten-year period by leveraging the tax dollars, surpassing the initial target of
26 \$325 million, and



1 WHEREAS these funds have been essential in resurfacing residential
2 streets, repairing potholes, and extending the lifespan of street surfaces through
3 proactive maintenance measures, as well as installing school crossing
4 beacons, enhancing pedestrian crosswalks, and building and upgrading
5 sidewalks, adding bike lanes, and creating safe routes to schools, and

6 WHEREAS the Tacoma Streets Initiative I also enabled the City to
7 leverage its local funding to secure over \$135 million in state and federal grants,
8 and

9 WHEREAS this strategic approach effectively doubled the impact of the
10 voter-approved funds, resulting in anticipated improvements to more than 6,000
11 residential blocks, exceeding the initial target of 5,600 blocks, and

12 WHEREAS, despite these achievements in residential streets, the 2023
13 Pavement Condition Index (PCI) assessment revealed a decline in arterial road
14 conditions, with a 22 percent decrease over the past decade, and

15 WHEREAS this decline is a clear indication that Tacoma's infrastructure
16 is still not keeping pace with the growing demands of a vibrant and expanding
17 city, and

18 WHEREAS the expiration of the Tacoma Streets Initiative I funding, for
19 property taxes and gross earning tax on certain utilities, is December 2025, and
20 February 2026 respectively, presents a critical juncture for the City, and

21 WHEREAS, street repair needs are perpetual, and ongoing investment is
22 critical to maintain the streets repaired under Tacoma Streets Initiative I and to
23 continue to improve the condition of the overall street system; and
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WHEREAS the new initiative, “Tacoma Streets Initiative II”, seeks to build on the successes of its predecessor by continuing to focus on arterial road improvements, equity and accessibility as well as Vision Zero and safety enhancements and multimodal connectivity, and

WHEREAS, to fund the Tacoma Streets Initiative II, the proposal includes a 2 percent increase in gross earnings tax on utilities including natural gas, electric and phone utilities, resulting in an increase of approximately \$26 more annually for the typical household, and a property tax increase of \$0.25 per \$1,000 of assessed value, which equates to an additional increase of \$72 per year for the average homeowner, or \$6 a month, and

WHEREAS building on the success of Tacoma Streets Initiative I, the Public Works Department aims to secure an anticipated \$25 million a year through matching grants and strategic partnerships, leveraging Tacoma Streets Initiative II funds as a critical component for grant matching, and

WHEREAS the Tacoma Streets Initiative II is more than just a continuation of past efforts; it is a forward-looking investment in Tacoma’s future, and

WHEREAS this investment will transform the streets of Tacoma in alignment with a first-class city, benefiting future generations, and

WHEREAS the community survey conducted in 2024 revealed that only 24.3 percent of residents are satisfied with the condition of major streets, underscoring the need for ongoing investments, and



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WHEREAS deteriorating road conditions and increasing traffic fatalities highlight the urgent need for renewed funding to ensure a safe, accessible, and sustainable transportation network for all residents, and

WHEREAS RCW 35.22.280 permits first-class cities to levy a tax on the privilege of conducting utility businesses such as natural gas, electric and phone utilities, and RCW 35.21.870 limits imposition of such taxes to a rate of six percent in the absence of approval by a majority of voters in the City, and

WHEREAS pursuant to RCW 84.55.050, the City may ask voters for permission to increase the amount of the property taxes above the 1 percent limit that would otherwise apply, by means of permanent "levy lid lift," and

WHEREAS with voter approval, the City would raise the gross earnings tax on natural gas, electric and phone utilities and increase a permanent regular property tax levy in an amount equal to \$0.25 per \$1,000 of assessed value in 2026 and authorize the 2026 rate to calculate future levies, for the sole purpose of funding street repair, maintenance, and safety improvements including pedestrian and bicycle improvements, and

WHEREAS the total maximum regular property tax levy rate for 2026 would be \$1.95 per \$1,000 of assessed value, and

WHEREAS the City Council deems it necessary to submit to the voters of the City a proposition of whether or not the City shall increase 1) the amount of



1 Regular property taxes for collection beginning in 2026 in excess of the 1 percent
2 limit factor and allow for the 2026 rates to be used for calculating future levies, as
3 provided for in RCW 84.55.050, and 2) the gross earnings tax on natural gas,
4 electric, and phone utilities, as provided herein, and

5 WHEREAS City Council approval is sought to allow the City to submit a
6 proposition for the April 22, 2025 Special Election ballot, for the levy lid lift and
7 increase in the gross earnings tax on certain utilities, and to approve the ballot
8 language; Now, Therefore,

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

10 Section 1. The Pierce County Auditor's Office ("Auditor"), as *ex officio*
11 supervisor of elections for Pierce County, is hereby requested, pursuant to RCW
12 84.55.050, RCW 29A.04.330 and RCW 35.21.870, to call and conduct a special
13 election on April 22, 2025, and submit to the qualified electorate of the City, at
14 the April 22, 2025 Special Election, for rejection or approval, a proposition
15 authorizing an increase of 2 percent in the gross earnings tax on natural gas,
16 electric and phone utilities taxes and a levy lid lift of \$0.25 per \$1,000 of
17 assessed value for collection in 2026, as permitted by law, for the sole purpose
18 of funding street repair, maintenance, and safety improvements including
19 pedestrian and bicycle improvements.
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23 The taxes authorized by this proposition will be in addition to the maximum
24 amount of regular property taxes the City would have been limited to by
25 RCW 84.55.010, as may be amended from time to time, in the absence of voter
26 approval under this resolution, including all other authorized lid lifts.



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Section 2. If the ballot proposition set forth herein is approved by the voters, qualifying senior citizens, disabled veterans, and other qualifying individuals shall be exempt from the tax increase resulting from such ballot measure, as authorized by RCW 84.36.381.

Section 3. The City shall submit a proposition to the electorate of the City in the form substantially as follows:

**CITY OF TACOMA
PROPOSITION S2**

The Tacoma City Council adopted Resolution No. 41588 concerning utility taxes and property tax levy rate for street improvements.

This measure funds street repair, maintenance, and safety improvements for streets, including pedestrian and bicycle improvements, by levying an additional 2% utility tax on natural gas, electric, and phone utilities effective 2026; increasing the regular property tax levy by \$0.25/\$1,000 to a maximum rate of \$1.95/\$1,000 of assessed value for collection in 2026; authorizing the 2026 levy amount as the basis to calculate future levies (RCW 84.55). Qualifying seniors and others are exempt (RCW 84.36.381).

Should this proposition be approved?

Yes.....
No

Section 4. The ballot title may be changed as needed by the proper officers of the City, pursuant to state law.

Section 5. Prior to February 21, 2025, the City Clerk shall send to the Auditor, as *ex officio* supervisor of elections, a certified copy of this resolution, together with the proposition substantially in the form as set forth above, for the April 22, 2025, Special Election. The proper City officials are authorized to perform such duties as are necessary or required by law to submit the question of whether the gross earning tax on certain utilities and property taxes shall be



1 increased, as provided in this resolution, to the electors at the April 22, 2025,
2 Special Election.

3 Section 6. The City has chosen to participate jointly with Pierce County
4 in its voters' pamphlet. Pursuant to RCW 29A.32.220, the text for the ballot
5 measure, accompanied by an explanatory statement, shall be submitted to the
6 Auditor's Office for inclusion in the Official Voters' Pamphlet. The explanatory
7 statement shall not exceed 200 words and shall be submitted to the Auditor, as
8 *ex officio* supervisor of elections, by February 21, 2025.

9 Section 7. If a simple majority of the qualified voters voting in the
10 proposition vote for the approval thereof, the City shall be authorized to
11 increase the gross earnings tax on natural gas, electric and phone utilities by
12 2 percent, effective March 1, 2026.

13 Section 8. Pursuant to RCW 84.55.050, if a simple majority of the
14 qualified voters voting on the proposition vote for the approval thereof, the
15 proposition shall be deemed approved and shall be adopted. Thereafter, the
16 City Council shall have the necessary and requisite authority to levy, in the
17 manner provided by law, an increase of \$0.25 per \$1,000 of assessed value
18 beginning in 2026, and to use the 2026 levy amount as the base for calculating
19 future levies, as allowed by Chapter 84.55, as may be amended from time to
20 time, as provided in the proposition and herein.

21 If less than a simple majority of qualified voters approve the proposition,
22 then it shall be deemed rejected and the City Council shall not increase the
23 gross earnings tax on natural gas, electric or phone utilities, or property tax levy
24 above the limits set forth in RCW 84.55, as provided in the proposition and
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herein. The City's authority to levy the existing, and heretofore approved, levies shall in no way be affected by either the approval or rejection of the proposition.

Section 9. If a section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this resolution.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41589

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION approving the cancellation of 11 regular City Council meetings
3 and 11 regular study sessions in 2025.

4 WHEREAS, pursuant to City Charter Section 2.8, the City Council shall meet
5 weekly at least 70 times per calendar year, which includes Council meetings and
6 study sessions, and

7 WHEREAS the City Council can, by a majority vote, cancel up to 34 study
8 session and Council business meetings in 2025 and still meet the regular meeting
9 requirements, and

10 WHEREAS, after discussion at the December 10, 2024, Study Session, the
11 City Council considered the following dates as proposed options for the 11
12 cancelled City Council meetings and study sessions in 2025: January 21,
13 February 18, March 11, May 27, September 2, September 23, November 4,
14 November 12, November 25, December 23, and December 30, and

15 WHEREAS most of the dates selected fall one day before or after a legal
16 holiday and per Rule 1A of the Rules of Procedure of the Council of the City of
17 Tacoma, entitled Regular Meetings, if a legal holiday is on a Tuesday, the
18 regular meeting shall be held on the next business day, and

19 WHEREAS, in 2025, the City of Tacoma observes Veterans' Day on
20 Tuesday, November 11, 2025, and would hold the regular meetings of that
21 week on Wednesday, November 12, 2025; Now, Therefore,

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

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That the following City Council study sessions and Council business meetings scheduled for 2025 on the following dates are hereby cancelled:
January 21, February 18, March 11, May 27, September 2, September 23, November 4, November 12, November 25, December 23, and December 30.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41590

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR HINES, AND
2 COUNCIL MEMBER WALKER

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$15,000,
4 budgeted from the Council Contingency Fund, to sponsor the Special
5 Olympics Washington statewide competition occurring in Tacoma
6 June 20-22, 2025.

7 WHEREAS the Special Olympics movement began in 1968 with an aim to
8 help people with intellectual and developmental disabilities discover new strengths,
9 abilities, skills, and success through the power of sports, and

10 WHEREAS Special Olympics Washington began in 1975 and will celebrate
11 its 50th Anniversary in 2025, and the Special Olympics Washington statewide
12 competition ("Event") will take place in the City June 20-22, 2025, and

13 WHEREAS over 170,000 people in Washington State live with an intellectual
14 and/or developmental disability, and the Special Olympics aims to promote social
15 inclusion through shared sports training and competition experiences, as well as
16 break down stereotypes about people with intellectual and developmental
17 disabilities, and

18 WHEREAS intellectual and/or developmental disability are terms used when
19 a person has certain limitations in cognitive functioning and skills, including
20 conceptual, social, and practical skills, such as language, social, and self-care
21 skills, and

22 WHEREAS some causes of intellectual and/or developmental disability, such
23 as Down Syndrome, Fetal Alcohol Syndrome, Fragile X Syndrome, Autism
24 Spectrum Disorder, birth defects, and infections, can happen before birth, while
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1 some happen while a baby is being born, or soon after birth, and intellectual
2 disability in particular can be diagnosed or occur later in life due to exposure to
3 diseases, toxins, or from injuries such as severe head injury, and
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5 WHEREAS this Event will feature athletic competition in a variety of Olympic-
6 type sports for individuals with intellectual and developmental disabilities, giving
7 them continuing opportunities to cultivate holistic health, develop physical fitness,
8 demonstrate courage, experience joy, and participate in a sharing of gifts, skills,
9 and friendship with their families, other Special Olympics athletes, and the
10 community, and
11

12 WHEREAS this Event will also bring people from across the state to our City,
13 fostering economic gains for our local businesses and hotels, as well as showcase
14 the City as a powerful advocate for inclusion, sports, and physical fitness in
15 Washington State, and
16

17 WHEREAS the City's sponsorship would be acknowledged through the use
18 of the City's logo on advertising and promotional materials and other forms of
19 community recognition, and
20

21 WHEREAS, at the December 10, 2024, Study Session, Council
22 Member Walker shared a Council Consideration Request to authorize the one-time
23 use of \$15,000, from the Council Contingency Fund, to sponsor the Event occurring
24 in the City June 20-22, 2025, and

25 WHEREAS City staff will negotiate and execute an agreement for services,
26 with terms and deliverables for the City's contribution, and



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WHEREAS RCW 35.34.250 and 35.34.260 authorize a withdrawal from the Council Contingency fund for any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the budget, and

WHEREAS Ordinance No. 22569 requires an affirmative vote of not less than six members of the Council in order to withdraw moneys from this fund; Now, Therefore,

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

Section 1. That the foregoing recitals are hereby adopted as the City Council's legislative findings.

Section 2. That one-time funding in the amount of \$15,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of sponsoring the Special Olympics Washington statewide competition occurring in the City June 20-22, 2025.



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Section 3. That the proper officers of the City are hereby authorized to confirm deliverables with the Special Olympics Washington for the purposes hereinabove enumerated, and document as appropriate.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



SUBSTITUTE ORDINANCE NO. 28997

1 AN ORDINANCE relating to wastewater and surface water management;
2 amending the Official Schedule of Stormwater and Wastewater Utility
3 Service Rates and Fees, effective January 1, 2025, and January 1,
4 2026; and amending Chapter 12.08B of the Municipal Code, relating to
5 Use of Sanitary Sewer, by amending Section 12.08B.210, entitled
6 "Rates and fees for wastewater service inside the City limits" to clarify
7 the fees charged for the availability of wastewater service.

8 WHEREAS the Environmental Services Department, working with the
9 Environmental Services Commission, has updated its multi-year rate plan and
10 developed proposed general revenue increases for the 2025-2026 Biennium for
11 Wastewater and Stormwater customers, and

12 WHEREAS the proposed rate increases are driven by the lower than
13 planned implemented rate increases in 2021 and 2022 to provide some bill
14 relief to customers during the Covid 19 pandemic, as well as ongoing operating
15 expenses and construction inflation, and

16 WHEREAS the proposed overall revenue increases are seven percent
17 for Wastewater and eight percent for Stormwater, which also includes
18 increased financial assistance for income-qualifying residential customers, and

19 WHEREAS the guiding strategy for these rate adjustments is to maintain
20 the lowest responsible cost increase for customers, while maintaining long-term
21 financial sustainability of the utilities, and

22 WHEREAS the proper operation and adequate funding of the
23 Wastewater and Stormwater utilities produces direct benefits in cleaner water
24 discharges to Commencement Bay, and
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WHEREAS the utilities provide infrastructure and services to manage wastewater and stormwater for the protection of health, property, and quality of life for all residents; promote the growth and development of a vibrant economy; and help sustain a healthy environment, and

WHEREAS the utility service rate and fee changes for 2025 and 2026 would become effective January 1 of each year, and

WHEREAS consistent with state law, the City charges certain wastewater fees or penalties when a customer is required to connect to an available public sanitary sewer main as defined in the City's Side Sewer and Sanitary Sewer Availability Manual, but the customer does not connect, and

WHEREAS the Environmental Services Department recommends amending Section 12.08B.210 to clarify the fees charged for the availability of wastewater service; 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 the Official Schedule of Stormwater and Wastewater Utility Service Rates and Fees, is hereby amended, effective January 1, 2025, and January 1, 2026, as set forth in the attached Exhibits "A" for Wastewater and "B" for Stormwater, respectively.

Section 3. That Chapter 12.08B of the Municipal Code, relating to Use of Sanitary Sewer, is hereby amended, by amending Section 12.0B.210, entitled "Rates and fees for wastewater service inside the City limits", to clarify the



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basis of the fees and penalties, consistent with state law, the City charges for the availability of wastewater service, as more fully set forth in the attached Exhibit "C."

Section 4. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance and Exhibit C, 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:

Deputy City Attorney

EXHIBIT "A"
(TMC 12.08B – USE OF SANITARY SEWER)

Wastewater Rate and Fee Table								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.210	Residential Fixed Fee	per month, per single-family residence		\$30.09 <u>35.75</u>	January 1, 2023 <u>2025</u>		\$32.50 <u>40.04</u>	January 1, 2024 <u>2026</u>
12.08B.210	Residential Flow Rate	per month, per ccf		\$5.65 <u>6.27</u>	January 1, 2023 <u>2025</u>		\$60.56 <u>6.34</u>	January 1, 2024 <u>2026</u>
12.08B.210.D	Low Income Residential Rate and Fee Reduction	per month	35 percent reduction		January 1, 2023			
12.08B.220.C	Outside City Residential Fixed Fee	per month, per ccf	110 percent	\$33.10 <u>39.33</u>	January 1, 2023 <u>2025</u>	110 percent	\$35.75 <u>44.04</u>	January 1, 2024 <u>2026</u>
12.08B.220.C	Outside City Residential Flow Rate	per month, per ccf	110 percent	\$6.22 <u>90</u>	January 1, 2023 <u>2025</u>	110 percent	\$6.66 <u>97</u>	January 1, 2024 <u>2026</u>
12.08B.220.B	Outside City Connection Fee (Fixed Fee portion only – Connection charge in lieu of assessment also applies per TMC 12.08B.220.D)	Per connection		\$1,250.00	January 1, 2021			
12.08B.220.D	Outside City Connection Charge-in-lieu-of-Assessment	per Assessable Unit of Frontage		\$55.00	January 1, 2021			
12.08B.220.J	Contributing Jurisdiction Rate	per month		Rate calculated by control authority in accordance with TMC 12.08B.220.J				

Wastewater Rate and Fee Table

TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.230.B.1	Connection Fee (Fixed Fee portion only – Connection charge in lieu of assessment also applies per TMC 12.08B.230)	per connection		\$1,250.00	January 1, 2021			
12.08B.230	Connection Charge-in-lieu-of Assessment	per connection		Rate calculated by control authority in accordance with TMC 12.08B.230	January 2, 2021			
12.08B.250.A	Special Approved Discharge Annual Fixed Administration Fee	per permit, per 365 days		\$650.00	January 1, 2021			
12.08B.250.B	Special Approved Discharge Rate	per sampling event, per ccf	FL = Flow rate	\$5. 3385	January 1, 2023 2025	FL = Flow rate	\$5. 7397	January 1, 2024 2026
		per mg/l, per ccf,	X = TSS	\$0. 007510 008112		X = TSS	\$0. 008112 008736	
		per mg/l, per ccf	Y = BOD	\$0. 008262 009984		Y = BOD	\$0. 009088 010421	
12.08B.270.B	Holding Tank Waste Discharge Rate	per 100 gallons discharged	From Within the City	\$15.26	January 1, 2023 2025	From Within the City	\$15.26	January 1, 2024 2026
			From Outside the City	\$16.79	January 1, 2023 2025	From Outside the City	\$16.79	January 1, 2024 2026
12.08B.280	TAGRO	per product or service		Established by Director based on Market Conditions				

Wastewater Rate and Fee Table

TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.290	Pilot Rate Program for Commercial/ Industrial Users			Established by Control Authority in accordance with TMC 12.08B.290				
12.08B.320 12.08B.330	Commercial and/or Industrial User Fixed Fee	per month	MF = Monthly fixed fee	\$15.46 <u>18.71</u>	January 1, 2023 <u>2025</u>	MF = Monthly fixed fee	\$16.70 <u>20.21</u>	January 1, 2024 <u>2026</u>
12.08B.320	Monitored Commercial and/or Industrial User Rate	per sampling event, per ccf	FL = Flow rate	\$5.33 <u>85</u>	January 1, 2023 <u>2025</u>	FL = Flow rate	\$5.73 <u>97</u>	January 1, 2024 <u>2026</u>
		per mg/l, per ccf	X = TSS	\$0.007510 <u>008112</u>		X = TSS	\$0.008112 <u>008736</u>	
		per mg/l, per ccf	Y = BOD	\$0.008262 <u>009984</u>		Y = BOD	\$0.009088 <u>0101421</u>	
12.08B.330	Industrial Wastewater Discharge Permit Fee	annual		\$700.00	January 1, 1997		\$	
12.08B.330	Industrial Wastewater Zero- Discharge Permit Fee	annual		\$480.00	January 1, 1997		\$	
12.08B.330	Commercial and/or Industrial User Flow Rate	per month, per ccf	Category 1	\$7.84 <u>8.73</u>	January 1, 2023 <u>2025</u>	Category 1	\$8.47 <u>9.17</u>	January 1, 2024 <u>2026</u>
			Category 2	\$8.46 <u>9.78</u>		Category 2	\$9.14 <u>10.52</u>	
			Category 3	\$10.65 <u>12.03</u>		Category 3	\$11.51 <u>12.82</u>	
			Category 4	\$12.51 <u>14.13</u>		Category 4	\$13.52 <u>15.05</u>	
			Category 5	\$12.70 <u>14.96</u>		Category 5	\$13.72 <u>16.09</u>	
			Category 6	\$14.56 <u>16.91</u>		Category 6	\$15.73 <u>18.10</u>	
			Category 7	\$16.45 <u>19.11</u>		Category 7	\$17.77 <u>20.45</u>	
			Category 8	\$17.02 <u>19.87</u>		Category 8	\$18.39 <u>21.27</u>	

**EXHIBIT “B”
(TMC 12.08D – STORMWATER MANAGEMENT)**

STORMWATER RATE AND FEE TABLE								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate	Effective Date	
12.08D.140.A	Special Approved Stormwater Discharge Permit Application Fee (to Stormwater System)	At time of application for each discharge location	\$500.00		January 1, 2021			
12.08D.140.A	Special Approved Stormwater Discharge Permit Quantity Rate (to Stormwater System)	Per gallon discharged	\$0.00		January 1, 2021	\$0.00	January 1, 2022	
12.08D.210	Stormwater Fixed Fee	Per Month, per parcel	\$10.67 <u>12.34</u>		January 1, 2023 <u>2025</u>	\$11.42 <u>13.33</u>	January 1, 2024 <u>2026</u>	
12.08D.210	Stormwater Rate – All parcels except Waterfront/Direct discharge	Per Month, per 500 square foot of parcel area	Undeveloped – First Acre or Less	\$0.30 <u>34</u>	January 1, 2023 <u>2025</u>	Undeveloped – First Acre or Less	\$0.32 <u>37</u>	January 1, 2024 <u>2026</u>
			Undeveloped – Area in Excess of One Acre	\$0.07 <u>08</u>		Undeveloped – Area in Excess of One Acre	\$0.07 <u>08</u>	
			Light	\$0.97 <u>1.11</u>		Light	\$1.03 <u>20</u>	
			Moderate	\$1.33 <u>53</u>		Moderate	\$1.41 <u>65</u>	
			Heavy	\$1.96 <u>2.24</u>		Heavy	\$2.08 <u>42</u>	
			Very Heavy	\$2.65 <u>3.05</u>		Very Heavy	\$2.81 <u>3.29</u>	
			Open Space with forested land cover	NA		Open Space with forested land cover	NA	

STORMWATER RATE AND FEE TABLE

TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08D.210	Stormwater Rate – Waterfront/Direct discharge parcels	Per Month, per 500 square foot of parcel area	Undeveloped – First Acre or Less	\$0. 16 <u>18</u>	January 1, 2023 <u>2025</u>	Undeveloped – First Acre or Less	\$0. 17 <u>19</u>	January 1, 2024 <u>2026</u>
			Undeveloped – Area in Excess of One Acre	\$0. 06 <u>07</u>		Undeveloped – Area in Excess of One Acre	\$0. 07 <u>08</u>	
			Light	\$0. 52 <u>59</u>		Light	\$0. 55 <u>64</u>	
			Moderate	\$0. 71 <u>81</u>		Moderate	\$0. 75 <u>87</u>	
			Heavy	\$1. 04 <u>19</u>		Heavy	\$1. 11 <u>29</u>	
			Very Heavy	\$1. 41 <u>62</u>		Very Heavy	\$1. 50 <u>75</u>	
			Open Space with forested land cover	NA		Open Space with forested land cover	NA	
12.08D.210	Low-income senior and low-income disabled percentage reduction	Percentage Reduction of Stormwater Fixed Fee and Stormwater Rate	35 percent reduction		January 1, 2023			
12.08A.260.A&C	System Development Charge	Per square foot of surface area to be mitigated	Established by separate ordinance based on the location of the benefited parcel and the regional stormwater facility					
12.08A.260.A&E	Maintenance Surcharge	Per square foot of surface area to be mitigated	Established by separate ordinance based on the location of the benefited parcel and the regional stormwater facility					



EXHIBIT C

**SUBCHAPTER 12.08B
USE OF SANITARY SEWER**

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12.08B.210 Rates and fees for wastewater service inside the City limits.

F. When a parcel located within the City limits has an available public sanitary sewer main as defined in the Side Sewer and Sanitary Sewer Availability Manual, but is not connected to the public sanitary system, the property owner will be charged a fee, as a penalty for not connecting to the public system, equal to the appropriate sewer rate as authorized in this Section 12.08B.210 that the property owner would be charged if the parcel were connected to the public system.



ORDINANCE NO. 29004

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the
 2 Tacoma Municipal Code to implement rates of pay and compensation for
 3 employees represented by the Tacoma Police Management Association,
 4 Local 26, and the Professional Public Safety Management Association; and
 5 declaring the effective dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

6 Section 1. That Section 1.12.115 of the Tacoma Municipal Code (“TMC”) is
 7 hereby amended, effective January 1, 2025, to read as follows:

1.12.115 Deferred compensation.

9 D. The City will make a contribution to the deferred compensation account of police personnel in the
 10 classifications of Police Captain and Police Lieutenant of ~~\$238~~\$250 per pay period.

11 Section 2. That Section 1.12.355 of the TMC is hereby amended, effective
 12 January 1, 2025, to read as follows:

Code	A	Job Title	1	2
4205		Police Lieutenant	<u>84.50</u>	<u>88.72</u>
4206		Police Captain	<u>97.17</u>	<u>102.03</u>

Code	A	Job Title	1	2
4205		Police Lieutenant	<u>90.42</u>	<u>94.94</u>
4206		Police Captain	<u>103.98</u>	<u>109.18</u>

13 Section 3. That Section 1.12.355 of the TMC is hereby amended, effective
 14 January 1, 2025, to read as follows:

Code	A	Job Title	1	2	3	4
0770	A	Police Chief, Assistant	<u>112.81</u>	<u>118.45</u>	<u>124.37</u>	<u>130.59</u>
0771	A	Police Chief, Deputy	<u>121.27</u>	<u>127.33</u>	<u>133.70</u>	<u>140.39</u>

Code	A	Job Title	1	2	3	4
0770	A	Police Chief, Assistant	<u>120.72</u>	<u>126.76</u>	<u>133.10</u>	<u>139.75</u>
0771	A	Police Chief, Deputy	<u>129.78</u>	<u>136.27</u>	<u>143.08</u>	<u>150.23</u>



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Section 4. That Section 1.12.640 of the TMC is hereby amended, effective

January 1, 2025, to read as follows:

1.12.640 Application of additional rates.

L26 An employee represented by Tacoma Police Management Association, Local 26, meeting requirements as outlined in the collective bargaining agreement is eligible to receive an annual ~~\$4,250~~\$5,450 merit allowance.

Section 5. That Sections 1, 2, 3, and 4 are effective January 1, 2025.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 29005

1 AN ORDINANCE relating to claims; amending Chapter 1.06 of the Municipal
2 Code, relating to Administration, to repeal Sections 1.06.228, 1.06.229,
3 1.06.230, and 1.06.231, and to repeal, replace, and rename Section
4 1.06.226 as "Claims and Collections", to update and consolidate the claims
and collections procedures and provide for an increase in administrative
settlement authority.

5 WHEREAS the City's claims and collections procedures are found at
6 Tacoma Municipal Code ("TMC") Section 1.06.226 (Cancellation of Amounts
7 Due); TMC Section 1.06.228 (Claims Against City); TMC Section 1.06.229
8 (Claims – Settlement); TMC Section 1.06.230 (Claims – Releases); and
9 TMC Section 1.06.231 (Claims – Prosecution), and
10

11 WHEREAS these procedures establish the process and authority for
12 persons to file claims with the City, for the City to review and settle or deny such
13 claims, for the City to collect and write-off amounts that are owed to the City, and
14 for the City to pursue torts, contracts, and other claims that it may have against
15 third parties, and
16

17 WHEREAS the City Attorney's Office and Finance Department recommend
18 that the claims and collections procedures be updated for clarity and efficiency, to
19 increase administrative settlement authority in alignment with current experiences
20 and risk management practices, and to expedite the claims settlement process, and
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1 WHEREAS the proposed changes to Chapter 1.06 of the TMC will
2 consolidate the claims and collection process within Section 1.06.226 to (a) create
3 a centralized and better organized format for claims and collections; (b) clarify and
4 provide authority for the Finance Director to collect and settle amounts due to the
5 City, such as past due utility bills and amounts owed to the City arising from
6 damage to City property, to align with current risk claims and collections practices
7 and procedures; (c) increase the dollar amount that claims may be settled
8 administratively to expedite the claims settlement process and to, when
9 appropriate, resolve claims more quickly and to minimize litigation expenses;
10 (d) increase the Finance Director's settlement and write-off authority for amounts
11 due, to align the settlement authority with current risk management practices and to
12 improve the efficiency of this process; and (e) align claims filing procedures with
13 state law, and
14
15

16 WHEREAS at the June 18, 2024, meeting of the Government Performance
17 and Finance Committee ("Committee"), the City Attorney's Office and Finance
18 Department presented the proposed changes to the Committee which forwarded
19 the proposed changes to the full City Council for consideration, and
20

21 WHEREAS at the November 5, 2024, City Council study session, the City
22 Attorney's Office presented additional background information to the City Council,
23 and in response to comments received prepared additional amendments to
24 settlement authority set forth in the proposed ordinance, and
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WHEREAS based upon the foregoing, the City Council finds that the proposed ordinance is in the best interest of the City; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the following Sections of the Tacoma Municipal Code (“TMC”) are hereby repealed in their entirety: Section 1.06.228 (Claims Against City); Section 1.06.229 (Claims – Settlement); Section 1.06.230 (Claims – Releases); and Section 1.06.231 (Claims – Prosecution).

Section 2. That Section 1.06.226 of the TMC (Cancellation of Amounts Due) is hereby repealed, re-enacted, and renamed “Claims and Collections”, reading as set forth in attached Exhibit “A,” incorporated herein by this reference.

Section 3. 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:

City Attorney



EXHIBIT "A"

CHAPTER 1.06
ADMINISTRATION

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Sections:

* * *

- 1.06.226 Claims and Collections~~Cancellation of amounts due.~~
- 1.06.227 Application of Sections 1.06.221 –1.06.225.
- 1.06.228 Repealed~~Claims against City.~~
- 1.06.229 Repealed~~Claims—Settlement.~~
- 1.06.230 Repealed~~Claims—Releases.~~
- 1.06.231 Repealed~~Claims—Prosecution.~~

* * *

1.06.226 Claims and Collections. ~~Cancellation of amounts due.~~

A. Collection of amounts due. The Director of Finance, or designee, is authorized to collect all amounts determined by the Director to be due to any department of the City, including its public utilities, and arising from a judgment or lawful debt or a claim at law or in contract, equity or tort. Nothing herein shall prevent the Director of Finance, as approved by the City Manager for general governmental departments and the Director of Utilities for the Department of Public Utilities, as the case may be, from employing collection agencies of recognized competence and repute for the purpose of attempting to collect through assignment thereto, all or any portion of any amounts due which have been heretofore canceled and written off the City's books pursuant to this section, except where prior settlement thereof has extinguished the liability of the debtor to the City. The City Risk Manager, or designee, and designees of the City Attorney are authorized to represent the City of Tacoma in matters filed in small claims court.

B. Cancellation and settlement of amounts due.

1. Amounts in excess of \$100,000. Except as provided in subsection C of this section, no amounts in excess of \$100,000.00 which are due any department of the City, including its public utilities, and arising from a judgment or lawful debt or a claim at law or in contract, equity or tort, shall be canceled, written off, reduced or otherwise compromised and settled without the authorization therefor by a resolution or motion of, (a) for amounts due a division of the Department of Public Utilities, the Public Utility Board, upon recommendation of the City Attorney and Director of Utilities, and (b) for all other amounts due, the City Council, upon recommendation of the City Manager and the City Attorney.

2. Amounts due in excess of \$10,000 and no greater than \$100,000. Such amounts due the City which are in excess of \$10,000 but which are no greater than \$100,000 may, after reasonable efforts for the collection thereof have been exhausted, be authorized to be canceled, written off, reduced or otherwise compromised and settled in whole or in part upon recommendation of the Finance Director and City Attorney and (a) for amounts due a division of the Department of Public Utilities, the Director of Utilities, or designee, and (b) for all other amounts due, the City Manager or designee.

3. Amounts no greater than \$10,000. Such amounts due the City which are no greater than \$10,000 may, after reasonable efforts for the collection have been exhausted, be authorized to be canceled, written off, reduced or otherwise compromised and settled in whole or in part, upon approval of the Superintendent of the affected Utility Division or Director of the affected Department, or their designees, based on written procedures developed and approved by the Director of Finance.

C. Claims - Prosecution. The City Attorney shall prosecute all claims and actions in favor of the City that arise at law or in contract, equity or tort, and may also institute, or cause to be instituted, an action in a court of competent jurisdiction or before an administrative tribunal, for such purpose with the



approval of the Director of Utilities for such claims and actions in favor of a division of the Department of Public Utilities, and the City Manager for all other such claims and actions in favor of the City. All such claims and actions prosecuted by the City Attorney may be compromised and settled by the City Attorney; provided that, claims and actions that exceed \$100,000 may be compromised and settled only with the approval of the City Manager for general governmental matters, and the Director of Utilities for Department of Public Utilities matters.

D. Claims against City.¹

1. Filing. All claims for damages against the City shall be presented in writing and filed with the Office of the City Clerk. A claim is deemed presented when the claim form is complete and delivered in person or is received by the Office of the City Clerk by regular mail, registered mail, or certified mail, with return receipt requested, to the Office of the City Clerk, or upon submission of a claim through the City's on-line claim portal.

2. Content. All claims for damages shall conform to the content requirements set forth under applicable state law.

E. Settlement of claims against the City.

1. Claims exceeding \$100,000. No claims or actions seeking damages or other relief against the City may be compromised and settled in an amount exceeding \$100,000, except upon authorization by a resolution or motion of the City Council, and upon recommendation of the City Attorney, and the Public Utilities Director and Public Utility Board for claims and actions against a division of the Department of Public Utilities, and the City Manager for all other such claims and actions.

2. Claims exceeding \$50,000 and not exceeding \$100,000. All claims or actions seeking damages or other relief against the City in an amount greater than \$50,000 and not exceeding \$100,000 may be compromised and settled with the approval of the City Attorney and the Director of Utilities for claims against a division of the Department of Public Utilities, and the City Manager for all other such claims. A warrant may be issued upon the appropriate claim fund at the direction of the Director of Public Utilities for claims or actions against a division of the Department of Public Utilities, and the City Manager for all other such claims or actions.

3. Claims not exceeding \$50,000. All claims or actions seeking damages or other relief against the City in an amount not exceeding \$50,000 may be settled with the approval of the City Attorney. A warrant may be issued upon the appropriate claim fund at the direction of the City Attorney.

4. Claim settlement amount determined. The amount of the settlement shall constitute the amount of the claim or action under the above limitations.

5. Authority. The City Attorney, or designee, is authorized to deny claims and actions against the City as the City Attorney shall deem proper. The authority set forth herein of the City Attorney to compromise and settle claims may be delegated by the City Attorney, in writing, in an amount up to \$20,000 to appropriate City staff person(s). The writing that delegates said authority must specify the amount of authority and the types of claims to be approved for settlement and include the release forms to be used. All releases shall be in the form prescribed by the City Attorney and shall be retained by the Legal Department as required by the Washington State General Records Retention Schedule for local governments.

~~No amounts in excess of \$25,000.00 which are due any department of the City, including its public utilities, from any individual or corporate debtor thereto under the provisions of leases, contracts, other instruments or agreements, or under provisions of rate or other ordinances or resolutions, or which are due and legally enforceable from any person, corporation or insurance company as a result of damages to City property, shall be canceled, written off, reduced or otherwise compromised without the authorization~~

¹ See also Charter Section 9.3 and Chapter 1.20 – Obligations of City.



therefor by a resolution or motion of the City Council or of the Public Utility Board upon recommendation of the City Manager for the general government and upon recommendation of the Director of Utilities for the Department of Public Utilities, as the case may be.

Such amounts due the City which are in excess of \$5,000 but which are no greater than \$25,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized to be canceled, written off or settled in part upon recommendation of a Department's Administrative Officer and with the approval of the City Attorney and Director of Finance for general governmental departments or the approval of the Director of Utilities for the Department of Public Utilities, as the case may be.

Such amounts due the City which are no greater than \$5,000 may, after reasonable efforts for the collection or settlement thereof have been exhausted, be authorized to be canceled, written off or settled in part upon approval of the Department's Administrative Officer, based on written procedures developed by the Director of Finance and approved by the City Manager or the Director of Public Utilities, as may be appropriate.

Nothing herein shall prevent the Director of Finance, as approved by the City Manager for general governmental departments and the Director of Utilities for the Department of Public Utilities, as the case may be, from employing collection agencies of recognized competence and repute for the purpose of attempting to collect through assignment thereto, all or any portion of any accounts which have been heretofore canceled and written off the City's books pursuant to this section, except where prior settlement thereof has extinguished the liability of the debtor to the City.

* * *

1.06.228 Repealed. Claims against City.

A. All claims for damages against the City shall be presented in writing and filed with the City Clerk.

B. All claims for damages shall accurately state the time, place, cause, nature, and extent of the alleged damages, the names of all persons involved, if known, and shall contain the amount of damages claimed, together with a statement of the actual residence of the claimant by street and number at the date of presenting such claim, and for six months immediately prior to the time such claim for damages accrued, and shall be verified by affidavit of the claimant or such other person as may be authorized by law to verify such claims, to the effect that the same is true. The omission to present any such claim in the manner hereinabove prescribed shall be a bar to any action for damages arising out of tortious conduct against the City therefor. No action shall be commenced against the City for damages arising out of tortious conduct until 60 days have elapsed after the claim for damages has first been presented to and filed with the City Clerk.

C. The applicable period of limitations within which an action arising out of tortious conduct must be commenced shall be tolled during the 60-day period after the claim has first been filed.

D. Filing a claim for damages within the time allowed by law shall be a condition precedent to the commencement of any action claiming damages arising out of tortious conduct.

1.06.229 Repealed. Claims – Settlement.

All claims in an amount not exceeding \$10,000 may be settled with the approval of the City Attorney, and a warrant issued upon the appropriate claim fund at his or her direction. All claims in an amount greater than \$10,000 and not exceeding \$30,000 may be settled with the approval of the City Attorney and the City Manager for general government departments, and with the approval of the City Attorney and the Director of Utilities for divisions of the Department of Public Utilities, and a warrant issued upon the appropriate claim fund at the direction of the City Manager for general government departments, and at the direction of the Director of Utilities for the Department of Public Utilities transactions. All claims in excess of \$30,000 may be settled only with the approval of the City Council: (1) Upon recommendation of the City Manager for general government departments, and (2) upon recommendation of the Public Utility Board for the Department of Public Utilities. The amount of the settlement shall



constitute the amount of the claim under the above limitations. The City Attorney is authorized to deny claims as he or she shall deem proper.

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The authority set forth herein of the City Attorney to settle claims not to exceed \$10,000 may be delegated by the City Attorney, in writing, to appropriate City staff person(s). The writing that delegates said authority must specify the amount of authority and the types of claims to be approved for settlement and include the release forms to be used.

1.06.230 Repealed. Claims – Releases.

All releases shall be in the form prescribed by the City Attorney, and shall be retained by the Legal Department as required by the Washington State General Records Retention Schedule for local governments.

1.06.231 Repealed. Claims – Prosecution.

The City Attorney shall prosecute and collect all claims, either contract or tort, in favor of the City and against third parties, and may institute action in a court of competent jurisdiction for such purpose with the approval of the City Manager if involving general governmental matters, and with the approval of the Director of Utilities if involving Department of Public Utilities matters. All such claims may be compromised only with the approval of the City Manager for general governmental matters, or the Director of Utilities for Department of Public Utilities matters. All releases required for the compromise and settlement of such claims shall be in a form approved by the City Attorney and shall be signed on behalf of the City by the City Manager or the Director of Utilities, as the case may be.

* * *
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ORDINANCE NO. 29006

1 AN ORDINANCE relating to gross earnings tax deductions; amending Chapter
2 6A.100 of the Municipal Code, related to Utilities Gross Earnings Tax -
3 Public Utilities, by amending Section 6A.100.040, entitled “Deductions”,
4 to add a deduction for grants; expand the deduction for interdepartmental
5 rent to include all utilities; repeal tax deductions for Contributions In Aid of
6 Construction, interest earned from bond proceeds, and the sale of
7 property; remove deductions no longer utilized; update the tax deduction
8 for hauling recyclable materials to a tiered structure; and clarify language.

9 WHEREAS the City is legally authorized to, and does, impose a Gross
10 Earnings Tax (“GET”) on the City’s public utilities (Water, Power, Rail, Stormwater,
11 Wastewater, and Solid Waste), and

12 WHEREAS the City may allow for deductions from GET, and there are
13 currently 16 deductions listed in Tacoma Municipal Code (“TMC”)
14 Section 6A.100.040, and

15 WHEREAS in a review of the current deductions listed in the TMC, it was
16 determined that many of the deductions were outdated or not currently being used,
17 and it is recommended that these deductions be removed, expanded, or clarified,
18 and

19 WHEREAS in addition, there have been staff discussions with City-owned
20 utilities for the past several years related to grant revenues, and there is not
21 currently a deduction listed in TMC 6A.100.040 for grants, and

22 WHEREAS it was determined that the best path forward was to seek clarity
23 from the City Council on adding a new deduction for grants, and

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WHEREAS the City Charter states that tax on public and private utilities should not be disproportionate, and a new tiered tax deduction linked to a Recycling Rate calculation as outlined in the TMC Title 12 for businesses hauling solid waste is being added to TMC Chapter 6A.50, effective January 1, 2025, as a separate ordinance, which requires the same tiered tax deduction be added to TMC Chapter 6A.100, and

WHEREAS staff recommend repealing the tax deductions for Contributions In Aid of Construction – assets and/or cash given to City-owned utilities for utility projects, the sale of property, and interest earned from the proceeds of the sale of bonds, and

WHEREAS this recommendation would mean City-owned utilities will begin remitting GET on these activities effective January 1, 2025, and

WHEREAS the Government Performance and Finance Committee voted unanimously on November 19, 2024, to move this proposal forward to the full City Council; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the Municipal Code be amended by amending Chapter 6A.100 of the Municipal Code, related to Utilities Gross Earnings Tax - Public Utilities, by amending Section 6A.100.040, entitled “Deductions”, to add a deduction for grants; expand the deduction for interdepartmental rent to include all utilities; repeal tax deductions for Contributions In Aid of Construction, interest earned from bond proceeds, and the sale of property; remove deductions no



1 longer utilized; update the tax deduction for hauling recyclable materials to a tiered
2 structure; and clarify language, as more fully set forth in the attached Exhibit "A."

3 Section 2. That the City Clerk, in consultation with the City Attorney's
4 Office, is authorized to make necessary corrections to Section 6A.100.040 of
5 the Municipal Code consistent with this ordinance, including, but not limited to,
6 the correction of scrivener's/clerical errors, references, ordinance numbering,
7 section/subsection numbers, and any references thereto.
8

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10 Passed _____

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12 _____
13 Mayor

14 Attest:
15 _____
16 City Clerk

17 Approved as to form:
18 _____
19 Deputy City Attorney

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EXHIBIT "A"

CHAPTER 6A.100
UTILITIES GROSS EARNINGS TAX – PUBLIC UTILITIES

6A.100.040 Deductions.

In computing the gross earnings tax due under the provisions of this chapter, there shall be deducted from the measure of the tax the following items:

A. Uncollected accounts, if the books of the utility are on an accrual basis as distinguished from a cash basis, ~~except for charges or billings relating to providing cable television and telecommunications services.~~

B. Amounts received through contemplated or actual condemnation proceedings or on account of any federal, state, or local public work project.

C. Amounts received as compensation or reimbursement for damages ~~to or protection~~ of any property of the utility.

~~D. Contributions for or in aid of construction.~~

~~E. Discounts, returns, allowances, and repossessions.~~

~~F. Amounts received from the sale or exchange of capital assets other than Christmas trees.~~

~~G. Only interest earned from the proceeds of the sale of bonds for construction purposes.~~

H. Taxes collected as trust funds. Amounts collected from consumers to satisfy third-party obligations to pay taxes such as the retail sales tax, use tax or customer excise tax.

I. Amounts received for street lights.

~~J. Amounts received for office rental from the City Credit Union and Retirement Office.~~

~~K. Rental received or credits given for operators' cottages.~~

~~L.~~ Fire service, hydrant rental.

GM. Inter-departmental rent ~~or other inter-departmental expense payments (i.e. postage, phone etc.) (deduction applicable only to Power Division).~~

HN. Amounts received from surcharge to water rates charged outside City limits users for system improvements necessary to meet City standards.

~~O. Amounts received by waste to energy facilities from services provided to the public for disposal of waste products characterized as "alternative fuels," which shall mean a waste commodity that may be utilized as a fuel in a waste to energy facility, may or may not require some processing, provides an acceptable BTU value, creates manageable residual waste, or provides enhancement to other fuels. For purposes of this deduction, alternative fuels shall not constitute "waste" or "RDF."~~

~~P. Amounts paid for the purchase of electricity from a City department or division that has paid gross earnings taxes on such transaction under the provisions of this chapter.~~

QI. Service of Collecting, Hauling and/or Processing Commercial Recyclable Materials.

1. For tax periods January 1, 2024, through December 31, 2024, One hundred percent (100%) of amounts received from the service of collecting commercial recyclable materials.



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2. For tax periods beginning January 1, 2025, Solid Waste Management may deduct a percentage of its gross income derived from the service of collecting, hauling and/or processing commercial recyclable materials. The Recycling Rate is calculated and certified annually as outlined in TMC 12.09.070.E. The annual certified Recycling Rate determines the amount of tax deduction for the subsequent calendar year as follows:

<u>Tier</u>	<u>Recycling Rate</u>	<u>Tax Deduction</u>
<u>0</u>	<u>0%-1%</u>	<u>None</u>
<u>1</u>	<u>2% - 25%</u>	<u>12.5%</u>
<u>2</u>	<u>26% - 50%</u>	<u>37.5%</u>
<u>3</u>	<u>51% - 75%</u>	<u>62.5%</u>
<u>4</u>	<u>76% - 100%</u>	<u>100%</u>

J. Effective January 1, 2020, amounts received as grants.

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ORDINANCE NO. 29007

1 AN ORDINANCE relating to the Multi-Family Housing Code; amending Chapter
2 6A.110 of the Municipal Code, relating to Property Tax Exemptions for
3 Multi-Family Housing, to move specific application fees to the City's Fee
4 Schedule, and clarify conditions for Final Certificates of Tax Exemption,
5 effective January 1, 2025.

6 WHEREAS the Multi-Family Tax Exemption ("MFTE") program in general
7 creates more affordable housing units in the City, ensures that affordability is
8 being created throughout the City and not just in certain areas, and ensures that
9 local employment practices are being adhered to, creating more job opportunity
10 for those living in the City, and

11 WHEREAS during the biennial budget development process, the Community
12 and Economic Development Department discovered that the MFTE fees were not
13 included in the City's Fee Schedule and it was determined that they should be
14 included, and

15 WHEREAS the MFTE fees were added to the Fee Schedule that was
16 adopted by the City Council on December 3, 2024, and

17 WHEREAS during the fee review process, it became evident that the
18 MFTE fees had not been increased since the program's adoption over 20 years
19 ago, and

20 WHEREAS under the Revised Code of Washington ("RCW"), fees are
21 allowed to be collected to offset costs of running the program, and
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WHEREAS this Ordinance further clarifies that the final certificate of tax exemption may be applied for following either a Temporary Certificate of Occupancy or a final Certificate of Occupancy, and that under RCW 84.14.100(3)(a) on-site audits must occur every five years; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 6A.110 of the Tacoma Municipal Code, entitled "Property Tax Exemptions for Multi-Family Housing," is hereby amended as set forth in the attached Exhibit "A."

Section 2. 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:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 6A.110

PROPERTY TAX EXEMPTIONS FOR MULTI-FAMILY HOUSING

* * *

6A.110.020 Property Tax Exemption – Requirements and Process.

A. Intent.

Limited 8, 12, or 20-year exemptions from ad valorem property taxation for multi-family housing in Residential Targeted Areas are intended to:

- 1. Encourage additional affordable housing including permanently affordable housing opportunities and market rate workforce housing within areas of the City designated by the City Council as residential target areas;
2. Achieve development densities which are more conducive to transit use within areas of the City designated by the City Council as residential target areas;
3. Promote economic investment and recovery and create family-wage jobs; and
4. Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in residential target areas to increase and improve housing opportunities.

B. Duration of Exemption.

The value of improvements qualifying under this chapter will be exempt from ad valorem property taxation for eight, twelve, or twenty successive years (depending on which affordable housing component as described in subsection E, F, or G below is chosen) beginning January 1 of the year immediately following the calendar year of issuance of the Final or Temporary Certificate of Occupancy Final Certificate of Tax Exemption.

C. Limits on Exemption.

The exemption does not apply to the value of land or to the value of improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land and non-qualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter.

* * *

I. Application Procedure.

A property owner who wishes to propose a project for a tax exemption shall complete the following procedures:

- 1. Submit an application to the City and pay the required application fee. The application fee to the City shall be in accordance with the City of Tacoma published Fee Schedule. \$1,000 for four units, plus \$100 per additional multi-family unit, up to a maximum total fee to the City of \$5,000. If the application shall result in a denial by the City, the City will retain that portion of the fee attributable to its own administrative costs and refund the balance to the applicant.

2. A complete application shall include:

- a. A completed City of Tacoma application setting forth the grounds for the exemption;
b. Preliminary floor and site plans of the proposed project;



c. A statement acknowledging the potential tax liability when the project ceases to be eligible under this chapter;

1 d. For rehabilitation projects and for new development on property upon which an occupied residential
2 rental structure previously stood, the applicant shall also submit an affidavit stating that each existing
3 household was sent a 120-day move notice and that each household was provided housing of comparable
size, quality, and price which meets the Uniform Physical Condition Standards or a similar standard
acceptable to the City.

4 e. For any household being provided a 120-day move notice that qualifies as a low-income household, the
5 applicant will also submit an affidavit stating that moving expenses have been or will be provided
according to the current Department of Transportation Fixed Residential Moving Costs Schedule.

6 f. In addition, for rehabilitation projects, the applicant shall secure from the City verification of the
property's noncompliance with the City's Minimum Building and Structures Code, TMC 2.01.

7 g. Verification by oath or affirmation of the information submitted.

8 * * *

9 L. Application for Final Certificate.

10 Upon completion of the improvements agreed upon in the contract between the applicant and the City and
11 upon issuance of a temporary or permanent certificate of occupancy, the applicant may request a Final
Certificate of Tax Exemption. The applicant must file with the Community and Economic Development
Department the following:

- 12 1. The total number and type of units produced.
- 13 2. The number, size, and type of units produced meeting affordable housing requirements.
- 14 3. The development cost of each unit produced.
- 15 4. The total monthly rent or total sale amount of each unit produced, affordable and market rent.
- 16 ~~5. The annual income and household size of each renter household for each of the affordable units.~~

17 ~~6.5.~~ A statement that the work was completed within the required three-year period or any authorized
18 extension.

19 Within 30 days of receipt of all materials required for a Final Certificate, the Director shall determine
20 which specific improvements satisfy the requirements of this chapter.

21 M. Issuance of Final Certificate.

22 If the Director determines that the project has been completed in accordance with the contract between
23 the applicant and the City and has been completed within the authorized time period, the City shall,
within ten days, file a Final Certificate of Tax Exemption with the Pierce County Assessor.

24 1. Denial and Appeal. The Director shall notify the applicant in writing that a Final Certificate will not be
filed if the Director determines that:

- 25 a. The improvements were not completed within the authenticated time period;
- 26 b. The improvements were not completed in accordance with the contract between the applicant and the
City; or

c. The owner's property is otherwise not qualified under this chapter.

2. Within 14 days of receipt of the Director's denial of a Final Certificate, the applicant may file an
appeal with the City's Hearing Examiner, as provided in Section 1.23.070 of the Tacoma Municipal
Code. The applicant may appeal the Hearing Examiner's decision in Pierce County Superior Court, if the
appeal is filed within 30 days of receiving notice of that decision.



N. Annual Compliance Review.

1 Annually, when requested by the Department of Community and Economic Development, for a period of
2 eight, twelve, or twenty years, the property owner shall file a notarized declaration with the Director
3 indicating the following:

- 1 1. The number, size, and type of each unit, market rate and affordable.
- 2 2. The total monthly rent each unit, affordable and market rent.
- 3 3. For projects receiving a 12 year exemption, the annual income and household size of each renter
4 household for each of the affordable units.
- 5 4. A description of any subsequent improvements or changes to the property.

6 Failure to submit the annual declaration may result in the tax exemption being canceled.

7 Requirements under RCW 84.14.100(3)(a) specify that on-site audits must occur at least once every five
8 years ~~City staff shall also conduct on site verification of the declaration. Failure to submit the annual~~
9 ~~declaration may result in the tax exemption being canceled.~~

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ORDINANCE NO. 29008

1 AN ORDINANCE relating to the tax and license code; amending Subtitle 6A of
2 the Tacoma Municipal Code, relating to the Tax Code, to add a new
3 Chapter 6A.140, entitled "Vendor Refreshment Serving Tax", to impose
4 an excise tax on major vendors responsible for the sale of food and
5 beverage at specific City-owned facilities; effective January 1, 2025.

6 WHEREAS Tacoma Venues & Events ("TVE") Special Events' funding
7 accounts for \$733,000 in General Fund expenses each biennium, and

8 WHEREAS the expenses are distributed between personnel and general
9 operating costs, production expenses for the Dr. Martin Luther King, Jr.
10 Celebration and City of Destiny Awards, 4th of July fireworks demonstration,
11 and community event grant funding, and

12 WHEREAS the current baseline budget for the latter three allocations
13 does not meet the anticipated need in 2025-2026, and

14 WHEREAS, to help support the General Fund budget reduction goals
15 and provide continued and stable funding for community-based events, TVE
16 has proposed that current Special Event expenses be transferred to other TVE
17 Funds, and

18 WHEREAS, to support these and other necessary expenses on an
19 ongoing basis, beginning in 2025, staff proposes the City of Tacoma to
20 implement an excise tax on the sales of all food and beverage sold on the
21 property of City-owned indoor venues, and

22 WHEREAS sellers whose total daily gross revenue is below \$15,000 will
23 be exempt from such tax, and
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WHEREAS this exemption shall not apply to sellers with annual gross revenue of more than \$1,000,000 generated at City-owned indoor venues, and

WHEREAS this tax would be implemented starting January 1, 2025, based on the following schedule:

Item to be Taxed	Tax Rate
Single Service Package \$0-\$4.99 retail price	\$0.25
Single Service Package \$5-\$9.99 retail price	\$0.50
Single Service Package \$10-\$21.99 retail price	\$1.00
Single Service Package \$22-\$32.99 retail price	\$3.00
Single Service Package \$33+ retail price	\$4.00
Bulk Package \$0-\$49.99	\$5.00
Bulk Package \$50-\$149.99	\$8.00
Bulk Package \$150-\$349.99	\$35.00
Bulk Package \$350+	\$45.00

and

WHEREAS revenue derived from the tax in 2025 will be held for initial distribution in 2026, to ensure that the funds cannot be over-committed if there is an unanticipated reduction in revenue, and

WHEREAS full distribution plans will be created by TVE during 2025 and reviewed with the City Council prior to implementation in 2026; 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 Subtitle 6A of the Tacoma Municipal Code (“TMC”), “Tax Code,” is hereby amended by adding a new chapter, to be known and designated as Chapter 6A.140, “Vendor Refreshment Serving Tax,” to read as set forth in the attached Exhibit “A.”



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Section 3. That this ordinance shall be effective on January 1, 2025.

Section 4. That revenue derived from the tax in 2025 shall be held for initial distribution in 2026, and full distribution plans shall be created by Tacoma Venues & Events during 2025 and reviewed with the City Council prior to implementation in 2026.

Section 5. That the City Clerk, in consultation with the City Attorney's Office, 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:

Deputy City Attorney



EXHIBIT "A"

TITLE 6
TAX AND LICENSE CODE

Chapters:

SUBTITLE 6A TAX CODE

- Chapter 6A.10 General Tax Provisions
- Chapter 6A.20 Admission Tax
- Chapter 6A.30 Business and Occupation Tax
- Chapter 6A.40 Communications Tax
- Chapter 6A.50 Electricity Business and Solid Waste Collection
- Chapter 6A.60 Gambling Tax
- Chapter 6A.70 Local Option Taxes
- Chapter 6A.80 Special Excise Tax
- Chapter 6A.90 Natural or Manufactured Gas Tax
- Chapter 6A.100 Utilities Gross Earnings Tax – Public Utilities
- Chapter 6A.110 Property Tax Exemptions for Multi-Family Housing
- Chapter 6A.130 Local Solid Waste Customer Excise Tax
- Chapter 6A.140 Vendor Refreshment Serving Tax

* * *

Chapter 6A.140

VENDOR REFRESHMENT SERVING TAX

Sections:

- 6A.140.010 Definitions.
- 6A.140.020 Persons subject to tax – rates.
- 6A.140.040 Exemptions.

6A.140.010 Definitions.

The following definitions shall apply throughout this chapter:

“Bulk Package” means a Package used to serve bulk beverage or food intended for more than one person.

“City owned indoor venue” includes the Tacoma Dome, Greater Tacoma Convention Center, Pantages Theater, Rialto Theater, and Theater on the Square.

“Package” means any vessel used to serve a food or beverage item. “Refreshment” means food or beverage sold at a City owned indoor venue.

“Retail price” means the price for a refreshment before sales tax or other customer paid excise tax is applied.



1 “Single Service Package” means a Package used to serve beverage or food intended for one
2 person.

3 **6A.140.020 Persons subject to tax – rates.**

4 A. There is imposed a tax on every person engaging within the City the business of serving
5 refreshments at City owned indoor venues for consumption on or off the premises.

6 B. The tax rate shall be per Single Service Package, or per Bulk Package, based on the retail price
7 below:

<u>Item</u>	<u>Tax Rate</u>
<u>Single Service Package \$0-\$4.99</u>	<u>\$0.25</u>
<u>Single Service Package \$5-\$9.99</u>	<u>\$0.50</u>
<u>Single Service Package \$10-\$21.99</u>	<u>\$1.00</u>
<u>Single Service Package \$22-\$32.99</u>	<u>\$3.00</u>
<u>Single Service Package \$33+</u>	<u>\$4.00</u>
<u>Bulk Package \$0-\$49.99</u>	<u>\$5.00</u>
<u>Bulk Package \$50-\$149.99</u>	<u>\$8.00</u>
<u>Bulk Package \$150-\$349.99</u>	<u>\$35.00</u>
<u>Bulk Package \$350.00 or more</u>	<u>\$45.00</u>

13
14 **6A.140.040 Exemptions.**

15 A. This Chapter shall not apply to those persons whose combined daily gross income from sales
16 at City owned indoor venues does not exceed \$15,000. Those persons with annual gross income
17 of more than \$1,000,000 from combined sales at all City owned indoor venues shall not qualify
18 for this exemption.



ORDINANCE NO. 29009

1 AN ORDINANCE relating to business and occupation tax: amending
2 Subtitle 6A of the Tacoma Municipal Code, relating to the Tax Code, by
3 amending Chapter 6A.50, entitled “Electricity Business and Solid Waste
4 Collection Business” to update the tax deduction for hauling recyclable
5 materials, and by amending various chapters to align language
6 regarding tax deductions and refund statutes, effective January 1, 2025.

7 WHEREAS this recommendation from the Tax and License Division of
8 the Finance Department is based on amending Tacoma Municipal Code
9 (“TMC”) Subtitle 6A, regarding private and public utility tax, updating the tax
10 deduction for hauling recyclable materials in Chapter 6A.50 to a new tiered
11 structure that is linked to a Recycling Rate calculated as outlined in Title 12 of
12 the TMC, and

13 WHEREAS the structure provides an incentive to solid waste businesses
14 to recycle, when possible, the materials they haul, effective January 1, 2025,
15 and

16 WHEREAS additionally, the recommendation is based on a review of
17 Subtitle 6A of the TMC, to remove language no longer applicable and bringing
18 language consistent between the following utility tax chapters: 6A.40, entitled
19 “Communications Tax”; 6A.50, entitled “Electricity Business and Solid Waste
20 Collection Business”; 6A.90, entitled “Natural or Manufactured Gas Tax”; and
21 6A.100, entitled “Utilities Gross Earnings Tax – Public Utilities”, and

22 WHEREAS on November 19, 2024, the Government Performance and
23 Finance Committee voted unanimously to move this proposal forward to the full
24 City Council; Now, Therefore,
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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 Subtitle 6A of the Tacoma Municipal Code is hereby amended, effective January 1, 2025, as set forth in the attached Exhibit "A."

Section 3. That the City Clerk, in consultation with the City Attorney's Office, is authorized to make necessary corrections to this ordinance and Exhibit A, 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:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 6A.40
COMMUNICATIONS TAX

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Sections:
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~~6A.40.100 Overpayment of tax. Repealed.~~

* * *

6A.40.060 Method of payment.

The ~~license tax~~ imposed by this chapter shall be due and payable in monthly installments. Persons with gross income of less than \$20,000 per month may pay the tax imposed by this chapter in quarterly installments.

6A.40.070 Cellular telephone and/or pager services deductions.

A. In computing tax imposed by this chapter, the following items may~~shall~~ be deducted from the ~~total gross income upon which the tax is computed:~~

1. That portion of the gross income derived from charges to another telecommunications company, as defined in RCW 80.04.010, for connecting fees, switching charges, or carrier access charges relating to intrastate toll telephone services.

2. Charges by a taxpayer engaging in a telephone business to a telecommunications company, as defined in RCW 80.04.010, for telephone service which the purchaser buys for the purpose of resale.

3. Adjustments made to a billing or to a customer account or to a telecommunications company accrual account in order to reverse a billing or charge that had been made as a result of third-party fraud or other crime and was not properly a debt of a customer.

B. A deduction from gross income for credit losses actually sustained by a taxpayer shall be allowed from companies which keep their regular books of account on an accrual basis.

C. Income excluded or deducted from the measure of tax under this chapter as a result of this section may be taxable under another chapter within Subtitle 6A, as appropriate.

* * *

~~**6A.40.100 Overpayment of tax. Repealed.**~~

~~If, upon application by a taxpayer for a refund or for an audit of the taxpayer's records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at their option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period.~~

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**CHAPTER 6A.50
ELECTRICITY BUSINESS AND SOLID WASTE COLLECTION BUSINESS**

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Sections:

6A.50.070 ~~Overpayment of tax.~~ Repealed.

6A.50.060 Deductions – Solid Waste Collection Business.

A. In computing tax imposed by this chapter, the following items may be deducted from the gross income.

1. Taxes collected as trust funds. Amounts collected from consumers to satisfy third party obligations to pay taxes such as the retail sales tax, use tax or customer excise tax. ~~Any state retail sales or use tax or state customer excise tax collected by the taxpayer from consumers to be remitted to the Washington State Department of Revenue.~~

2. Service of Collecting, Hauling and/or Processing Commercial Recyclable Materials.

a. For tax periods January 1, 2024 through December 31, 2024, A solid waste collection business that is issued a permit in 2024 under TMC 12.09.070.C.1 ~~by Solid Waste Management~~ may deduct one-hundred percent (100%) ~~percent~~ of its gross income derived from the service of collecting commercial recyclable materials.

b. For tax periods beginning January 1, 2025, a solid waste collection business that has a current special permit issued under TMC 12.09.070 may deduct a percent of its gross income derived from the service of collecting, hauling and/or processing commercial recyclable materials. The Recycling Rate is calculated and certified annually as outlined in TMC 12.09.070.E. The annual certified Recycling Rate determines the amount of tax deduction for the subsequent calendar year as follows:

<u>Tier</u>	<u>Recycling Rate</u>	<u>Tax Deduction</u>
<u>0</u>	<u>0%-1%</u>	<u>None</u>
<u>1</u>	<u>2% - 25%</u>	<u>12.5%</u>
<u>2</u>	<u>26% - 50%</u>	<u>37.5%</u>
<u>3</u>	<u>51% - 75%</u>	<u>62.5%</u>
<u>4</u>	<u>76% - 100%</u>	<u>100%</u>

~~3. Any city customer excise tax collected pursuant to TMC 6A.130.~~

~~4~~3. Uncollected accounts, if the books of the business are on an accrual basis as distinguished from a cash basis.

~~5~~4. Business activity of any person to which tax liability is specifically imposed under the provisions of Chapter 6A.100 (Utilities Gross Earnings Tax).

B. Income excluded or deducted from the measure of tax under this chapter as a result of this section may be taxable under another chapter within Subtitle 6A, as appropriate.

6A.50.065 Deductions – Electricity Business.

A. In computing tax imposed by this chapter, the following items may be deducted from the gross income.

1. There may be deducted from the total gross income upon which the tax is computed, the amount of wholesale sales of electricity to Tacoma Power.

2. Uncollected accounts, if the books of the business are on an accrual basis as distinguished from a cash basis.



3. Business activity of any person to which tax liability is specifically imposed under the provisions of Chapter 6A.100 (Utilities Gross Earnings Tax).

4. Amounts received through contemplated or actual condemnation proceedings or on account of any federal, state, or local public work project.

5. Amounts received as compensation or reimbursement for damages of any property of the utility.

6. Taxes collected as trust funds. Amounts collected from consumers to satisfy third party obligations to pay taxes such as the retail sales tax, use tax or customer excise tax.

B. Income excluded or deducted from the measure of tax under this chapter as a result of this section may be taxable under another chapter within Subtitle 6A, as appropriate.

6A.50.070 ~~Overpayment of tax.~~ Repealed.

~~If, upon application by a taxpayer for a refund or for an audit of the taxpayer's records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for any audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer at their option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period.~~

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**CHAPTER 6A.90
NATURAL OR MANUFACTURED GAS TAX**

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Sections:

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6A.90.060 ~~Monthly Method of~~ payment of tax.

6A.90.070 ~~Overpayment of tax.~~ Repealed.

* * *

6A.90.020 Definitions.

~~“Gross income” means the value proceeding or accruing from the sale of tangible property or service, and receipts (including all sums earned or charged, whether received or not) by reason of the investment of capital in the business engaged in, including rentals, royalties, fees, or other emoluments, however designated (excluding receipts or proceeds from the use or sale of real property or any interest therein, and proceeds from the sale of notes, bonds, mortgages, or other evidences of indebtedness, or stocks and the like) and without any deduction on account of the cost of the property sold, the cost of materials used, labor costs, interest or discount paid, or any expense whatsoever, and without any deduction on account of losses.~~

“Activity incidental to the transmission, distribution, or sale of natural gas” involves service performed in connection with the transmission, distribution, or sale of natural gas for an existing natural gas customer. Incidental service charges include charges such as line extensions, testing, replacing meters, line repairs, line raisings, and meter reading fees, as well as charges for interest or penalties. Incidental activities do not include the sale of appliances.

6A.90.030 Occupations subject to tax – Rate.

Pursuant to RCW 35.21.870, there is hereby levied upon and shall be collected from every person engaged in or carrying on the business of transmitting, distributing, brokering, or selling natural or manufactured gas including “activity incidental to the transmissions, distributions or sale of natural gas” a fee or occupation tax equal to 7.5 percent of the total gross income from such business in the City.

Activity	Rate
Natural or Manufactured Gas	7.5%

* * *

6A.90.050 Exemptions and deductions.

A. In computing tax imposed by this chapter, the following items may be deducted from the gross income. ~~Income excluded or deducted from the measure of tax under this chapter as a result of this section may be taxable under another chapter within Subtitle 6A, as appropriate.~~

~~A. Gross income which the City is prohibited from taxing under the constitution or laws of the state of Washington or the United States or the City Charter.~~

B1. Tax collected as trust funds. Amounts collected from consumers to satisfy third party obligations to pay taxes such as the Any retail sales tax, or use taxes, or customer excise tax, collected by the taxpayer from consumers to be remitted to the Washington State Department of Revenue.

2. Uncollected accounts if the books of the utility are on an accrual basis as distinguished from a cash basis.

3. Amounts received through contemplated or actual condemnation proceedings or on account of any federal, state, or local public work project.



4. Amounts received as compensation or reimbursement for damages to or protection of any property of the utility.

1 C. Income derived from the activities of selling tangible personal property or providing services of a type
2 that can be sold or provided by persons not in the business of transmitting, distributing, or selling natural
3 gas for which a separate charge is made; provided, that income derived from activity incidental to
4 transmitting, distributing, or selling natural gas may not be deducted from gross income subject to the tax
5 under this chapter.

6 ~~“Activity incidental to the transmission, distribution, or sale of natural gas” involves service performed in
7 connection with the transmission, distribution, or sale of natural gas for an existing natural gas customer.
8 Incidental service charges include charges such as line extensions, testing, replacing meters, line repairs,
9 line raisings, and meter reading fees, as well as charges for interest or penalties. Incidental activities do
10 not include the sale of appliances.~~

11 B. Income excluded or deducted from the measure of tax under this chapter as a result of this section may
12 be taxable under another chapter within Subtitle 6A, as appropriate.

13 **6A.90.060 ~~Monthly~~ Method of payment of tax.**

14 The tax ~~imposed~~ required by this chapter ~~shall be due and payable in monthly installments. Persons with
15 is based upon~~ gross income ~~of less than \$20,000 per month, may pay the tax imposed by this chapter in
16 quarterly installments. and the taxpayer shall file and pay their tax monthly.~~

17 **6A.90.070 ~~Overpayment of tax.~~ Repealed.**

18 ~~If, upon application by a taxpayer for a refund or for an audit of the taxpayer’s records or upon an
19 examination of the returns or records of any taxpayer, it is determined by the Director that within
20 two years immediately preceding the receipt by the Director of the application by the taxpayer for a
21 refund or for an audit, or, in the absence of such an application, within the two years immediately
22 preceding the commencement by the Director of such examination, a tax has been paid in excess of that
23 properly due, the excess amount paid within such period of two years shall be credited to the taxpayer’s
24 account or shall be refunded to the taxpayer, at their option. No refund or credit shall be allowed with
25 respect to any payment made to the Director more than two years before the date of such application or
26 examination. Where a refund or credit may not be made because of the lapse of said two year period, the
amount of the refund or credit which would otherwise be allowable for the portion of the statutory
assessment period preceding the two year period may be offset against the amount of any tax deficiency
which may be determined by the Director for such preceding period.~~



CHAPTER 6A.100

~~UTILITIES~~ GROSS EARNINGS TAX – PUBLIC UTILITIES

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Sections:

6A.100.050 ~~Overpayment of tax.~~ Repealed.

6A.100.050 ~~Overpayment of tax.~~ Repealed.

~~If, upon application by a taxpayer for a refund or for an audit of the taxpayer's records or upon an examination of the returns or records of any taxpayer, it is determined by the Director that within two years immediately preceding the receipt by the Director of the application by the taxpayer for a refund or for an audit, or, in the absence of such an application, within the two years immediately preceding the commencement by the Director of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at their option. No refund or credit shall be allowed with respect to any payment made to the Director more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the Director for such preceding period. Interest upon any such refund or credit shall be allowed by the Director at the rate of 3 percent per annum.~~



ORDINANCE NO. 29010

1 AN ORDINANCE relating to solid waste; amending Chapter 12.09 of the
2 Municipal Code, relating to Solid Waste, Recycling, and Hazardous
3 Waste, by amending Section 12.09.070, entitled "Special Permits," to
4 expand reporting requirements, clarify the City's enforcement authority,
and assist in the administration of related taxes and deductions, effective
January 1, 2025.

5 WHEREAS the Environmental Services Department Solid Waste
6 Management Division's ("SWM") recommendation is based on improving SWM's
7 ability to enforce its solid waste franchise agreement and track private sector solid
8 waste collection activities within City limits, and
9

10 WHEREAS additionally, improved data collection through this ordinance will
11 assist the City's Tax and License Division ("T&L") in administering recycling tax
12 deductions, which will encourage participation in the Special Permits program, while
13 also incentivizing recycling, thereby diverting waste from our regional landfill, and
14

15 WHEREAS City staff has collaborated with interested parties from the solid
16 waste and recycling industry while developing the new permitting and reporting
17 rules, and since October 2023, SWM and T&L have held four Recycling
18 Roundtables ("Roundtables"), where businesses subject to Special Permits
19 provided feedback on the existing program and potential changes, and
20

21 WHEREAS concerns expressed during these Roundtable meetings were
22 related to: (1) the ability to enforce the new and existing rules, (2) whether
23 Alternative Daily Cover was considered a recyclable material, (3) the compliance
24 burden on companies to track and report their data, and (4) the timeline for
25 tracking recycling data, reporting recycling data, and receiving a tax benefit, and
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WHEREAS in early 2024, SWM and T&L developed tiered recycling tax deductions based on the percent of waste management by each permit holder that was recycled, and

WHEREAS accounting for feedback from the Roundtables, SWM developed Special Permits code revisions that specified the necessary data to qualify for a recycling tax deduction, and

WHEREAS additionally, enforcement and administration of Tacoma Municipal Code 12.09.070 ensures that SWM collects all solid waste revenues as reserved through its franchise agreement, and violations of this franchise agreement place an unfair financial burden on our ratepayers to support SWM's operations, and

WHEREAS inadequate enforcement of Special Permits disproportionately impacts our low-income residents, including those in underrepresented communities, and

WHEREAS the Government Performance and Finance Committee voted unanimously on November 19, 2024, to move this proposal forward to the full City Council; Now, Therefore,



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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 Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, is hereby amended, by amending Section 12.09.070, entitled "Special Permits," to expand reporting requirements, clarify the City's enforcement authority, and assist in the administration of related taxes and deductions, effective January 1, 2025, as more fully set forth in the attached Exhibit "A."

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance and Exhibit "A," 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:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 12.09
SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE

12.09.070 Special permits.

A. A special permit from the Environmental Services Department shall be required for the collection, removal, processing, and disposal of solid and infectious waste, including recyclable materials from within the City limits, by anyone other than City personnel or by anything other than City equipment. Such collection, removal, processing, or disposal without a special permit is a violation of this chapter. The Director is authorized to approve or disapprove applications for special permits. The Director may prepare and require the use of such forms as deemed essential for administering the requirements of this section. Permittees shall comply with applicable state laws and City ordinances, and obtain all applicable City permits including, but not limited to, barricade permits.

1. Exemptions may be granted for small quantity generators at the discretion of the Director.

2. Failure to comply with the terms of a special permit issued under this section shall be considered a violation of this chapter, and subject the permittee to civil penalties under TMC 12.09.240, and revocation of their special permit.

B. A person denied a special permit or aggrieved by the issuance or revocation of a special permit may appeal the decision to the City's Hearing Examiner in accordance with TMC 12.09.250.

C. The Solid Waste Management Division may conduct audits and inspections to ensure compliance with this section and with the terms of a special permit. Inspections will be during normal working hours and will be carried out in such a manner as to minimize disruption of the businesses' activities. The Solid Waste Management Division may audit reports required in this section and request additional documentation to verify their accuracy. Failure of a business to comply with a request for inspection or additional documentation will be deemed a violation and may, at the discretion of the Director, result in revocation of solid waste disposal privileges at the City's public disposal area.

D. A special permit may be revoked by the Director, without prior notice, if the permittee fails to comply with this chapter or the terms and conditions of the special permit, including, but not limited to, annual reporting and inspection requirements. A special permit may be issued for a maximum duration of one year, and is renewable at the Director's discretion, subject to the permittee complying with the terms of their special permit and this chapter. The Director may issue special permits for the following reasons:

1. For collecting and transporting ~~source-separated~~ recyclable materials from a recycling drop-off box, or from a commercial or industrial generator of recyclable materials to a processor of recyclable materials or end user of recyclable materials, or for the receipt and processing of recyclable materials. Recyclable materials loads shall not contain more than 10 percent non-recyclable materials by volume. Loads that exceed more than 10 percent of non-recyclable materials by volume shall be delivered to the City's ~~of Tacoma Landfill~~ public disposal area for management and disposal, unless Solid Waste Management authorizes disposal outside of Tacoma. The Director shall have the sole authority and discretion to determine when this requirement is met. However, exceptions to this requirement may be made if the applicant can demonstrate that the proposed activity is in the best interests of the City for meeting the recycling goals set forth in the Tacoma-Pierce County Solid Waste Management Plan. The granting of a permit for this activity shall in no way be construed to mean that the permit allows the permittee to haul solid wastes within the City in violation of TMC 12.09.020.



1 ~~Any special permit issued for the collection and hauling of recyclable materials shall require the holder to~~
2 ~~submit an annual report to the Solid Waste Management Division Manager. This report may be a copy of~~
3 ~~the Annual Recycling Survey submitted to Pierce County Solid Waste or the Department of Ecology~~
4 ~~required by RCW 70.95. Failure to provide this report annually shall result in automatic cancellation of~~
5 ~~the permit.~~

6 2. For the separation, use or sale of swill; provided said material is transported outside the City limits.
7 3. To provide temporary drop-off box container service to specific Solid Waste Management customers in
8 the event Solid Waste Management temporarily cannot provide the service.

9 4. For the collection, removal, and disposal of infectious waste as more specifically described in TMC
10 5.04. The permit shall not be effective and shall be deemed revoked if the permittee does not obtain
11 permits required under TMC 5.04, and/or permits or approvals required by any other applicable federal,
12 state, or local law or regulation. The collection, removal, or disposal of infectious waste or infectious
13 waste which has been rendered noninfectious (hereinafter called "treated waste") in violation of any
14 applicable law or regulation of the federal, state, county, or City government, or any other governmental
15 entity having jurisdiction, shall be grounds for immediate revocation of any permit issued hereunder, even
16 if such violation occurs outside the corporate limits of the City's condition of the special permit. Any
17 permittee, as a condition of the special permit, will be required to provide all information requested by the
18 City pertaining to the manner in which all aspects of the collection, removal, and disposal of infectious
19 waste or treated waste are being carried out by the permittee.

20 5. For the collection, removal, and disposal of any solid waste that is unacceptable for disposal in the
21 City's public disposal area.

22 6. For the collection, removal, and disposal of any solid waste when the City determines that it is in the
23 City's best interest for a non-City entity or person to collect, remove, or dispose of such waste. A permit
24 of this nature may be issued to authorize one-time solid waste hauling services, such as hauling solid
25 ~~waste and shall require-~~ For each service the permittee ~~shall~~ report the date of service, the origin of the
26 material, the volume of material ~~the method of transportation,~~ and the disposal location(s) ~~prior to disposal~~
~~of the solid waste.~~

7. For a person or organization to haul solid waste generated as a result of activity at its premises under
circumstances that render mandatory service infeasible or impracticable; provided, that the following
conditions are met:

a. The person or organization is not in the solid waste hauling business, and owns or leases the vehicle
hauling the solid waste;

b. The operator of the vehicle is an employee of the organization generating the waste. Contracting out,
and/or hiring others for disposal services is a violation of TMC 12.09.020 and shall not be allowed; and

c. The waste, if acceptable, shall be disposed of at the City's public disposal area.

~~8. Exemptions may be granted for small quantity generators at the discretion of the Director.~~

~~9. Failure to comply with the terms of a special permit issued under this section shall be considered a
violation of this chapter, and subject permittee to civil penalties under TMC 12.09.240, and revocation of
their special permit.~~

E. Any special permit issued under TMC 12.09.070.D.1 shall require the permit holder to submit an
annual recycling report to the Solid Waste Management Division Manager. This report must include
material tonnages handled by the permittee, the final disposal and/or processing locations of the
material, and the amount transported to each disposal/processing location. The report must contain
sufficient information to calculate a Recycling Rate, based on the percentage of the total material
handled by the permittee that was recycled during the prior calendar year. Failure to provide this annual
recycling report shall result in automatic cancellation of the permit. The Recycling Rate will be rounded
to the nearest whole number and calculated as follows:



$$\text{Recycling Rate (\%)} = (\text{Recycled Material Weight} \div \text{Total Material Weight}) \times 100$$

1 The Recycling Rate will be used to calculate any applicable recycling tax deduction allowed under
2 TMC Section 6A.50.060.

3 1. Special permits issued under any activities other than TMC 12.09.070.D.1 may also require the
4 permit holder to submit an annual recycling report at the discretion of the Director. An annual recycling
5 report may be submitted by any permit holder in order to be eligible for any applicable recycling tax
6 deduction allowed under TMC Section 6A.50.060.

7 2. Alternative daily cover (ADC), as permitted for use at the destination landfill, that is hauled prior to
8 January 1, 2027, may be reported as up to fifty percent recycling by weight in the permitted hauler's
9 annual recycling report. ADC hauled on or after January 1, 2027, shall be reported as zero percent
10 recycling by weight in the permitted hauler's annual recycling report.

11 3. Any permittee submitting an annual recycling report shall do so upon application for or renewal of a
12 special permit and shall pay a permit reporting fee of \$150.

13 4. First-time applicants that do not have sufficient data from the previous calendar year may submit a
14 reasonable estimated Recycling Rate with their initial special permit application. This estimated
15 Recycling Rate is subject to audit and verification by Solid Waste Management Division and may be
16 revised by Solid Waste Management Division based on newly available data or inspection findings.

17 5. Permittees that increase recycling by installing new equipment or implementing a process change
18 may submit an amendment to their annual recycling report demonstrating an increased rate of recycling
19 since the beginning of the current year. An amendment to a recycling report must be submitted in writing
20 to Solid Waste Management Division before November 1 of each year in order to be considered for any
21 adjustment to the permittee's Recycling Rate for that year.

22 * * *
23 * * *



ORDINANCE NO. 29011

1 AN ORDINANCE relating to land use permits and procedures: amending
2 Chapter 13.05 of the Tacoma Municipal Code, relating to Land Use
3 Permits and Procedures, by amending various sections, to revise levels
4 of service timelines and public noticing procedures for land use permits;
5 to implement Washington State Substitute Senate Bill 5290 and
6 Substitute House Bill 1105, effective January 1, 2025.

7 WHEREAS this recommendation from the Planning and Development
8 Services Department is based on the findings and recommendations from the
9 Planning Commission dated June 26, 2024, and follows a City Council public
10 hearing held on December 3, 2024, and

11 WHEREAS Washington State Substitute Senate Bill 5290 and Substitute
12 House Bill 1105 changed how much time local jurisdictions have to process
13 land use permits, how fees are charged for the permits, and how public notices
14 are worded, and

15 WHEREAS the City establishes these timelines, fees, and notices in
16 Tacoma Municipal Code ("TMC") Chapter 13.05, entitled Land Use Permits and
17 Procedures, and

18 WHEREAS the proposed amendments are intended to comply with the
19 State mandates, effective January 1, 2025, and

20 WHEREAS the proposed amendments would alter the levels of service
21 for land use permits, in general, reducing the time from complete application to
22 a decision, to clarify what constitutes a complete or inactive application, and
23 modify the contents of land use public notices to note a comment start date,
24 and
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WHEREAS in May 2024, the Planning Commission completed its review of the matter, and a public hearing was held on June 5, 2024, and

WHEREAS following a June 26, 2024, debrief, the Planning Commission prepared a letter of recommendation and proposed code amendments for City Council consideration, and

WHEREAS on December 3, 2024, the City Council held a public meeting to consider adoption of the proposed amendments; 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 Chapter 13.05 of the Tacoma Municipal Code is hereby amended, effective January 1, 2025, as set forth in the attached Exhibit "A."



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Section 3. That the City Clerk, in consultation with the City Attorney's Office,
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:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 13.05
LAND USE PERMITS AND PROCEDURES

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4 **13.05.020 Application requirements for land use permits**

5 * * *

6 C. Application Requirements.

7 1. Predevelopment Conference. A predevelopment conference may be scheduled at the request
8 of the Department or the applicant. The predevelopment conference is intended to define the
9 project scope and identify regulatory requirements of Title 13, prior to preparing a land use
10 proposal. A predevelopment conference is required prior to submittal of an application for an
11 Urban Design Project Review permit.

12 2. Pre-Application Meeting

13 The pre-application meeting is a meeting between Department staff and an ~~potential~~ applicant
14 for a land use permit to ~~discuss~~ review the application submittal ~~requirements and pertinent fees~~
15 documents. A pre-application meeting is required prior to submittal of an application for
16 rezoning, platting, height variances, conditional use permit, shoreline management substantial
17 development (including conditional use, variance, and revision), wetland/stream/Fish and
18 Wildlife Habitat Conservation Area (FWHCA) development permits, wetland/stream/FWHCA
19 minor development permits, and wetland/stream/FWHCA verifications. This requirement may
20 be waived by the Department. The pre-application meeting is optional for other permits.

21 * * *

22 F. Inactive Applications.

23 1. If, upon request for payment, an applicant fails to pay within 30 calendar days, the
24 application may be considered inactive and the file may be closed.

25 2. If an applicant fails to submit information identified in the notice of incomplete application or
26 a request for additional information within 120 calendar days from the Department's
notification ~~mailing date~~, or does not communicate the need for additional time to submit
information, the Department may consider the application inactive and, after notification to the
applicant, may close out the file and refund a proportionate amount of the fees collected with
the application.

* * *

J. Time Periods for Decision on Application.

1. Upon issuance of Complete Application, a ~~A~~ final decision, as defined in subsection 5, on
applications considered by the Director shall be made within the time specified below. 120
~~days of complete application.~~



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- a. Final decision on permits that do not require a public notice shall be made within 65 calendar days.
 - b. Final decision on permits that do require a public notice shall be made within 100 calendar days.
 - c. Final decision that requires a public hearing shall be made within 170 calendar days.
 - d. Applications within the jurisdiction of the Hearing Examiner shall be processed within the time limits set forth in Chapter 1.23. ~~The notice of decision on a land use permit shall be issued (and postmarked) within the prescribed number of days after the Department notifies the applicant that the application is complete or is found complete as provided in Section 13.05.010.D.3.~~
 - e. The following time periods shall be exempt from the time period requirement:
 - (1) ~~a.~~ Any period during which the applicant has been requested by the Department to correct plans, perform required studies, or provide additional required information due to the applicant's misrepresentation or inaccurate or insufficient information.
 - (2) ~~b.~~ Any period during which an environmental impact statement is being prepared; however, in no case shall the time period exceed one year, unless otherwise agreed to by the applicant and the City's responsible official for SEPA compliance.
 - (3) Any period after an applicant informs the local government, in writing, that they would like to temporarily suspend review of the project permit application until the time that the applicant notifies the local government, in writing, that they would like to resume the application. A local government may set conditions for the temporary suspension of a permit application;
 - (4) Any period between the Notice of Public Meeting and the public meeting, when request for public meeting is filed during the public comment period.
 - (5) ~~e.~~ Any period for administrative appeals of land use permits.
 - (6) Any period after Hearing Examiner Recommendation and before Final Reading at Council, when said Recommendation must be approved by the City Council.
 - (7) ~~d.~~ Any extension for any reasonable period of time mutually agreed upon in writing between the applicant and the Department.
2. If, at any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 calendar days, or if an applicant is not responsive for more than 60 consecutive days after the county or city has notified the applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for local government action to issue a final decision for each type of project permit that is subject to this chapter. Any written notice from the local government to the applicant that additional information is required to further process the application must include a notice that nonresponsiveness for 60 consecutive days may result in 30 days being added to the time for review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable



1 progress on providing additional requested information to the local government, or that there is
2 no ongoing communication from the applicant to the local government on the applicant's ability
3 or willingness to provide the additional information.

4 3. The time periods for a local government to process a permit shall start over if an applicant
5 proposes a change in use that adds or removes commercial or residential elements from the
6 original application that would make the application fail to meet the determination of procedural
7 completeness for the new use, as required by the local government under RCW 36.70B.070.

8 ~~24.~~ The ~~120-day~~ time period established in Section 13.05.020.J.1 for applications to the Director
9 shall not apply in the following situations:

10 a. If the permit requires approval of a new fully contained community as provided in RCW
11 36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of an essential
12 public facility as provided in RCW 36.70A.200.

13 ~~b. If, at the applicant's request, there are substantial revisions to the project proposal, in which~~
14 ~~ease the time period shall start from the date on which the revised project application is~~
15 ~~determined to be complete, per Section 13.05.020.E.3.~~

16 ~~b.e.~~ Urban Design Project Review permit applications shall be processed within the time limits
17 set forth in Chapter 13.19.

18 ~~35.~~ Decision when effective. A decision is considered final at the termination of an appeal
19 period if no appeal is filed, or when a final decision on appeal has been made pursuant to either
20 Chapter 1.23 or Chapter 1.70. In the case of a zoning reclassification, the City Council's
21 decision on final reading of the reclassification ordinance shall be considered the final decision.

22 ~~46.~~ If unable to issue a final decision ~~within the 120-day time period~~ within the specified
23 timeframe, a written notice shall be made to the applicant, including findings for the reasons
24 why the time limit has not been met and the specified amount of time needed for the issuance of
25 the final decision.

26 ~~57.~~ Time Computation. In computing any time period set forth in this chapter, days are counted
as calendar days. Further, the day of the act or event from which the designated period of time
begins to run shall not be included. The last day of the period so computed shall be included,
unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end
of the next day which is neither a Saturday, a Sunday, nor a legal holiday. Legal holidays are
described in RCW 1.16.050.

* * *

13.05.070 Notice process.

A. Purpose.

The purpose of this section is to provide notice requirements for land use applications.

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F. Content of Public Notice and Notice of Application

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2. The notice of application shall contain the following information, where applicable, in whatever sequence is most appropriate for the proposal, per the requirements of RCW 36.70B.110. The notice shall be made available, at a minimum, in the project’s online permit file, and by any other methods deemed appropriate:

* * *

i. Public comment period (not less than 14 nor more than 30 days), to include start date and end date of public comment period, statement of right to comment on the application, receive notice of and participate in hearings, request a copy of the decision when made, and any appeal rights;

* * *

13.05.090 Decision of the Director.

* * *

C. Timing of Decision.

~~After examining all pertinent information and making any inspections deemed necessary by the Director~~ Upon issuance of a Complete Application, the Director shall issue a decision as set forth below, ~~within 120 days from the date of notice of a complete application~~, unless additional time has been agreed to by the applicant, or for other reasons as stated in Section 13.05.020.

Permits that do not require public notice - final decision shall be issued within 65 calendar days

Permits that require a public notice - final decision shall be issued within 100 calendar days

In the event the Director cannot act upon a land use matter within the time limits set forth, the Director shall notify the applicant in writing, setting forth reasons the matter cannot be acted upon within the time limitations prescribed, and estimating additional time necessary for completing the recommendation or decision.

* * *
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ORDINANCE NO. 29012

1 AN ORDINANCE relating to the Biennial Operating Budget; amending the
2 2023-2024 Biennial Operating Budget to appropriate funds, adjust
3 project budgets, and implement additional changes in transfers and
4 other budget adjustments, as well as appropriating additional estimated
5 revenues.

6 WHEREAS this ordinance will further amend the 2023-2024 Biennial
7 Operating Budget, originally adopted by Substitute Ordinance No. 28856 and
8 amended by Ordinance Nos. 28884 and 28917, for the following reasons: (1) for
9 additional changes in transfers and other budget adjustments as outlined in the
10 attached exhibits, and (2) appropriating additional estimated revenues, and

11 WHEREAS at the end of each biennium, it is necessary for City staff to
12 obtain authority from the City Council to perform various financial transactions prior
13 to the close of the biennium to ensure that fund accounting meets Generally
14 Accepted Accounting Principles and the City's financial policies, and

15 WHEREAS modifications generally recognize new revenues, budget for
16 resolutions already passed by the City Council, adjust for changes that have
17 occurred over the course of the biennium, and make needed corrections to the
18 budget, and

19 WHEREAS the adjustments outlined in the attached exhibits will increase
20 expenditure budgets (appropriations) and revenues to align them with updated
21 conditions and projections, and
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WHEREAS under RCW 35.34.200, this ordinance is necessary to amend the 2023-2024 Biennial Operating Budget to account for contract obligations, new grants and revenues, transfers, and other budget adjustments that were not identifiable in December 2022; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That the Biennial Operating Budget (“Biennial Budget”) of the City for fiscal years 2023-2024 is hereby amended by adopting the Revised Budget set forth in Exhibit “A,” which provides the appropriations that are equal to the estimated revenues by fund and total budget as reflected in the Revised Budget column, and Exhibit “B,” which provides the detailed adjustments to expenditures, revenues and totals by fund and category, and which exhibits are attached hereto and incorporated as part of this ordinance; and that the Biennial Operating Budget shall be deemed to be and is hereby amended for recommended budget adjustments, 2023-2024 contract obligations, and transfers to the Capital Budget for Council-approved capital projects with outstanding balances or budget adjustments.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

EXHIBIT A

**City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers, other Obligations**

Fund No.	Fund Name	Modification Ordinance	Biennium End Ordinance	Revised Budget
0010	General Fund	647,226,036		647,226,036
Special Revenue Funds				
1020	Courts Special Revenue	146,500	1,000,000	1,146,500
1030	Contingency Fund	669,285		669,285
1050	PWS Transportation Revenues	9,200,590	900,000	10,100,590
1065	PW Street Fund (Street Ops, Eng, Transp)	63,956,217		63,956,217
1085	Voted Streets Initiative	50,683,963		50,683,963
1090	TFD Special Revenue	2,847,559		2,847,559
1100	PWF Property Management	2,757,801		2,757,801
1110	Local Improvement Guaranty	55,547		55,547
1145	PWB Building & Land Use Services	1,510,201		1,510,201
1155	TFD EMS Special Revenue	100,324,990		100,324,990
1180	PAF Tourism & Conventions	9,463,927		9,463,927
1185	NCS Special Revenue	37,443,026	800,000	38,243,026
1195	CED Economic Development Grants	57,279,306	7,250,000	64,529,306
1200	Library Special Revenue	2,201,848	950,000	3,151,848
1236	CED Small Business Enterprise	1,277,595		1,277,595
1267	TPD Special Revenue	3,434,869		3,434,869
1431	CMO Municipal Cable TV	1,373,285		1,373,285
1500	CED Local Employment Apprenticeship Program	636,822		636,822
1650	Traffic Enforcement, Engineering & Education	6,986,721		6,986,721
1700	American Rescue Plan	42,274,076		42,274,076
	Total Special Revenue Funds	394,524,128	\$10,900,000	405,424,128
Debt Service Funds				
2035	LTD GO Bonds 1997 A & B	1,541,100		1,541,100
2038	Public Works Trust Fund Loan	1,192,648		1,192,648
2040	LTGO 2009 Series A-F Bond Redemption	13,514,753	500	13,515,253
2041	2010 LTGO Bonds Series 2010B - 2010E	5,923,466	1,600,000	7,523,466
2043	LTGO Bond Issuances	4,166,600	220,000	4,386,600
	Total Debt Service Funds	26,338,567	\$1,820,500	28,159,067
Capital Project Funds				
3210	Real Estate Excise Tax	39,476,005	2,937,572	42,413,577
	Total Capital Project Funds	39,476,005	\$2,937,572	42,413,577

EXHIBIT A

**City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers, other Obligations**

Fund No.	Fund Name	Modification Ordinance	Biennium End Ordinance	Revised Budget
Enterprise Funds				
4110	Permit Services Fund	49,608,839		49,608,839
4120	PW Tacoma Rail Mountain Division	4,441,765		4,441,765
4140	PWE Parking Operating	15,337,009	675,000	16,012,009
4165	Convention Center	26,824,146		26,824,146
4170	Cheney Stadium	6,893,803		6,893,803
4180	Tacoma Dome	30,007,624		30,007,624
4190	Performing Arts	5,355,001		5,355,001
4200	Solid Waste	190,907,476	5,000,000	195,907,476
4300	Wastewater	267,601,316		267,601,316
4301	Surface Water	160,096,122		160,096,122
4450	Union Station	11,140		11,140
4500	Tacoma Rail	70,257,615	5,000,000	75,257,615
4600	Water Utility	297,368,506		297,368,506
4700	Power	1,188,026,937		1,188,026,937
4800	TPU Self Insurance Claims	5,678,200		5,678,200
4805	Low Income Assistance	7,000,000		7,000,000
	Total Enterprise Funds	2,325,415,499	\$10,675,000	2,336,090,499
Internal Service Funds				
5050	TPU Fleet Service	11,835,376		11,835,376
5086	Tacoma Training & Employment Program	1,342,950		1,342,950
5400	PW Fleet Equipment Rental	37,607,015		37,607,015
5453	PWS Asphalt Plant	2,742,254	1,000,000	3,742,254
5540	Comms Equipment - Replacement Reserve	5,813,153		5,813,153
5550	Third Party Liability Claims	13,878,674	3,000,000	16,878,674
5560	Unemployment Compensation	475,875	354,125	830,000
5570	Worker's Compensation	12,891,316		12,891,316
5700	Municipal Building Acquisition & Oper	19,907,893		19,907,893
5800	General Governmental Internal Services	187,757,081		187,757,081
	Total Internal Service Funds	294,251,587	\$4,354,125	298,605,712
Trust & Agency Funds				
6050	Deferred Compensation Trust	535,316		535,316
6100	Employees Retirement	472,874,757		472,874,757
6120	Relief & Pension Police	10,459,756		10,459,756
6150	Relief & Pension Firefighters	12,829,700		12,829,700
6240	Tacoma Community Redevelopment Authority	40,205		40,205
6430	Health Care Trust Labor Management	169,734,069	12,823,455	182,557,524
6440	Group Life Trust	1,846,457		1,846,457
6460	Dental Care Labor Management	12,054,377	2,582,135	14,636,512
6470	Health Care Trust Firefighters	8,362,000		8,362,000
6480	Health Care Trust Police	7,662,000		7,662,000
6795	Public Facilities Districts	12,082,025		12,082,025
	Total Trust & Agency Funds	708,480,662	\$15,405,590	723,886,252
	Total City of Tacoma Operating Budget	4,435,712,484	\$46,092,787	4,481,805,271

EXHIBIT B

City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

Special Revenue Funds

1020 - Court Special Revenue **Amount**

Revenues

Intergovernmental Revenues - Grants (1,000,000)
\$ (1,000,000)

Expenditures

Therapeutic Court Adjustments 1,000,000
\$ 1,000,000

1050 - PWS Transportation Revenues

Revenues

Beginning Cash (900,000)

Expenditures

Transfer to Capital Projects Fund - Hylebos Repair 500,000
Transfer to Transportation Capital Fund 400,000
Higher Contractual costs and project revenue correction 900,000
\$ 900,000

1185 - HRHS Special Revenue **Amount**

Revenues

Solid Waste Excise Tax Revenue (800,000)
\$ (800,000)

Expenditures

Tidy-Up Tacoma 800,000
Higher than Anticipated Disposal Costs and Vehicle Replacements 800,000
\$ 800,000

EXHIBIT B

City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

1195 - CED Economic Development Grants

Revenues

Grant Revenues - Planning and Development Services Grants	(325,000)
Beginning Cash - Planning and Development Services	(225,000)
Grant Revenues - EDA Business Services	(400,000)
Grant Revenues - Federal Grants	(2,600,000)
Correction - Program Revenue for Housing Division	(700,000)
Beginning Cash - Tacoma Creates	(500,000)
Beginning Cash - HOPE Center and Rialto Project	(2,500,000)
	<u>\$ (7,250,000)</u>

Expenditures

External Contract Services - Planning and Development Services Grants	550,000
External Contract Services - Federal Grants	\$ 2,600,000
External Contract Services - EDA Business Services Grants	\$ 400,000
External Contract Services - Housing Division Grants	\$ 700,000
External Contract Services - Tacoma Creates Delayed Expenses from Prior Biennium	\$ 500,000
Operating Expenses - HOPE Center and Rialto Project	\$ 2,500,000
	<u>\$ 7,250,000</u>

1200 - Library Special Revenue

Revenues

Beginning Cash	(905,000)
Contributions and Donations	(45,000)
	<u>\$ (950,000)</u>

Expenditures

Transfer to Capital Project Fund (Main Library Project)	950,000
	<u>\$ 950,000</u>

Total Special Revenue Funds \$ 10,900,000

EXHIBIT B

City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

Debt Service Funds

2040 - LTGO Bonds 2009 A-F		Amount
Revenues		
Beginning Cash Balance		(500)
		<u>\$ (500)</u>
Expenditures		
LTGO Bond Principal Payment		500
		<u>\$ 500</u>
2041 - 2010 LTGO Bonds		Amount
Revenues		
Beginning Cash Balance		(1,600,000)
		<u>\$ (1,600,000)</u>
Expenditures		
LTGO Bond Principal Payment		1,600,000
		<u>\$ 1,600,000</u>
2043 - LTGO Bond Issuances		Amount
Revenues		
Beginning Cash Balance		(220,000)
		<u>\$ (220,000)</u>
Expenditures		
LTGO Bond Principal Payment		220,000
		<u>\$ 220,000</u>
Total Debt Service Funds		<u>\$ 1,820,500</u>

EXHIBIT B

City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

Capital Project Funds

3210 - Real Estate Excise Tax

Revenues

Transfer from the General Fund	(2,937,572)
	<u>\$ (2,937,572)</u>

Expenditures

Transfer to Capital Project Fund - Technical Corrections	595,572
Transfer to Transportation Capital Fund - Technical Corrections	2,342,000
	<u>\$ 2,937,572</u>

<u>Total Capital Project Funds</u>	<u>\$ 2,937,572</u>
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Enterprise Funds

4140 - PWE Parking Operating

Amount

Revenues

Transfer from Other Active Fund (Convention Center)	(675,000)
	<u>\$ (675,000)</u>

Expenditures

Pay Portion of Debt Service	675,000
	<u>\$ 675,000</u>

4200 - Solid Waste

Revenues

Beginning Cash	(5,000,000)
	<u>\$ (5,000,000)</u>

Expenditures

Capital Project Expenditure	5,000,000
Faster Contractual Expenditures than Originally Projected	
	<u>\$ 5,000,000</u>

EXHIBIT B

**City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations**

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

4500 - Rail		Amount
Revenues		
Appropriation from Current Fund		(5,000,000)
		<u>\$ (5,000,000)</u>
Expenditures		
Adjustment for Line Haul Volume and Gross Earnings Tax Expenses		5,000,000
		<u>\$ 5,000,000</u>
	Total Enterprise Funds	\$ 10,675,000

Internal Service Funds

5453 - PWS Asphalt Plant		Amount
Revenues		
Beginning Cash Balance		(1,000,000)
		<u>\$ (1,000,000)</u>
Expenditures		
Maintenance and Operations Costs - Asphalt Production		1,000,000
		<u>\$ 1,000,000</u>

5550 - Third Party Liability Fund		Amount
Revenues		
Beginning Cash Balance		(3,000,000)
		<u>\$ (3,000,000)</u>
Expenditures		
Maintenance and Operations Costs - Insurance Costs		3,000,000
		<u>\$ 3,000,000</u>

EXHIBIT B

**City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Biennium End Modification of 2023-2024 Contracts, Transfers and Other Obligations**

Narrative Explanation for the Budget Amendment Ordinance

Authorize an Increase in Revenues and Expenditures for 2023-2024 Appropriations:

5560 - Unemployment Compensation Fund		Amount
Revenues		
Beginning Cash Balance		(354,125)
		<u>\$ (354,125)</u>
Expenditures		
Maintenance and Operations Costs - Asphalt Production		354,125
		<u>\$ 354,125</u>
	Total Internal Service Funds	\$ 4,354,125
 Trust & Agency Funds		
6430 - Health Care		Amount
Revenues		
Beginning Cash Balance		(12,823,455)
		<u>\$ (12,823,455)</u>
Expenditures		
Claims Payments - Technical Correction to Account for Rebate		12,823,455
		<u>\$ 12,823,455</u>
6460 - Dental Care		Amount
Revenues		
Employer Premium Payments		(2,582,135)
		<u>\$ (2,582,135)</u>
Expenditures		
Employer Premium Payments for Fully Insured Policy		2,582,135
		<u>\$ 2,582,135</u>
	Total Trust & Agency Funds	\$ 15,405,590
Grand Total Expenditures - All Funds		\$ 46,092,787



ORDINANCE NO. 29013

1 AN ORDINANCE relating to the 2023-2024 Capital Budget; modifying the
2 2023-2024 Capital Budget to appropriate funds, adjust project budgets,
3 implement additional changes in transfers and other budget
adjustments, and appropriate additional estimated revenues.

4 WHEREAS under RCW 35.34, this ordinance is necessary to appropriate
5 estimated expenditures and revenues, and use of available funds for the biennium,
6 and

7 WHEREAS the purpose of the Budget amendment is to more accurately
8 budget for the ongoing needs of the City, and

9 WHEREAS this ordinance will further adjust the 2023-2024 Capital Budget
10 ("Budget"), originally adopted by Ordinance No. 28857, and amended by
11 Ordinance Nos. 28885 and 28918, for the following reasons: (1) to appropriate
12 funding; (2) adjust project budgets; and (3) implement additional changes in
13 transfers, and other budget adjustments as outlined in the attached exhibits, and

14 WHEREAS at the end of each biennium, it is necessary for City staff to
15 obtain authority from the City Council to perform various financial transactions prior
16 to the close of the biennium to ensure that fund accounting meets Generally
17 Accepted Accounting Principles and the City's financial policies, and

18 WHEREAS modifications generally recognize new revenues, budget for
19 resolutions already passed by the City Council, adjust for changes that have
20 occurred over the course of the biennium, and make needed corrections to the
21 budget, and

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WHEREAS the adjustments outlined in the attached exhibits will increase expenditure budgets (appropriations) and revenues to align them with updated capital project conditions and projections; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That the Capital Budget (“Budget”) for the City for fiscal years 2023-2024 is hereby amended by adopting the proposed modifications as set forth in Exhibit “A,” which Revised Budget column reflects the amended Capital Budget, and Exhibit “B,” which provides project-by-project adjustments within each fund, which exhibits are attached hereto and incorporated herein as part of this ordinance; and that the Budget shall be deemed to be and is hereby amended for the recommended budget adjustments, to provide for the appropriation and expenditure of said funds, and for transfers to the Budget for City Council-approved projects.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Exhibit A

**City of Tacoma, Washington
2023-2024 Capital Budget Ordinance
Biennium End Modification of Project Balances, Transfers, other Obligations**

Fund No.	Fund Name	Modification Ordinance	Biennium End Ordinance	Revised Budget
Special Capital Funds				
1060	Transportation Capital and Engineering	36,274,031	34,678,655	70,952,686
1140	PWE Paths & Trails Reserve	3,650,000	2,678,405	6,328,405
3211	Capital Projects Fund	8,856,903	4,102,322	12,959,225
Total City of Tacoma Capital Budget		<u>\$ 48,780,934</u>	<u>\$ 41,459,382</u>	<u>\$ 90,240,316</u>

Exhibit B

**City of Tacoma, Washington
2023-2024 Capital Budget Ordinance
Biennium End Modification of Project Balances, Transfers, other Obligations**

WBS	Project Title	Requested Capital Project Budget Adjustments
Fund No.	Fund Name	
1060	Transportation Capital and Engineering	
LID-3971R	LID-3971R, Water Supplemental Expenses for LID 3971	20,966
PWK-00442	Impact Fee Development	80,000
PWK-00442	SR-705 Landslide Repairs - Correction	(807,317)
PWK-00442	Streets Initiative 2	200,000
PWK-00802	Safe Routes to School Program	20,000
PWK-01015	Streets Initiative Capitalized Improvements	302,615
PWK-01018	I-5 / S 56th St Interchange - ADA Compliance	106,447
PWK-01026	Streetlight Pole & Circuit Upgrades	7,212
PWK-01035	St Helens Grind and Overlay	1,500,000
PWK-01038	Hylebos Bridge Emergency Fender Repair	1,633,000
PWK-01041	Multilingual Street Name Sign Construction	161,147
PWK-01042	Chip seal oil tank	1,600,000
PWK-G0032	Revitalizing Tacoma's Brewery District	87,457
PWK-G0036	6th Ave Ped Xing Safety Improvements	1,810,001
PWK-G0041	Links to Opportunity	2,500,000
PWK-G0043	Sheridan Arterial Improvements Phase 1	1,500,000
PWK-G0045	S 21st & C St Signal	230,108
PWK-G0047	Manitou Elementary SRTS	200,000
PWK-G0048	Tacoma Spur Stadium NB/SB Ramps - Correction	(37,400)
PWK-G0049	Cultural Shift to Active Transportation	45,000
PWK-G0050	S Cedar Street Active Transportation Enhancements	500,000
PWK-G0057	J Street Bicycle Boulevard	150,000
PWK-G0058	Fishing Wars Memorial Bridge B-E	9,000,000
PWK-G0066	I-5 Crossings Improvement Project	1,300,000
PWK-G0067	Union Ave Bridge Emergency Fire Damage Repair - Under Budget	(435,545)
PWK-G0069	Stewart Middle School SRTS Improvements	39,000
PWK-G0070	Portland Ave Vision Zero Improvements	2,615,000
PWK-G0071	S 48th Street Bridge Seismic Retrofit	1,096,000
PWK-G0072	S 11th St & Earnest Brazill: Protected Bike Lane	1,956,131
PWK-G0074	McKinley Overlook	601,532
PWK-G0075	Ped Mobility & Safety Improvements at S 56th St and Pac Ave	650,000
PWK-G0076	S 11th Street (S Sprague Ave - Tacoma Ave S)	3,163,000
PWK-G0077	S Yakima Ave - NHS Project	1,639,000
PWK-G0079	McKinley Ave ITS and Signal Coordination	465,300
PWK-TG003	Safe Routes Tacoma Traffic Gardens	30,000
PWK-TG003	Safe Streets for All - ADA Transition Plan	750,000
		<hr/> 34,678,655 <hr/>

Exhibit B

**City of Tacoma, Washington
2023-2024 Capital Budget Ordinance
Biennium End Modification of Project Balances, Transfers, other Obligations**

WBS	Project Title	Requested Capital Project Budget Adjustments
Fund No.	Fund Name	
1140	PWE Paths & Trails Reserve	
PWK-00561-EX	Historic Water Ditch Trail Phase III	2,678,405
		<hr/> 2,678,405 <hr/>
3211	Capital Projects Fund	
CIP-00039-EX	15th St Transient Moorage Dock Repl.	(6,593)
THE-00047-EX	Foss Site 10 Seawall Repair & Esplanade	(150,846)
LIB-00011	Main Library Remodel	745,000
GNF-00007-EX	Municipal Building Exterior	3,514,761
		<hr/> 4,102,322 <hr/>
		<hr/> 41,459,382 <hr/> <hr/>



ORDINANCE NO. 29014

1 BY REQUEST OF DEPUTY MAYOR HINES AND COUNCIL MEMBERS DIAZ,
2 SADALGE, AND WALKER

3 AN ORDINANCE relating to climate and sustainability; amending Title 1 of the
4 Municipal Code, relating to Administration and Personnel, by adding a
5 new Chapter entitled “Climate and Sustainability Commission”,
6 establishing a Climate and Sustainability Commission, and appointing
7 current members of the Sustainable Tacoma Commission with
8 unexpired terms to the Climate and Sustainability Commission.

9 WHEREAS the City declared a climate emergency in 2019, and called for a
10 transformative effort to reduce community greenhouse gas emissions and adapt to
11 climate impacts, and

12 WHEREAS the City has adopted a Climate Action Plan to guide efforts in
13 creating healthy affordable housing, clean reliable transportation, protections for
14 public health, and green good-paying jobs, and

15 WHEREAS this proposed Ordinance would amend the Tacoma Municipal
16 Code, and establish a Climate and Sustainability Commission to advise and report
17 to the City Council on the City’s progress in meeting the goals of its Climate Action
18 Plan and sustainability measures; Now, Therefore,

19 BE IT ORDAINED BY THE CITY OF TACOMA:

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

22 Section 2. That Title 1 of the Municipal Code relating to Administration
23 and Personnel, is hereby amended by adding a new Chapter entitled “Climate
24 and Sustainability Commission”, as set forth in the attached Exhibit “A.”
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Section 3. That a new commission, entitled Climate and Sustainability Commission, is hereby established, effective May 1, 2025, and that the persons set forth in the attached Exhibit “B,” who are currently serving on the Sustainable Tacoma Commission, are hereby confirmed and appointed as members of the Climate and Sustainability Commission for the initial terms as are set forth therein, and that all member positions and initial terms shall be as established in the attached Exhibit “B.”

Section 4. That effective May 1, 2025, the Sustainable Tacoma Commission created pursuant to Section 3 of City Council Resolution No. 37631, shall be dissolved and no longer in force and effect, and all work then in progress before the Sustainable Tacoma Commission shall be transferred to the Climate and Sustainability Commission.

Section 5. That the City Clerk, in consultation with the City Attorney, is authorized to assign within Title 1 of the Tacoma Municipal Code a chapter number to the new chapter entitled Climate and Sustainability Commission, and to make



1 necessary corrections to this ordinance, including, but not limited to, the correction
2 of scrivener's/clerical errors, references, ordinance numbering, section/subsection
3 numbers, and any references thereto.
4

5 Passed _____
6

7 _____
8 Mayor

9 Attest:
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11 _____
12 City Clerk

13 Approved as to form:
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15 _____
16 City Attorney

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EXHIBIT "A"

CHAPTER XXX

CLIMATE AND SUSTAINABILITY COMMISSION

Sections:

Short title.

Climate and Sustainability Commission—Declaration of purpose.

Creation of a Climate and Sustainability Commission.

Composition of the Climate and Sustainability Commission.

Terms of Climate and Sustainability Commissioners.

Members shall serve without compensation.

Rules and officers.

Powers and duties of the Commission.

Meetings and procedures.

Short Title.

This chapter may be referenced as "Climate and Sustainability Commission Code."

Climate and Sustainability Commission—Declaration of purpose.

The purpose of this legislation is to:

- A. Establish the Climate and Sustainability Commission (also referred to in this chapter as "Commission") and to provide the administrative process by which this Commission will serve; and
- B. Recognize the importance of climate and sustainability issues in the City of Tacoma.

Creation of a Climate and Sustainability Commission.

In order to fulfill the purposes of this chapter, a Climate and Sustainability Commission, consisting of 13 members, is hereby established. The members of the Commission shall be appointed by the City Council in accordance with the City Charter and Rules of Procedure of the City Council.

Composition of the Climate and Sustainability Commission.

All members of the Commission shall have a demonstrated interest and familiarity with basic climate and sustainability issues, either through professional practice, education, or volunteer work, and shall be residents within the boundaries of the City.

The Climate and Sustainability Commission shall consist of 13 members as follows:

- A. District Positions: At least one member of the Commission shall reside in District 1. At least one member of the Commission shall reside in District 2. At least one member of the Commission shall reside in District 3. At least one member of the Commission shall reside in District 4. At least one member of the Commission shall reside in District 5.
- B. Temporary vacancies shall not render actions by the Commission invalid.
- C. The provisions of this chapter shall be enforced as vacancies occur following the adoption of this legislation.
- D. There shall be a "youth seat" reserved for an individual who is between the ages of 16 – 24 years old and serves for one year in alignment with the other Commission members.

Terms of Commissioners.

Terms of the Commissioners of the Climate and Sustainability Commission shall be three years.

- A. Terms of Commissioners shall begin on May 1 and end on April 30.
- B. To promote both stability within the Commission and to encourage rotation of the membership, the City Council sets a guideline of two full terms per member but, at its discretion, may reappoint members to serve more than two terms.



C. In the event that a position is vacated before the expiration of the term, the City Council may appoint a successor to serve the remainder of the unexpired term.

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Members shall serve without compensation.

Members of the Climate and Sustainability Commission shall serve without compensation.

Rules and officers.

A. The Commission shall elect annually from its members a Chair, Vice-Chair, or Co-Chairs (Officers). The term of office shall be for one (1) year or until the next group of Officers assume their duties. In case of any vacancy in office, the vacancy shall be filled by an election at the first regular meeting after the occurrence of such vacancy.

B. Any Commissioner who fails to attend three consecutive meetings of the Commission without being excused may be deemed to have forfeited his or her office. The Commission shall take the necessary action to enforce this provision by causing such absence and the resulting forfeiture of office to be recorded in its official minutes, which minutes shall be transmitted to the Mayor for the purpose of nominating a successor to fill the unexpired term.

C. Members shall abide by the City’s Code of Ethics as provided in TMC 1.46.

Powers and duties of the Commission.

The primary duty of the Climate and Sustainability Commission is to bring community accountability, transparency, and vigilance to the long-term implementation of Tacoma’s Climate Action Plan and sustainability initiatives. In carrying out these responsibilities, the Climate and Sustainability Commission shall engage in the following:

A. Develop an annual work plan identifying Commission goals and implementation plans, including discussion of timelines and responsibilities. Items requiring sustainability staff support will be identified and prioritized. Discuss and evaluate work plan progress as needed.

B. Provide policy, program, and budget recommendations both written and verbal to City Council and City staff, through or in coordination with Infrastructure, Planning, and Sustainability Committee, and other relevant Committees and Commissions.

C. Request updates from staff on implementation and results of City sustainability policies and programs. Communicate barriers to and benefits for implementation to City Council, through or in coordination with Infrastructure, Planning, and Sustainability Committee, and other relevant Committees and Commissions.

D. Provide annual climate action progress reports to the public.

E. Coordinate, communicate, and encourage public involvement in sustainability initiatives.

F. Serve as a forum for regular public comment and community involvement.

Meetings and procedures.

A. The Commission shall establish a regular time and place for meetings and shall meet a minimum of 12 times per calendar year, or additionally, as necessary, to conduct Commission business. Special meetings may be called by the Chair or by any three members of the Commission upon personal notice being given to all members or written notice being mailed to each member at least 24 hours prior to the date set for such meeting, unless such notice requirement is waived in writing.

B. A simple majority of appointed filled positions shall constitute a quorum.

C. All Commission meetings shall be conducted in compliance with Chapter 42.30 RCW, Open Public Meetings Act, to provide for adequate public participation, and the Commission shall adopt standards in its rules to guide this action.

D. The Commission’s chairperson shall submit an annual report to the City Council, sending a copy thereof to the City Clerk.

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EXHIBIT "B"

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Current Roster for the Sustainable Tacoma Commission

Position	Name	Term Start Date	Term End Date
1	Vacant*	5/1/2025	4/30/2028
2	Alexandra "Lexi" Brewer	5/1/2025	4/30/2027
3	Michael Chang	5/1/2025	4/30/2026
4	Vacant*	5/1/2025	4/30/2028
5	Vacant*	5/1/2025	4/30/2028
6	Sheena Hewett	5/1/2025	4/30/2026
7	Gloria "Joy" Muhammad	5/1/2025	4/30/2027
8	Margaret Schwertner	5/1/2525	4/30/2027
9	Laura Svancarek	5/1/2025	4/30/2026
10	Casey Twiggs	5/1/2025	4/30/2026
11	Vacant	5/1/2025	4/30/2027
12	Lowell Wyse	5/1/2025	4/30/2026
13 - Youth Member	Vacant	5/1/2025	4/30/2026

*Currently, Matthew Benedict holds Position 1, Evlondo Cooper holds Position 4, and John Doherty holds Position 5, through April 30, 2025, and are eligible to seek reappointment at a later date.