



## Legislation Passed April 22, 2014

The Tacoma City Council, at its regular City Council meeting of April 22, 2014, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

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### **Resolution No. 38876**

A resolution amending the Water Rate and Financial Policy to facilitate the development of term-limited, market-based wholesale water rates.

(Continued from the meeting of April 8, 2014)

[Sean Senescall, Rates and Financial Policy Manager; Linda McCrea, Water Superintendent]

### **Resolution No. 38887**

A resolution appointing Alan "Bob" Winslow to the Human Services Commission to fill an unexpired term to expire April 30, 2015; and appointing and reappointing Eileen Armstrong, Jasmine Brown, Kelly McDonald, and Allen Ratcliffe to three-year terms to expire April 30, 2017.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

### **Resolution No. 38888**

A resolution appointing Helen-Hien Tran and reappointing Rea Hagan to the Tacoma Community Redevelopment Authority Board for two-year terms to expire December 31, 2015.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

### **Resolution No. 38889**

A resolution amending a contract with Pease & Sons, Inc., in the amount of \$115,000, plus sales tax, for a cumulative amount of \$639,363.40, budgeted from the Solid Waste Fund, for additional work and required modifications for the Street Maintenance Asphalt Plant Recycled Asphalt Pavement/Recycled Asphalt Shingles project - Specification No. ES13-0453F.

[Geoffrey M. Smyth, P.E., Science & Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 38890**

A resolution awarding a contract to Horizon Truck Center, in the amount of \$290,914.25, plus sales tax, budgeted from various departmental funds, for Ford original equipment manufacturer vehicle parts on an as-needed basis, for an initial contract term of three years with the option to renew for two additional one-year periods, for a projected contract total of \$493,679.00, including an estimated 3 percent annual CPI increase - Specification No. GF14-0099F.

[Justin Davis, Interim Facilities Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 38891**

A resolution accepting a 2013-Fall Cycle Drinking Water State Revolving Fund loan, in the amount of \$12,120,000; and authorizing the execution of a low-interest loan agreement with the Washington State Public Works Board for a 20-year term for the Green River Filtration Facility Project.

[Linda McCrea, Water Superintendent; Bill Gaines, Director of Utilities]

**Ordinance No. 28216**

An ordinance amending Chapters 2.09, 13.05, and 13.06, of the Municipal Code, relating to the Fee Code, Land Use Permit Procedures, and Zoning, to create a defined permitting process for temporary homeless camps and implement a permit fee.

[John Harrington, Principal Planner; Peter Huffman, Director, Planning and Development Services]

**Ordinance No. 28217**

An ordinance providing for the formation of Segment 2 of proposed Local Improvement District No. 8660, for the construction of permanent alley pavement, with a structural section and storm drainage on the alley between North 30th Street and North 31st Street, from Monroe Street to Mason Avenue.

[Phyllis Macleod, Hearing Examiner]



## RESOLUTION NO. 38876

1 A RESOLUTION relating to the Department of Public Utilities, Water Division  
2 (d.b.a. "Tacoma Water"); amending the Water Rate and Financial Policy  
3 to facilitate the development of term-limited, market-based wholesale  
water rates.

4 WHEREAS, in 1993, pursuant to Public Utility Board ("Board") Resolution  
5 No. U-8906 and City Council Resolution No. 32375, the Board and the City  
6 Council approved the Water Rate Policy ("Policy") to provide future direction to  
7 the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), for  
8 short- and long-term planning decisions and to ensure that reliable service is  
9 provided to all customers at the lowest possible cost, consistent with prudent  
10 utility management; and subsequent Policy amendments were also approved,  
11 and  
12

13 WHEREAS Tacoma Water desires to revise the Policy to facilitate the  
14 development of term-limited, market-based wholesale water rates, and  
15

16 WHEREAS, in its April 2012 Strategic Plan, Tacoma Water identified the  
17 marketing of currently available excess water supply as a key initiative to  
18 optimally deploy developed resources and infrastructure, and  
19

20 WHEREAS multiple water utilities in the King and Pierce County regions  
21 have purchased wholesale water supply capacity from Tacoma Water, but  
22 many are not utilizing that capacity; instead, they are choosing to use their own  
23 supplies to avoid the higher commodity cost associated with the Tacoma Water  
24 supply, and  
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26



1 WHEREAS, in some cases, currently connected wholesale water  
2 customers are opting to make investments in regionally unnecessary additional  
3 water supplies to avoid what they determine to be more expensive Tacoma  
4 Water supply, and

5 WHEREAS this has resulted in stranded investment for Tacoma Water  
6 at least for the near term future (next 20 years), and

7 WHEREAS most wholesale customers have alternative water resource  
8 choices for some or all of their water supply needs, and

9 WHEREAS, while Tacoma Water is not supply-constrained, it is in the  
10 City's and the ratepayers' best interest to increase sales to wholesale  
11 customers, and

12 WHEREAS the proposed amendment incorporates language into  
13 Sections III.B.8 and III.C.9 of the Policy which will provide latitude to Tacoma  
14 Water staff to negotiate market-based pricing agreements with customers in  
15 Tacoma Water's wholesale market, and

16 WHEREAS the increased revenue generated from wholesale water  
17 sales will offset overall utility expenses and, to the extent this is successful,  
18 reduce rate impacts to retail customers, and

19 WHEREAS all negotiated agreements are subject to approval by the  
20 Tacoma Public Utility Board and the Tacoma City Council, and

21 WHEREAS Tacoma Water and the Board believe it is in the best interest  
22 of the public to approve said amendments to the Policy; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proposed revisions to the Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), Water Rate and Financial Policy, as on file in the office of the City Clerk, are hereby approved.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

Requested by Public Utility Board  
Resolution No. U-10682



**RESOLUTION NO. 38887**

1 BY REQUEST OF MAYOR STRICKLAND, DEPUTY MAYOR WOODARDS, AND  
2 COUNCIL MEMBERS CAMPBELL AND LONERGAN

3 A RESOLUTION relating to committees, boards, and commissions; appointing and  
4 reappointing individuals to the Human Services Commission.

5 WHEREAS vacancies exist on the Human Services Commission, and

6 WHEREAS, at its special meeting of April 3, 2014, the Public Safety, Human  
7 Services, and Education Committee interviewed applicants and recommended the  
8 appointment and reappointment of individuals to said commission, and

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
11 have been nominated to serve on the Human Services Commission; Now,  
12

13 Therefore,

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

15 That those nominees to the Human Services Commission listed on  
16 Exhibit "A" are hereby confirmed and appointed and reappointed as members of  
17 said commission for such terms as are set forth on Exhibit "A."  
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19 Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

21 Attest:  
\_\_\_\_\_  
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23 City Clerk

24 Approved as to form:  
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City Attorney



## EXHIBIT "A"

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### HUMAN SERVICES COMMISSION

Appointing Eileen Armstrong to a three-year term to expire April 30, 2017.

Appointing Jasmine Brown to a three-year term to expire April 30, 2017.

Appointing Kelly McDonald to a three-year term to expire April 30, 2017.

Reappointing Allen Ratcliffe to a three-year term to expire April 30, 2017.

Appointing Alan "Bob" Winslow to fill an unexpired term to expire April 30, 2015.



# RESOLUTION NO. 38888

1 BY REQUEST OF COUNCIL MEMBERS IBSEN, LONERGAN, AND WALKER

2 A RESOLUTION relating to committees, boards, and commissions; appointing and  
3 reappointing individuals to the Tacoma Community Redevelopment  
4 Authority Board.

5 WHEREAS vacancies exist on the Tacoma Community Redevelopment  
6 Authority Board, and

7 WHEREAS, at its meeting of April 7, 2014, the Neighborhoods and Housing  
8 Committee interviewed applicants and recommended the appointment and  
9 reappointment of individuals to said board, and

10 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
11 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
12 have been nominated to serve on the Tacoma Community Redevelopment  
13 Authority Board; Now, Therefore,

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

15 That those nominees to the Tacoma Community Redevelopment Authority  
16 Board listed on Exhibit "A" are hereby confirmed and appointed or reappointed as  
17 members of such board for such terms as are set forth on Exhibit "A."  
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19 Adopted \_\_\_\_\_  
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21 \_\_\_\_\_  
22 Mayor

23 Attest:  
24 \_\_\_\_\_  
25 City Clerk

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





EXHIBIT "A"

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**TACOMA COMMUNITY REDEVELOPMENT AUTHORITY BOARD**

Reappointing **Rea Hagan** to the "Contractor" designation for a two-year term to expire December 31, 2015.

Appointing **Helen-Hien Tran** to the "Contractor" designation for a two-year term to expire December 31, 2015.



## RESOLUTION NO. 38889

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
 2 and the furnishing of services; authorizing the increase of Contract  
 3 No. 4600009389 with Pease & Sons, Inc., in the amount of \$115,000,  
 4 plus applicable sales tax, for a cumulative amount of \$639,363.40, plus  
 5 sales tax, budgeted from the Solid Waste Fund, for additional work and  
 6 required modifications for the Street Maintenance Asphalt Plant  
 7 Recycled Asphalt Pavement (RAP) / Recycled Asphalt Shingles (RAS)  
 8 project pursuant to Specification No. ES13-0453F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
 20 increase Contract No. 4600009389 with Pease & Sons, Inc., in the amount of  
 21 \$115,000, plus applicable sales tax, for a cumulative amount of \$639,363.40,  
 22 plus sales tax, budgeted from the Solid Waste Fund, for additional work and  
 23 required modifications for the Street Maintenance Asphalt Plant Recycled  
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1 Asphalt Pavement (RAP) / Recycled Asphalt Shingles (RAS) project pursuant  
2 to Specification No. ES13-0453F, consistent with Exhibit "A."

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

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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**TO:** T.C. Broadnax, City Manager  
**FROM:** Michael P. Slevin III, P.E., Director, Environmental Services *MPS*  
Geoffrey M. Smyth, P.E., Division Manager, Science & Engineering  
**COPY:** City Council and City Clerk  
**SUBJECT:** Increase contract with Pease and Sons for the Street Maintenance Asphalt Plant  
RAP/RAS Project, Request for Bids ES13-0453F, Contract No. 4600009389 – April 22,  
2014  
**DATE:** April 7, 2014

**SUMMARY:** The Environmental Services, Science and Engineering Division recommends an increase to Contract No. 4600009389 with Pease & Sons, Inc., in the amount of \$115,000, plus applicable sales tax, for a cumulative contract total of \$639,363.40, plus applicable sales tax, budgeted from the ES Solid Waste Fund 4200, to increase the contract for additional work and required modifications for the Street Maintenance Asphalt Plant Recycled Asphalt Pavement (RAP)/Recycled Asphalt Shingles (RAS) project.

**STRATEGIC POLICY PRIORITY:**

- Strengthen and maintain a strong fiscal management position.
- Foster neighborhood, community, and economic development vitality and sustainability.

The City of Tacoma, in partnership with the Washington State Department of Ecology, is modifying our Asphalt Batch Plant to use RAP and RAS to produce pavement for use by the Streets Operation Division. Using recycled products in our asphalt reduces the cost of producing asphalt and eliminates the disposal costs of these materials. These modifications include construction of a covered storage facility for placing the recycled and feedstock materials, keeping them dry and reducing the energy required to dry the pavement and shingles during wet weather, and will prevent runoff of water to the storm or sewer system.

**BACKGROUND:** The contract has incurred additional costs to address work items and issues that were not identified in the original contract documents. The additional work items and issues are attributed to the following: increased footing sizes, structural steel modifications and anchor bolt revisions, and anchors to address comments by Planning and Development Services Department review; electrical conduits and wiring; additional piping for air supply and ventilation duct for the conveyor equipment; and modifications to existing storm appurtenances and pavement. Other changes and additions were necessary to accommodate unforeseen site conditions and provide a complete and properly operating system for the recycling of the asphalt pavement and shingles.

**ALTERNATIVES:** The additional items are needed to complete the installation of the plant modification and begin operation of the plant in time for this year’s construction schedule. One alternative is to cancel the project and abandon or delay the use of recycled materials in the asphalt pavement produced by the plant. The additional work could also be completed under a separate contract. Putting the added work out for bid would also delay the completion of the project and increase administrative and mobilization costs. It also would impact the ability of the Asphalt Plant to operate to meet with its paving schedule this year. Partial funding has been provided for this project through a Department of Ecology Grant. The grant has must be expended by June 30, 2015.



**COMPETITIVE SOLICITATION:** This contract was originally awarded to Pease & Sons, Inc. as a result of Request for Bids Specification No. ES13-0453F in November 2013. Five submittals were received through the City’s formal bidding process. Pease & Sons, Inc. submitted a bid that resulted in the lowest evaluated submittal after consideration of SBE participation goals.

**CONTRACT HISTORY:** The original contract was approved by Resolution No. 38776 on November 19, 2013, in the amount of \$476,694.00, plus applicable sales tax, plus a 10 percent contingency for a cumulative total of \$524,363.40, budgeted from the Solid Waste Fund 4200, for the construction of a material storage facility and the installation of a conveyor system for RAP and RAS. This increase of \$115,000.00 will bring the contract to a cumulative total of \$639,363.40, plus applicable sales tax.

**RECOMMENDATION:** Staff recommends authorizing an increase to the agreement with Pease & Sons, Inc., in the amount \$115,000.00, plus applicable sales tax, for a cumulative total of \$639,363.40, budgeted from the ES Solid Waste Fund 4200, to increase the contract for additional work and required modifications for the Street Maintenance Asphalt Plant RAP/RAS Project.

**FISCAL IMPACT:**

**EXPENDITURES:**

| FUND NUMBER & FUND NAME * | COST OBJECT (CC/WBS/ORDER) | COST ELEMENT | TOTAL AMOUNT        |
|---------------------------|----------------------------|--------------|---------------------|
| ES Solid Waste Fund 4200  | ENV-02009-01               | 5330100      | \$639,363.40        |
|                           |                            |              |                     |
| <b>TOTAL</b>              |                            |              | <b>\$639,363.40</b> |

\* General Fund: Include Department

**REVENUES:**

| FUNDING SOURCE           | COST OBJECT (CC/WBS/ORDER) | COST ELEMENT | TOTAL AMOUNT        |
|--------------------------|----------------------------|--------------|---------------------|
| ES Solid Waste Fund 4200 | ENV-02009-01               | 5330100      | \$639,363.40        |
|                          |                            |              |                     |
| <b>TOTAL</b>             |                            |              | <b>\$639,363.40</b> |

**FISCAL IMPACT TO CURRENT BIENNIAL BUDGET:** \$639,363.40

**ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED?** Yes



## RESOLUTION NO. 38890

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 Horizon Truck Center, in the amount of \$290,914.25, plus  
4 applicable sales tax, plus the option for two additional one-year renewal  
5 periods, including an estimated 3 percent annual CPI increase, for a  
6 cumulative amount of \$493,679, plus applicable sales tax, budgeted  
7 from various funds, for Ford OEM vehicle parts on an as-needed basis  
8 pursuant to Specification No. GF14-0099F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Horizon Truck Center, in the amount of \$290,914.25,  
21 plus applicable sales tax, plus the option for two additional one-year renewal  
22 periods, including an estimated 3 percent annual CPI increase, for a cumulative  
23 amount of \$493,679, plus applicable sales tax, budgeted from various funds, for  
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1 Ford OEM vehicle parts on an as-needed basis pursuant to Specification  
2 No. GF14-0099F, consistent with Exhibit "A."

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

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\_\_\_\_\_  
Mayor

7 Attest:

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

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Approved as to form:

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City Attorney

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
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**TO:** Board of Contracts and Awards  
**FROM:** <sup>RD</sup> Kurtis D. Kingsolver, P.E., Public Works Director   
 Justin Davis, Interim Facilities Division Manager  
**COPY:** City Council, City Manager, City Clerk, SBE Coordinator, LEAP Coordinator,  
 and Richelle Krienke, Finance/Purchasing  
**SUBJECT:** Ford OEM Vehicle Parts  
 Request for Bids Specification No. GF14-0099F – April 22, 2014  
**DATE:** April 7, 2014

**SUMMARY:**

Public Works, Facilities Division, Fleet Services recommends a contract be awarded to Horizon Truck Center, Seattle, WA, in the amount of \$290,914.25, plus applicable sales tax, for Ford OEM vehicle parts on an as needed basis, for an initial contract term of three years plus the option for two additional one-year renewal periods, including an estimated three percent annual CPI increase, for a projected award amount of \$493,679.00, plus applicable sales tax.

**STRATEGIC POLICY PRIORITY:**

- Strengthen and support public safety, human services, public education, and diverse higher learning opportunities in Tacoma.

Provide instant parts availability for in-house maintenance shop. These parts are used for Public Works, Environmental Services, and Police vehicle maintenance to ensure they are available for public safety and human services.

**BACKGROUND:**

This contract supplies automotive parts for Ford vehicles for all of General Government on an as needed basis.

**COMPETITIVE SOLICITATION:**

Request for Bids Specification No. GF14-0099F was opened March 18, 2014. Four companies were invited to bid in addition to normal advertising of the project. Four submittals were received.

| <u>Respondent</u>           | <u>Location</u><br><i>(city and state)</i> | <u>Submittal Amount</u><br><i>Does not include Sales Tax</i> |
|-----------------------------|--|--|
| <b>Horizon Truck Center</b> | <b>Seattle, WA</b>                         | <b>\$290,914.25</b>  |
| Bill Pierre Ford            | Seattle, WA                                | \$292,585.70   |
| Way Scarff Ford             | Auburn, WA                                 | \$293,582.66   |
| Titus-Will Ford             | Tacoma, WA                                 | \$300,818.87   |

Pre-bid Estimate: \$425,000

The recommended award is 15% percent above the pre-bid estimate.

**CONTRACT HISTORY:**

New contract.





**SUSTAINABILITY:**

Ford is working to improve the lifecycle sustainability of their products and operations across their value chain. Among their product sustainability efforts, they are increasing the use of sustainable materials and eliminating undesirable materials such as heavy metals and substances that are known to be common allergens. Ford is also working to reduce greenhouse gases and other emissions from their facilities and vehicles by developing cleaner and more energy-efficient production processes, improving the efficiency of their packaging and transportation logistics and introducing cleaner and more fuel-efficient vehicles.

**SBE/LEAP COMPLIANCE:**

Not applicable.

**RECOMMENDATION:**

Public Works, Facilities Division, Fleet Services recommends a contract be awarded to Horizon Truck Center for Ford OEM vehicle parts.



**FISCAL IMPACT:**

**EXPENDITURES:**

| FUND NUMBER & FUND NAME * | COST OBJECT<br>(CC/WBS/ORDER) | COST ELEMENT | TOTAL AMOUNT    |
|---------------------------|-------------------------------|--------------|-----------------|
| Various                   |                               | 5216110      | \$64,648        |
|                           |                               |              |                 |
| <b>TOTAL</b>              |                               |              | <b>\$64,648</b> |

\* General Fund: Include Department

**REVENUES: N/A**

| FUNDING SOURCE | COST OBJECT<br>(CC/WBS/ORDER) | COST ELEMENT | TOTAL AMOUNT |
|----------------|-------------------------------|--------------|--------------|
|                |                               |              |              |
|                |                               |              |              |
| <b>TOTAL</b>   |                               |              |              |

**FISCAL IMPACT TO CURRENT BIENNIAL BUDGET: \$64,648**

**ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes**

**IF EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED.**

Expenses are budgeted and covered.



## RESOLUTION NO. 38891

1 A RESOLUTION relating to the Department of Public Utilities, Water Division  
2 (d.b.a. "Tacoma Water"); authorizing the acceptance of a 2013-Fall Cycle  
3 Drinking Water State Revolving Fund loan in the amount of \$12,120,000;  
4 and authorizing the execution of a loan agreement with the Washington  
State Public Works Board for the purpose of financing the Green River  
Filtration Facility Project.

5 WHEREAS the City of Tacoma, Department of Public Utilities, Water  
6 Division (d.b.a. "Tacoma Water"), was selected to receive a low-interest loan, in  
7 the amount of \$12,120,000, through the 2013-Fall cycle of the Drinking Water  
8 State Revolving Fund for the purpose of financing the Green River Filtration  
9 Facility Project ("Project"), and

10 WHEREAS the Washington State Department of Health is the funding  
11 source for this loan, which is made available through the United States  
12 Environmental Protection Agency for qualifying public water system projects, and

13 WHEREAS the Project is necessary to comply with *Cryptosporidium*  
14 treatment requirements of the federal Long Term 2 Enhanced Surface Water  
15 Treatment Rule, and

16 WHEREAS the interest rate on the loan is 1.5 percent for a 20-year term,  
17 with a 1 percent administrative fee, retroactive to expenses incurred since July 1,  
18 2013, and

19 WHEREAS Section 4.11 of the Tacoma City Charter requires that all matters  
20 related to the incurring of indebtedness by the Department of Public Utilities be  
21 initiated by the Public Utility Board and approved by the City Council, and

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WHEREAS, on April 16, 2014, the Public Utility Board approved the proposed loan agreement, and

WHEREAS it appears to be in the best interests of the City, the citizens of Tacoma, and the customers of Tacoma Water that the loan agreement be approved; Now, Therefore,

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

That the Superintendent of the Department of Public Utilities, Water Division, is hereby authorized to accept a 2013–Fall Cycle Drinking Water State Revolving Fund loan in the amount of \$12,120,000, and to execute a loan agreement on behalf of the City with the Washington State Public Works Board for the Green River Filtration Facility Project, said document to be substantially in the form of the proposed loan agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

Requested by Public Utility Board  
Resolution No. U-10687



## ORDINANCE NO. 28216

1 AN ORDINANCE relating to temporary homeless camps; amending Tacoma  
2 Municipal Code Chapter 2.09, Fee Code, at Section 2.09.170; amending  
3 Chapter 13.05, Land Use Permit Procedures, at Section 13.05.020; and  
4 amending Chapter 13.06, Zoning, at Section 13.06.635, relating to the  
5 Temporary Homeless Camp permitting process.

6 WHEREAS the Washington State Legislature passed Engrossed Substitute  
7 House Bill ("ESHB") 1956, codified as RCW 35.21.915, which grants broad  
8 authority to religious organizations to host temporary camps on property owned or  
9 controlled by such organizations for individuals experiencing homelessness, and

10 WHEREAS RCW 35.21.915 prohibits local governments from enacting  
11 ordinances or other regulations that impose conditions other than those necessary  
12 to protect public health and safety, and which do not substantially burden the  
13 decisions or actions of religious organizations with respect to the provision of  
14 temporary homeless camps, and,

15 WHEREAS RCW 35.21.915 further prohibits the imposition of permit fees  
16 in excess of the actual costs associated with the review and approval of the  
17 required permit applications for temporary homeless camps, and

18 WHEREAS it is the intent of the City to regulate temporary homeless camps  
19 to protect the public health and safety of the general community, as well as the  
20 safety of residents in such camps, and

21 WHEREAS, while there have been no specific proposals for such a camp in  
22 the City, there is organized interest in the community to address homelessness and  
23 to potentially provide this type of facility as an option for individuals experiencing  
24 homelessness, and  
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WHEREAS the City desires to amend Tacoma Municipal Code (“TMC”)

Chapter 2.09, Fee Code, Chapter 13.05, Land Use Permit Procedures, and  
Chapter 13.06, Zoning, to provide regulations for the establishment and  
operation of homeless encampments in the City, and

WHEREAS the Planning Commission, after completing its review process,  
including a hearing to receive public testimony on January 22, 2014, forwarded  
its proposed recommendations to the City Council for consideration, and

WHEREAS, on April 1, 2014, a hearing was held before the City Council  
to receive public testimony regarding the proposed TMC amendments relating to  
the temporary homeless camp permitting process; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Tacoma Municipal Code (“TMC”) Chapter 2.09, Fee Code,  
is hereby amended at Section 2.09.170, as set forth in the attached Exhibit “A.”

Section 2. That TMC Chapter 13.05, Land Use Permit Procedures, is  
hereby amended at Section 13.05.020, as set forth in the attached Exhibit “B.”



Section 3. That TMC Chapter 13.06, Zoning, is hereby amended at

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Section 13.06.635, as set forth in the attached Exhibit "C."

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

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



**EXHIBIT "A"**

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**2.09.170 Required filing fees for land use applications.**

The following schedule indicates the fee requirements for land use permits within the City. Said fee must be submitted concurrently with the application for a land use permit. The fee for any activity begun prior to receiving the appropriate approval shall be double the base fee herein set forth; provided, that such fee shall not exceed \$2,500 above the required filing fee.

A. Required Filing Fees for Land Use Applications.

| <b>Table XIII</b> |    |   |
|-------------------|----|---|
| 1.                |    | Plats   |
|                   | a. | Boundary line adjustment  |
|                   |    | \$751.73  |
|                   | b. | Short plat  |
|                   |    | 2 lots  |
|                   |    | \$1,005.69  |
|                   |    | 3 lots  |
|                   |    | \$1,503.46  |
|                   |    | 4 lots  |
|                   |    | \$2,006.30  |
|                   | c. | Subdivision   |
|                   |    | 5-9 lots  |
|                   |    | \$3,149.13  |
|                   |    | 10 lots   |
|                   |    | \$3,250.71 + \$93.97 each lot over 10   |
|                   | d. | Final plat  |
|                   |    | \$1,254.57  |
|                   | e. | Plat by binding site approval   |
|                   |    | \$1,254.57  |
| 2.                |    | Reclassification  |
|                   | a. | One-family dwelling district (R-1, R-2 SRD, R-2)                                  |
|                   |    | \$1,879.32 + \$126.98 each complete acre  |
|                   | b. | Two-family dwelling district (R-3)  |
|                   |    | \$2,539.62 + \$126.98 each complete acre  |
|                   | c. | All other districts   |
|                   |    | \$7,517.28 + \$629.83 each complete acre  |
| 3.                |    | Site approval   |
|                   |    | \$7,517.28  |
| 4.                |    | Conditional use permit  |
|                   |    | \$3,758.64  |
|                   | a. | Day care centers less than 50 children  |
|                   |    | \$629.83  |
| 5.                |    | Shoreline   |
|                   | a. | Substantial development permit/conditional use/variance                           |
|                   |    | Single-family   |
|                   |    | \$629.83  |
|                   |    | Other than single-family  |
|                   |    | \$5,028.45  |
|                   |    | Up to \$500,000 project value   |
|                   |    | \$6,298.26  |
|                   |    | \$500,001 to \$1,000,000 project value  |
|                   |    | \$7,517.28  |
|                   |    | \$1,000,001 to \$1,500,000 project value  |
|                   |    | \$8,787.09  |
|                   |    | \$1,500,001 to \$2,000,000 project value  |
|                   |    | \$8,787.09  |
|                   |    | +   |
|                   |    | Over \$2,000,000 project for the first \$2,000,000                                |
|                   |    | \$1,269.81  |
|                   |    | for each \$1,000,000, or fraction thereof, project value in excess of \$2,000,000 |
|                   | b. | Revision to shoreline permit –  |
|                   |    | Other than single-family  |
|                   |    | \$1,879.32  |
|                   |    | Single-family revisions   |
|                   |    | \$375.86  |
|                   | c. | Shoreline sign waiver   |
|                   |    | \$1,879.32  |





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|     | d. | Shoreline exemption                                      | \$126.98   |
| 6.  |    | Wetland  |  |
|     | a. | Development permit                                       | \$6,630.00   |
|     | b. | Assessment   | \$2,530.00   |
|     | c. | Delineation verification                                 | \$1,330.00   |
|     | d. | Mitigation Monitoring Review                             | \$530.00   |
|     | e. | Wetland/Stream Exemptions                                | \$680.00   |
| 7.  |    | Variance:  |  |
|     | a. | Single-family residential                                | \$629.83   |
|     | b. | Other than single family                                 | \$1,879.32   |
|     | c. | Height – main building                                   | \$1,269.81   |
|     | d. | Height – accessory building                              | \$629.83   |
| 8.  |    | Special development permit                               | \$3,758.64   |
| 9.  |    | Waiver   | \$2,539.62   |
| 10. |    | Modification of permit                                   |  |
|     | a. | Single-family residential                                | \$375.86   |
|     | b. | All others   | \$1,879.32   |
| 11. |    | Extension of permit                                      | \$314.91   |
| 12. |    | Determination/interpretation by Land Use Administrator   | \$690.78   |
| 13. |    | Additional notice (request of applicant)                 | \$441.89   |
| 14. |    | Open space use classification                            | \$629.83   |
| 15. |    | Zoning verification letter                               | \$126.98   |
| 16. |    | Accessory dwelling unit (“ADU”)                          | \$629.83   |
|     |    | Legalization of existing ADU before 1/1/96               | \$126.98   |
|     |    | ADU Reauthorization                                      | \$126.98   |
| 17. |    | Appeal (including environmental appeals)                 | \$253.96   |
| 18. |    | Environmental fees                                       |  |
|     | a. | SEPA checklist/threshold determination                   | \$375.86   |
|     | b. | Parking lots, signs, and buildings 6,000 sq. ft. or less | \$507.92   |
|     | c. | Grading permits and buildings 6,001–10,000 sq. ft.       | \$888.87   |
|     | d. | Buildings 10,001–20,000 sq. ft.                          | \$1,269.81   |
|     | e. | Buildings over 20,000 sq. ft.                            | \$1,879.32   |
|     | f. | Environmental Impact Statement (“EIS”)                   | \$1,879.32 base fee + \$76.19<br>each hour or fraction thereof over 12 hours |
|     | g. | Supplemental EIS   | \$1,269.81 base fee + \$76.19<br>each hour or fraction thereof over 8 hours  |
|     | h. | Addendum EIS   | \$629.83 base fee + \$76.19<br>each hour or fraction thereof over 4 hours    |
| 19. |    | <a href="#">Temporary Homeless Camp Permit</a>           | <a href="#">\$1,500.00</a>   |

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**EXHIBIT "B"**

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**13.05.020 Notice process.**

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

B. Administrative Determination.

1. A notice of application is not required for Administrative Determinations. Examples of Administrative Determinations are minor variances, [temporary homeless camp permits](#), reasonable accommodation requests, review of non-conforming rights, zoning verification requests, and information requests.

2. Determinations of the Director shall be mailed to the applicant and the property owner (if different than the applicant) by first class mail.

3. At the discretion of the Director, notice of the Determination and/or summary of Determination may be provided to other qualified or interested parties.

\* \* \*

G. Public Comment Provisions. Parties receiving notice of application shall be given the opportunity to comment in writing to the department. A "public meeting" to obtain information, as defined in Section 13.05.005, may be held on applications which require public notification under Process II when:

- 1. The Director determines that the proposed project is of broad public significance; or
- 2. The neighborhood council in the area of the proposed project requests a "public meeting"; or
- 3. The owners of five or more parcels entitled to notice for the application make a written request for a meeting; or
- 4. The applicant has requested a "public meeting."

Requests for a meeting must be made in writing and must be in the Planning and Development Services office within the comment period identified in the notice. One public meeting shall be held for a permit request regardless of the number of public meeting requests received. If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting. Notice of the "public meeting" shall be mailed at least 14 days prior to the meeting to all parties entitled to original notice, and shall specify the extended public comment period; however, if the Director has determined that the proposed project is of broad public significance, or if the applicant requests a meeting, notification of a public meeting may be made with the notice of application, and shall allow the standard 30-day public comment period.

The comment period for permit type is identified in Section 13.05.020.H. When a proposal requires an environmental determination under Chapter 13.12, the notice shall include the time within which comments will be accepted prior to making a threshold determination of environmental significance or non-significance.

H. Notice and Comment Period for Specified Permit Applications. Table H specifies how to notify, the distance required, the comment period allowed, expiration of permits, and who has authority for the decision to be made on the application.



**Table H – Notice, Comment and Expiration for Land Use Permits**

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| Permit Type                                    | Preapplication Meeting   | Notice: Distance           | Notice: Newspaper          | Notice: Post Site   | Comment Period            | Decision                 | Hearing Required   | City Council       | Expiration of Permit  |
|--|--------------------------|----------------------------|----------------------------|---------------------|---------------------------|--------------------------|--------------------|--------------------|---|
| Interpretation of code                         | Recommended              | 100 feet for site specific | For general application    | Yes                 | 14 days                   | Director                 | No                 | No                 | None  |
| Uses not specifically classified               | Recommended              | 400 feet                   | Yes                        | Yes                 | 30 days                   | Director                 | No                 | No                 | None  |
| Boundary line adjustment                       | Required                 | No                         | No                         | No                  | No                        | Director                 | No                 | No                 | 5 years <sup>3</sup>  |
| Binding site plan                              | Required                 | No                         | No                         | No                  | No                        | Director                 | No                 | No                 | 5 years <sup>3</sup>  |
| Environmental SEPA DNS/EIS                     | Optional                 | Same as case type          | Yes if no hearing required | Yes for EIS         | Same as case type         | Director                 | No                 | No                 | None  |
| Variance, height of main structure             | Required                 | 400 feet                   | No                         | Yes                 | 30 days                   | Director                 | No <sup>1</sup>    | No                 | 5 years   |
| Open space classification                      | Required                 | 400 feet                   | No                         | Yes                 | <sup>2</sup>              | Hearing Examiner         | Yes                | Yes                | None  |
| Plats 10+ lots                                 | Required                 | 400 feet                   | Yes                        | Yes                 | 21 days SEPA <sup>2</sup> | Hearing Examiner         | Yes                | Final Plat         | 5 years <sup>6</sup>  |
| Rezones  | Required                 | 400 feet                   | No                         | Yes                 | 21 days SEPA <sup>2</sup> | Hearing Examiner         | Yes                | Yes                | None  |
| Shoreline/CUP/ variance                        | Required                 | 400 feet                   | No                         | Yes                 | 30 days <sup>5</sup>      | Director                 | No <sup>1</sup>    | No                 | 2 years/ maximum 6  |
| Short plat (2-4 lots)                          | Required                 | No                         | No                         | No                  | No                        | Director                 | No                 | No                 | 5 years <sup>3</sup>  |
| Short plat (5-9 lots)                          | Required                 | 400 feet                   | No                         | Yes                 | 14 days                   | Director                 | No <sup>1</sup>    | No                 | 5 years <sup>6</sup>  |
| Site approval                                  | Optional                 | 400 feet                   | No                         | Yes                 | 30 days <sup>5</sup>      | Director                 | No                 | No                 | 5 years   |
| Conditional use                                | Required                 | 400 feet                   | No                         | Yes                 | 30 days <sup>5</sup>      | Director                 | No                 | No                 | 5 years <sup>4</sup>  |
| Conditional use, large-scale retail            | Required                 | 1,000 feet                 | Yes                        | Yes                 | 30 days <sup>2</sup>      | Hearing Examiner         | Yes                | No                 | 5 years   |
| <a href="#">Temporary Homeless Camp Permit</a> | <a href="#">Required</a> | <a href="#">400 feet</a>   | <a href="#">Yes</a>        | <a href="#">Yes</a> | <a href="#">14 days</a>   | <a href="#">Director</a> | <a href="#">No</a> | <a href="#">No</a> | <a href="#">1 year</a>  |
| Minor Variance                                 | Optional                 | 100 feet <sup>7</sup>      | No                         | No                  | 14 <del>days</del>        | Director                 | No <sup>1</sup>    | No                 | 5 Years   |
| Variance                                       | Optional                 | 100 feet                   | No                         | Yes                 | 14 days                   | Director                 | No <sup>1</sup>    | No                 | 5 years   |
| Wetland/Stream/ FWHCA development permits      | Required                 | 400 feet                   | No                         | Yes                 | 30 days                   | Director                 | No <sup>1</sup>    | No                 | 5 years with 5 year renewal option to a maximum of 20 years total |



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|--|----------|----------|----|-----|---------|----------|-----------------|----|--|
| Wetland/Stream/<br>FWHCA Minor<br>Development<br>Permits | Required | 100 feet | No | Yes | 14 days | Director | No <sup>1</sup> | No | 5 years with<br>5 year<br>renewal<br>option to a<br>maximum of<br>20 years total |
| Wetland/Stream/<br>FWHCA<br>verification                 | Required | 100 feet | No | Yes | 14 days | Director | No <sup>1</sup> | No | 5 years  |

**INFORMATION IN THIS TABLE IS FOR REFERENCE PURPOSE ONLY.**

When an open record hearing is required, all other land use permit applications for a specific site or project shall be considered concurrently by the Hearing Examiner (refer to Section 13.05.040.E).

<sup>2</sup> Comment on land use permit proposal allowed from date of notice to hearing.

<sup>3</sup> Must be recorded with the Pierce County Auditor within five years.

<sup>4</sup> Special use permits for wireless communication facilities, including towers, are limited to two years from the effective date of the Director's decision.

<sup>5</sup> If a public meeting is held, the public comment period shall be extended 7 days beyond and including the date of the public meeting.

<sup>6</sup> Refer to Section 13.05.070 for preliminary plat expiration dates.

<sup>7</sup> Public Notification of Minor Variances may be sent at the discretion of the Director. There is no notice of application for Minor Variances.

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<sup>1</sup> Conditional use permits for wireless communication facilities, including towers, shall expire two years from the effective date of the Director's decision and are not eligible for a one-year extension.



**EXHIBIT "C"**

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**13.06.635 Temporary use.**

A. Purpose. The purpose of this section is to allow listed temporary uses which:

- 1. Are not contrary to the various purposes of this chapter;
- 2. Will not impede the orderly development of the immediate surrounding area, as provided for in the Comprehensive Plan and the zoning district in which the area is located; and
- 3. Will not endanger the health, safety, or general welfare of adjacent residences or the general public.

B. Temporary uses.

- 1. General. A temporary use shall be subject to the standards of development specified in this section.
- 2. Duration and/or frequency. Where permitted as a temporary use, the following uses may be authorized for the time specified in Table 1, and subject to Section 13.06.635.B.

| <b>Table #1: TEMPORARY USES ALLOWED – NUMBER OF DAYS ALLOWED</b> |   |
|--|---|
| <b>Temporary Use Type</b>  | <b>Days Allowed Per Year</b>              |
| Seasonal sales   | 45  |
| Carnival   | 14  |
| Temporary housing  | See Section 13.06.635.B.3.a               |
| Temporary office space   | See Section 13.06.635.B.3.b               |
| Temporary storage  | See Section 13.06.635.B.3.d               |
| <a href="#">Temporary homeless camps</a>                         | <a href="#">See Section 13.06.635.B.4</a> |

- a. The duration of the temporary use shall include the days the use is being set up and established, when the event actually takes place, and when the use is being removed.
- b. A parcel may be used for no more than three temporary uses within a calendar year; provided, the time periods specified in Table 1 are not exceeded. Multiple temporary uses may occur on a parcel concurrently; provided, the time periods in Table 1 are not exceeded.
- 3. Temporary structure standards.
  - a. Temporary housing.
    - (1) Such use shall be placed on a lot, tract, or parcel of land upon which a main building is being in fact constructed. The applicant shall have a valid building permit approved by Planning and Development Services;
    - (2) Such uses are of a temporary nature not involving permanent installations, including structures and utilities;
    - (3) That such a house trailer or mobile home shall be located at least 25 feet away from any existing residences;
    - (4) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said house trailer or mobile home shall be observed.
    - (5) The temporary housing shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.
  - b. Temporary office space.
    - (1) Such use shall be in accordance with the use regulations of the zoning district within which the temporary office is located.



(2) Such use is appropriate due to the construction or reconstruction of a main building or the temporary nature of the use.

(3) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

(4) Such a temporary building shall be located at least 25 feet away from any existing structure or structures under construction unless it can be demonstrated that a lesser distance will be adequate to safeguard adjacent properties and provide a safe distance from any construction occurring on the site.

(5) Such temporary building shall not be required to comply with the design standards found in Section 13.06.501.

(6) That conformance with all applicable health, sanitary, and fire regulations occasioned by the parking and occupancy of said temporary building shall be observed.

(7) The temporary office shall be removed within 30 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner.

c. Carnival.

(1) Such uses are of a temporary nature not involving permanent installations, including both structures and utility services, except those already existing on the premises.

(2) Proper regard shall be given to the controlling of traffic generated by the use with respect to ingress and egress to the given site and the off-street parking of automobiles attracted by the use.

(3) That any structures, buildings, tents, or incidental equipment shall be located at least 200 feet from existing residences;

(4) That off-street parking for the primary use on the site shall not be reduced below the required parking for that use.

d. Temporary storage. Temporary storage units are transportable units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis, Temporary storage units, where allowed, shall be subject to the following standards:

(1) Temporary storage units shall be allowed as part of an active construction project or active moving process.

(2) In residential zoning districts, the maximum duration of temporary storage shall be 180-days in any two-year period, with up to one 60-day extension allowed at the discretion of Planning and Development Services.

(3) In commercial, mixed-use or industrial zoning districts, temporary storage units shall be removed within 30 days after final inspection of the project.

(4) Temporary storage units shall be placed in the least conspicuous location available to minimize disturbance to any adjoining properties and shall be located in accordance with all applicable building, health and fire safety ordinances and regulations. Units shall provide a minimum 5-foot setback from all exterior property lines and shall not be located within required buffer areas. Units shall not block, impair, or otherwise unduly inconvenience pedestrian or vehicular traffic patterns, emergency access, access points to the site, parking lots, or adjacent uses.

(5) Such use is of a temporary nature not involving permanent installations, including structures, utilities, and other improvements, unless such improvements are to be used in conjunction with a permanent structure, plans for which have been approved by Planning and Development Services. This provision shall not be construed to prohibit the installation of utilities necessary to serve the temporary use or the



requiring of improvements necessary to eliminate or mitigate nuisances or adverse environmental impacts resulting from the temporary use.

1 (6) Such temporary building shall not be required to comply with the standard locational, bulk and area  
2 requirements or the design, landscaping, parking and other standards found in Sections 13.06.500-.522.

3 (7) Planning and Development Services shall have full discretion to stipulate additional limitations or  
4 conditions on such temporary use to ensure that it does not unduly affect the health, safety, or general  
5 welfare of adjacent properties or residences or the general public.

#### 4. Temporary Homeless Camps.

5 a. Purpose. In recognition of the need for temporary housing for homeless persons, it is the purpose of  
6 this section to allow sponsoring religious organizations to use property owned or controlled by them for  
7 temporary homeless camps, while preventing harmful effects associated with such uses, including the use  
8 of open flames, the possibility of impediments to emergency services, the possibility of environmental  
9 degradation, the use of improper sanitary facilities, and the possibility of any other factors that would be  
10 considered a nuisance under applicable laws.

11 b. Application. In order to allow sponsoring religious organizations to establish a temporary homeless  
12 camp on qualifying property, a permit must be obtained from Planning and Development Services in  
13 accordance with TMC 13.05, Land Use Permit Procedures, and the following:

14 (1) The Director of Planning and Development Services is authorized to issue permits for temporary  
15 homeless camps only upon demonstration that all public health and safety considerations have been  
16 adequately addressed, and may administratively adjust standards upon providing findings and conclusions  
17 that justify the requirements.

18 (2) An application for a temporary homeless camp shall include the following:

19 (a) The dates of the start and termination of the temporary homeless camp;

20 (b) The maximum number of residents proposed;

21 (c) The location, including parcel number(s) and address(es);

22 (d) The names of the managing agency or manager and sponsor;

23 (e) A site plan showing the following shall be prepared and reviewed by staff, which will make  
24 recommendations for best practices, including Crime Prevention through Environmental Design (“CPTED”)  
25 principles:

26 (i) Property lines;

(ii) Property dimensions;

(iii) Location and type of fencing/screening (must be a minimum of ten feet from property lines);

(iv) Location of all support tents/structures (administrative, security, kitchen, and dining areas);

(v) Method of providing and location of potable water;

(vi) Method of providing and location of waste receptacles;

(vii) Location of required sanitary stations (latrines, showers, hygiene, hand washing stations);

(viii) Location of vehicular access and parking;

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1 (ix) Location of tents and dwellings for each person (must meet Tacoma-Pierce County Health Department requirements);

2 (x) Entry/exit control points;

3 (xi) Internal pathways, and access routes for emergency services.

4 (f) A statement from the sponsoring religious organization regarding its commitment to maintain liability insurance in types and amounts sufficient to cover the liability exposures inherent in the permitted activity during the existence of any sponsored temporary homeless camp;

5 c. Safety and health requirements. A temporary homeless camp shall be established in accordance with the following standards:

6 (1) No more than 100 residents shall be allowed per camp location. The City may further limit the number of residents as site conditions dictate.

7 (2) A minimum of 7,500 square feet of site area shall be required for camps of up to 50 people. The minimum site area may be proportionally reduced if adjacent existing buildings are used for support facilities such as kitchen, dining hall, showers, and latrines.

8 (3) For a camp of more than 50 residents, the minimum 7,500 square-foot camp area shall be increased by 150 square feet for each additional resident, up to a total of 100 residents.

9 (4) The maximum duration of a homeless camp shall be 93 consecutive days. Gravel or paved camp sites and sites not zoned for residential use may extend the maximum duration of the camp to 123 consecutive days.

10 (a) A one-time extension of up to 40 days may be granted by the Director if unforeseen problems arise regarding camp relocation. An extension must be requested before the last 30 days of the temporary permit and will not be granted if any violation of the camp permit has occurred.

11 (5) A camp may only return to the same church-owned site after two years has lapsed since the start date of the previous camp. Gravel or paved camp sites and sites not zoned for residential use may decrease the relocation time to 18 months from the start date of the previous camp.

12 (6) In no event shall more than two homeless camp sites be permitted within the City at any given time.

13 (7) The encampment shall be enclosed on all sides with a minimum six-foot tall, site-obscuring fence.

14 (8) Permanent structures are prohibited from being constructed within the camp.

15 (9) Temporary homeless camps are prohibited in Shoreline Districts, critical areas, and their buffers.

16 (10) The sponsoring religious organization shall work with Neighborhood and Community Services and other agencies to find more permanent housing solutions for the inhabitants of the camp during its operation.

17 (11) One security/office/operations tent or structure shall be provided for the camp manager. The manager must be on site at all times. Persons who are acting as the on-site manager must be awake while on shift to monitor the security of the camp and be ready and able to alert police and/or other emergency responders if the need arises.

18 (12) The minimum age for camp inhabitants is 18 years of age.

19 (13) Each resident shall be pre-screened for warrants and a background check shall be completed by the sponsor religious organization. No sex offenders will be permitted as camp residents.





(14) The temporary homeless camp must be located within one-quarter mile of a bus route that is in service seven days per week.

(15) The following facilities and provisions must be made available on-site and approved for adequacy and location by the Tacoma-Pierce County Health Department prior to occupancy:

(a) Potable water as approved or provided by local utilities. Estimated usage is four to five gallons per day, per resident.

(b) Provide sanitary portable toilets as provided in the following table:

|                                   |             |              |              |              |               |
|-----------------------------------|-------------|--------------|--------------|--------------|---------------|
| <u>Number of camp residents</u>   | <u>1-20</u> | <u>21-40</u> | <u>41-60</u> | <u>61-80</u> | <u>81-100</u> |
| <u>Number of toilets required</u> | <u>1</u>    | <u>2</u>     | <u>3</u>     | <u>4</u>     | <u>5</u>      |

(c) Provide hand washing stations with warm water, soap, paper towels and covered garbage cans and recycling containers at the following locations:

(i) Hand washing stations next to portable toilets provided in the following manner:

|                                    |             |              |              |              |              |              |               |
|------------------------------------|-------------|--------------|--------------|--------------|--------------|--------------|---------------|
| <u>Number of camp residents</u>    | <u>1-15</u> | <u>16-30</u> | <u>31-45</u> | <u>46-60</u> | <u>61-75</u> | <u>76-90</u> | <u>91-100</u> |
| <u>Number of stations required</u> | <u>1</u>    | <u>2</u>     | <u>3</u>     | <u>4</u>     | <u>5</u>     | <u>6</u>     | <u>7</u>      |

(ii) One at the entrance to the dining area; and

(iii) One at the food preparation area.

(d) Showering facilities are required as provided in the following table:

|                                   |             |              |               |
|-----------------------------------|-------------|--------------|---------------|
| <u>Number of camp residents</u>   | <u>1-33</u> | <u>34-66</u> | <u>67-100</u> |
| <u>Number of showers required</u> | <u>1</u>    | <u>2</u>     | <u>3</u>      |

(e) At least one food preparation area/tent with refrigeration, sinks, and cooking equipment. If food is prepared on-site, adequate dishwashing facilities must be available.

(f) Food preparation, storage, and serving. No children under the age of ten shall be allowed in food preparation or storage areas.

(g) An adequate water source must be made available to the camp.

(h) Sleeping shelters must meet the following standards:

(i) Minimum two-foot separation is required on sides and rear of tents from other tents, and a clear area of four feet is required at the entrance to all tents. All tents will be flame retardant.

(ii) Minimum of 30 square-feet per resident in group tents.

(iii) Minimum 40-50 cubic feet of air space per resident in group tents.

(iv) Beds arranged at least three feet apart in group tents.

(i) Waste water disposal, including mop sink, which drains to sanitary sewer.

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(j) Solid waste: Garbage and recycling removal by local utilities. Adequate scheduled dumping to prevent overflow. Estimate 30-gallon capacity per 10 residents. Infectious waste/sharps disposal shall be made available.

(k) Premises must be maintained to control insects, rodents, and other pests.

(16) Premises must be maintained as approved by the Tacoma Fire Department (“TFD”), including:

(a) Approval letter from the TFD, should the camp contain structures in excess of 200 square feet or canopies in excess of 400 square feet.

(b) Provide at least one fire extinguisher, as specified by TFD, within 75 feet from every tent, and at least one fire extinguisher in the kitchen facility and security office/tent.

(c) Adequate access for fire and emergency services, with a minimum of two access points, shall be maintained.

(d) No smoking or open flames shall be allowed in tents. Smoking within the camp will be within designated smoking areas only.

(e) Electrical inspections, in coordination with a Planning and Development Services electrical inspector, shall occur to ensure safe installation of power, if provided, to support tents and facilities (administration, security, kitchen, dining, shower, hygiene, and latrine facilities) and individual living tents.

(f) Security Plan. The security plan shall:

(i) List the contact name and phone number of the on-site manager;

(ii) Contain an evacuation plan for the camp;

(iii) Contain a controlled access plan for residents; and

(iv) Contain a fire suppression and emergency access plan.

(17) Parking standards.

(a) Parking spaces, layouts, and configuration shall be designed in accordance with TMC 13.06.510.

(b) A minimum of two off-street parking spaces per 25 residents are required for all temporary homeless camps.

(c) Any required parking for the principal/existing use on-site shall not be displaced as a result of the temporary homeless camp.

(18) Refuse and recycling containers shall be provided on-site, with service provided by Solid Waste Management and paid for by the applicant.



## ORDINANCE NO. 28217

L.I.D. No. 8660

1 AN ORDINANCE relating to Local Improvement Districts; providing for the  
2 construction of permanent alley pavement, with a structural section and  
3 storm drainage, on the alley between North 30th Street and North 31st  
4 Street, from Monroe Street to Mason Avenue; creating Local Improvement  
5 District No. 8660; providing for a special fund for the payment of the  
6 improvements by special assessment upon the property within the district  
7 benefitted thereby, for the issuance of warrants, installment notes, bond  
8 anticipation notes, or other short-term obligations to pay that part of the cost  
9 and expense of the improvements assessed against the property in the  
10 district, and for the payment of the remainder of the cost thereof.

11 WHEREAS Local Improvement District No. 8660 ("L.I.D. No. 8660")  
12 encompasses proposed street and alley improvements in two separate locations,  
13 as follows:

14 **Segment 1:** Construction of permanent street pavement, with  
15 structural section, curb, gutters, and storm drainage on Bristol Street,  
16 from North 50th Street to North 51st Street.

17 **Segment 2:** Construction of permanent alley pavement, with a  
18 structural section and storm drainage, on the alley between North 30th  
19 Street and North 31st Street, from Monroe Street to Mason Avenue;  
20 and

21 WHEREAS over 50 percent of property owners in Segment 1 filed protests  
22 against the formation of the proposed L.I.D., and, by contrast, property owners in  
23 Segment 2 supported formation of the district for alley improvements, and

24 WHEREAS the Hearings Examiner of the City, after public hearing duly held  
25 on March 10, 2014, has recommended to the City Council the formation of  
26 L.I.D. No. 8660, but to include only the property and improvements identified as  
Segment 2, and

WHEREAS all of the preliminary proceedings for the establishment of L.I.D.  
No. 8660 have been taken as provided by law; Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

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Section 1. That there shall be established permanent alley pavement with a structural section, storm drain lines, and storm water catch basins, where needed, in the alley between North 30th Street and North 31st Street, from Monroe Street to Mason Avenue. Such improvements may include driveway entrances; sanitary sewer connections from the sewer main to the property line; the removal and planting of trees; and all work necessary to complete the improvement in full accordance with the plans and specifications to be prepared by the City Engineer.

Section 2. That there is hereby created a local improvement district, to be known as L.I.D. No. 8660, which shall embrace as nearly as practicable all the property specially benefitted by the improvements described above, which property is described as follows:

Alley between North 30th Street and North 31st Street from  
Monroe Street to Mason Avenue

That portion of the Southwest Quarter of the Southeast Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 25, Blocks 18 and 20; Grandin Addition to Tacoma, as per plat recorded in Volume 8, Page 97, filed September 7, 1907, records of Pierce County Auditor. Situate in the City of Tacoma, County of Pierce, State of Washington.

EXCEPT the South half of Lots 23 through 25, Block 18;

EXCEPT the North one-half of Lots 1 and 2 and the North one-half of the East twelve and one-half feet of Lot 3, Block 20;

EXCEPT the North half of the West 22.22 feet of Lot 23, and the North half of Lots 24 and 25, Block 20.



1 Section 3. That the estimated cost and expense of the improvements is  
2 \$204,151.00, which cost and expense shall be borne and assessed, in part, against  
3 the property included in, and benefitted by, the L.I.D. The total assessed amount to  
4 the benefitted property owners is \$155,151.00 at an estimated rate of \$128.00 per  
5 assessable unit of frontage (AUF). The City is contributing \$49,000.00 from the  
6 Environmental Services Surface Water Fund. Actual assessments may vary from  
7 assessment estimates, so long as the assessments do not exceed the increased  
8 true and fair value the improvements add to the property being assessed.

9  
10 The assessments levied against the property shall become due and payable  
11 at the option of the property owners in cash, without interest, within 30 days after  
12 publication of notice of assessment, or in 20 equal annual installments with interest  
13 on deferred payments at a rate to be hereafter fixed, but in no event greater than  
14 one-half percent above the rate of interest fixed upon sale of bonds for the district;  
15 and each year one of such installments, together with interest due thereon and on  
16 all installments thereafter becomes due, shall be collected in the manner provided  
17 by law.

18  
19 Section 4. That a special fund is hereby created, to be called Local  
20 Improvement Fund, District No. 8660, which shall consist in the aggregate of the  
21 various amounts assessed, levied, and collected upon the several lots and parcels  
22 of land in the local improvement district for the purpose of defraying the cost and  
23 expense of the improvements to be borne, in part, by the benefitted property within  
24 the district, and into which fund shall be deposited the proceeds of the sales of  
25 warrants, installment notes, bond anticipation notes, or other short-term obligations  
26



1 drawn against the fund which may be sold by the City. The warrants, installment  
2 notes, bond anticipation notes, or other short-term obligations, interest thereon,  
3 and the cost of the improvements to be borne, in part, by the benefitted property  
4 included in the district shall be paid out of the fund.

5 Section 5. The Director of the Department of Public Works is hereby  
6 authorized to call for bids for said improvements, and to proceed and complete the  
7 improvements, and to prepare and certify to the City Council an assessment roll,  
8 all as provided by law.

9 In case no bid is accepted, the Director of Public Works, or designee, is  
10 hereby authorized to proceed and complete the improvement by the method of day  
11 labor or force account and by use of materials, supplies, and equipment, as  
12 authorized by the City Charter and ordinances of the City. The Director of Public  
13 Works shall keep a separate account of the expenditures as made and the exact  
14 cost of the improvements separately computed. Upon certification by the Director  
15 of Public Works that any sums are due to any person for labor or materials for the  
16 improvements, the proper officers shall issue a payment therefore drawn upon the  
17 L.I.D. Fund, District No. 8660. The Director of Public Works shall certify to the City  
18 Council the assessment roll on the property as provided by law.

19 Section 6. Under the provisions of the laws of the state of Washington,  
20 amendments thereto, and this ordinance, there shall be issued warrants, installment  
21 notes, bond anticipation notes, or other short-term obligations, issued pursuant to  
22 Ordinance No. 23412, as it may be amended, in payment of the cost and expense  
23 of the district, payable out of the Local Improvement District Fund. Such warrants,  
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installment notes, bond anticipation notes, or other short-term obligations shall bear interest from the date of their issuance at a rate to be hereafter fixed by the Director of the Department of Finance in accordance with Ordinance No. 23412, and shall be redeemed from the Local Improvement District Fund or by other warrants, installment notes, bond anticipation notes, or other short-term obligations, or from the proceeds of local improvement bonds hereafter issued.

Section 7. Pursuant to the provisions of the laws of the state of Washington, the City Council hereby directs that the improvements be paid for by the City in cash and that the warrants, installment notes, bond anticipation notes, or other short-term obligations authorized to be issued under the provisions of this ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvements.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

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

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

Property description approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department