



Legislation Passed October 18, 2016

The Tacoma City Council, at its regular City Council meeting of October 18, 2016, 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. 39561

A resolution setting Tuesday, November 1, and Tuesday, November 8, 2016, at approximately 5:30 p.m., as the dates for the first and second public hearings by the City Council on the proposed 2017-2018 Biennial Budget, 2017-2018 Capital Budget, and the 2017-2022 Capital Facilities Program.

[Tadd Wille, Director, Management and Budget; Andy Cherullo, Director, Finance]

Resolution No. 39562

A resolution setting Tuesday, November 1, 2016, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the proposed Ad Valorem tax levy and Emergency Medical Services tax levy for 2017.

[Tadd Wille, Director, Management and Budget]

Resolution No. 39563

A resolution appointing and reappointing individuals to the Citizen Commission on Elected Salaries.

[Joy St. Germain, Director, Human Resources]

Resolution No. 39564

A resolution awarding a contract to IPL, Inc., in the amount of \$694,502.84, plus sales tax, and to Toter, Inc., in the amount of \$78,906.24, plus sales tax, budgeted from the Solid Waste Fund, for plastic containers for initial one-year terms, with the option to renew for four additional one-year terms, for projected contract totals of \$3,472,514.20 and \$394,531.20, respectively - Specification No. ES16-0284F.

[Gary Kato, Solid Waste Management Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28383

An ordinance amending various sections of Chapter 11.05 of the Municipal Code, relating to residential parking, to establish a Residential Parking Program and authorize the establishment of fees for residential parking permits and penalties.

[Dana Brown, Engineering Assistant Division Manager;
Kurtis D. Kingsolver, P.E., Director, Public Works]



RESOLUTION NO. 39561

1 A RESOLUTION relating to the Biennial Budget; setting November 1 and
2 November 8, 2016, as the dates for public hearing on the City of Tacoma's
3 proposed 2017-2018 Biennial Budget and proposed 2017-2022 Capital
4 Facilities Program and 2017-2018 Capital Budget.

5 WHEREAS RCW 35.34.100 provides that, following the filing of the
6 preliminary budget with the City Clerk, the Clerk shall publish a notice once a week,
7 for two consecutive weeks, stating that the preliminary budget for the ensuing fiscal
8 biennium has been filed with the Clerk; designating the date, time, and place of the
9 legislative budget meeting; and that any taxpayer may appear and be heard for or
10 against the budget, and

11 WHEREAS RCW 35.34.110 provides that a city's legislative body shall meet
12 on or before the first Monday of the month next preceding the beginning of the
13 ensuing fiscal biennium for the purpose of fixing the final budget of the city at the
14 time and place designated in the notice thereof, and

15 WHEREAS, additionally, proposed amendments to the Comprehensive Plan
16 are considered annually by the Planning Commission and City Council, and, with
17 few exceptions, RCW 36.70A.130(2)(a) requires that all proposed Plan amendments
18 be reviewed concurrently and no more frequently than once per year, and

19 WHEREAS state law provides an exception for an amendment to the Capital
20 Facilities Element of the Comprehensive Plan, which may be adopted separately
21 from other amendments to the Comprehensive Plan if adoption occurs concurrently
22 with the adoption or amendment of the City's budget; 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 budget hearings prescribed pursuant to RCW 35.34.100 and 35.34.110, for the purpose of considering the proposed 2017-2018 Biennial Budget and the proposed 2017-2022 Capital Facilities Program and 2017-2018 Capital Budget, shall commence on Tuesday, November 1, 2016, and Tuesday, November 8, 2016, at approximately 5:30 p.m., or as soon thereafter as the same may be heard, in the City Council Chambers, First Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, Washington.

Section 2. That the public hearings prescribed pursuant to RCW 36.70A.035, for the purpose of considering the proposed 2017-2022 Capital Facilities Program and 2017-2018 Capital Budget, shall commence on Tuesday, November 1, 2016, and Tuesday, November 8, 2016, at approximately 5:30 p.m., or as soon thereafter as the same may be heard, in the City Council Chambers, First Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, Washington.

Section 3. That the City Clerk shall give proper notice of the time and place of said hearings.

Adopted _____

Mayor

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39562

1 A RESOLUTION relating to revenue sources; setting November 1, 2016, as the date
 2 for a public hearing on the proposed Emergency Medical Services (“EMS”) tax levy for 2017 and the proposed Ad Valorem tax levy for 2017.

3 WHEREAS RCW 84.55.120 requires that a taxing district, other than the
 4 state, that collects regular levies shall hold a public hearing on revenue sources for
 5 the district’s following year’s current expenses budget, and

6 WHEREAS the hearing must include consideration of possible increases in
 7 property tax revenues and shall be held prior to the time the taxing district levies the
 8 taxes or makes the request to have the taxes levied; Now, Therefore,

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

10 Section 1. That the hearing required by RCW 84.55.120, for the purpose of
 11 setting the proposed Emergency Medical Services (“EMS”) tax levy for 2017 and
 12 the proposed Ad Valorem tax levy for 2017, shall commence on November 1, 2016,
 13 at approximately 5:30 p.m., in the City Council Chambers, First Floor, Tacoma
 14 Municipal Building, 747 Market Street, Tacoma, Washington.

15 Section 2. That the Clerk of the City of Tacoma shall give proper notice of
 16 the time and place of said hearing.

17 Adopted _____

18 _____
 19 Mayor

20 Attest:
 21 _____
 22 City Clerk

23 Approved as to form:
 24 _____
 25 Deputy City Attorney



RESOLUTION NO. 39563

1 BY REQUEST OF MAYOR STRICKLAND

2 A RESOLUTION relating to committees, boards, and commissions; appointing
3 individuals to the Citizen Commission on Elected Salaries.

4 WHEREAS vacancies exist on the Citizen Commission on Elected
5 Salaries, and

6 WHEREAS the Commission consists of seven members appointed as
7 follows: five members, one from each City Council district, selected by lot by
8 the Pierce County Auditor from registered City of Tacoma voters eligible to vote
9 at the time of selection; and two members who are residents of the City of
10 Tacoma, to be appointed by the Mayor and confirmed by the Council, one with
11 experience in human resource management and the other with experience in
12 the legal profession, and
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14 WHEREAS the individuals listed on Exhibit "A" are hereby nominated to
15 serve on the Citizen Commission on Elected Salaries for such terms as are set
16 forth therein; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



EXHIBIT "A"

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CITIZEN COMMISSION ON ELECTED SALARIES

COUNCIL DISTRICT APPOINTMENTS:

Name	Council District	Term	Expiration
Randy Droppert	1	3 year	September 30, 2019
Shari Barrera	2	3 year	September 30, 2019

MAYORAL REAPPOINTMENT:

Name	Position	Term	Expiration
Richard Wilkinson	Human Resources Specialist	3 year	September 30, 2019



RESOLUTION NO. 39564

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of contracts with IPL,
3 Inc., in the amount of \$694,502.84, plus sales tax, budgeted from the
4 ES Solid Waste Fund, for 20-, 30-, 60-, and 90-gallon plastic containers;
5 and with Toter, Inc., in the amount of \$78,906.24, plus sales tax, budgeted
6 from the ES Solid Waste Fund, for 45-gallon plastic containers, for initial
one-year terms, with the option to renew for four additional one-year terms,
for projected contract totals of \$3,472,514.20 and \$394,531.20, respectively,
pursuant to Specification ES16-0284F.

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

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for awards as set forth in the attached Exhibit "A"; Now,
14 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 awards as set
18 forth in the attached Exhibit "A."
19

20 Section 2. That the proper officers of the City are hereby authorized to
21 enter into a contract with IPL, Inc., in the amount of \$694,502.84, plus sales tax,
22 budgeted from the ES Solid Waste Fund, for 20-, 30-, 60-, and 90-gallon plastic
23 containers; and with Toter, Inc., in the amount of \$78,906.24, plus sales tax,
24 budgeted from the ES Solid Waste Fund, for 45-gallon plastic containers, for initial
25 one-year terms, with the option to renew for four additional one-year terms, for
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projected contract totals of \$3,472,514.20 and \$394,531.20, respectively, pursuant to Specification ES16-0284F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



ORDINANCE NO. 28383

1 AN ORDINANCE relating to regulation of residential parking; amending
2 Chapter 11.05 of the Tacoma Municipal Code by amending
3 Sections 11.05.235, 11.05,236, and 11.05.237 thereof, to authorize the City
4 Manager to establish a Residential Parking Program; authorize the
5 establishment of fees for residential parking permits; establish penalties;
6 and provide for severability.

7 WHEREAS many neighborhoods are experiencing increased competition for
8 limited on-street parking spaces, and

9 WHEREAS the growing demand for parking is attributable to several factors,
10 such as increases in vehicle ownership, residential occupancy, and employment
11 and commercial/retail activity, and

12 WHEREAS, in 2014, City staff partnered with the Parking Technical Advisory
13 Group, consisting of volunteer citizens and business owners, to assess the City's
14 Residential Parking Program ("Program"), and concluded that the existing Program
15 warranted changes in areas such as program sustainability and inconsistent
16 enforcement efforts, and

17 WHEREAS the Public Works Department has proposed changes to
18 Chapter 11.05 of the Tacoma Municipal Code ("TMC"), to revise the existing
19 Program by establishing Residential Parking Zones ("RPZ") which will provide
20 parking priority for residents and their guests while maximizing use of the public
21 rights-of-way, and

22 WHEREAS eligibility requirements for each RPZ are subject to residential
23 zoning classifications, non-residential parking demand, and a minimum number of
24 block faces, and
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1 WHEREAS the revised Program is not intended to guarantee residents a
2 parking space in front of their homes, and

3 WHEREAS a request is required to establish an RPZ, and an official petition
4 must be signed by the majority (60 percent) of residents in the zone affected by the
5 change, and

6 WHEREAS, in time, the Program is expected to generate sufficient funding
7 through permit fees to sustain the program, and

8 WHEREAS, to enhance customer service, the Public Works Department
9 intends to enforce the Program using a license plate recognition system during the
10 hours of 8:00 AM to 6:00 PM, and

11 WHEREAS the Program promotes equity by providing that households with
12 limited annual income may be eligible to receive the first permit at no cost; Now,
13 Therefore,

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15 BE IT ORDAINED BY THE CITY OF TACOMA:

16
17 Section 1. That Chapter 11.05 of the Tacoma Municipal Code is hereby
18 amended by amending Sections 11.05.235, 11.05,236, and 11.05.237 thereof to
19 read as set forth in the attached Exhibit "A."

20 Section 2. If any section, subsection, sentence, clause, or phrase of this
21 ordinance is for any reason held to be invalid or unconstitutional by a decision of
22 any court of competent jurisdiction, such decision shall not affect the validity of the
23 remaining portions of this ordinance. The City Council hereby declares that it would
24 have passed this ordinance and each and every section, subsection, sentence,
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1 clause, or phrase not declared invalid or unconstitutional without regard to whether
2 any portion of the ordinance would be subsequently declared invalid or
3 unconstitutional.
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5 Passed _____
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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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EXHIBIT "A"

Chapter 11.05
MODEL TRAFFIC ORDINANCE

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Sections:

- 11.05.010 Model Traffic Ordinance adopted.
11.05.020 Sections not adopted.
11.05.030 Statutes not adopted.
11.05.035 Repealed.
11.05.040 Amendment of WAC 308-330-555.
11.05.050 Additional statutes adopted.
11.05.060 Scope and construction of terms.
11.05.070 Curb defined.
11.05.080 Driveway defined.
11.05.090 Driveway return defined.
11.05.100 Fire line defined.
11.05.110 Fire zone defined.
11.05.120 Leaving minors unattended.
11.05.130 Driving while eating or drinking.
11.05.131 Automotive Sound Systems – Excessive Noise Prohibition.
11.05.135 Unlawful to park or stand unlicensed vehicle.
11.05.136 Presumption and reference to illegal parking.
11.05.140 Taxicabs – Prohibited parking areas.
11.05.150 One-way streets designated.
11.05.160 Construction work – Special permit required.
11.05.170 Illegal parking – Exceeding parking time limit.
11.05.180 Illegal parking – Removal of mark.
11.05.190 Illegal parking – Move vehicle to avoid time limit.
11.05.200 Parking of commercial vehicles in residential neighborhood prohibited.
11.05.210 Delivery and construction vehicles – Emergency repairs.
11.05.220 Parking of commercial trailers prohibited.
11.05.225 Parking prohibited within two feet of a mailbox.
11.05.230 Parking, extended period.
11.05.231 Human habitation of vehicles.
11.05.235 Residential pParking zZones – authority.
11.05.236 Residential pParking zZones – violation.
11.05.237 Residential pParking zonesProgram – abuse-revocation of privileges.

11.05.235 Residential pParking zZones – authority.

A. Establishment of Residential Parking Program. The City Manager, or designee, is delegated the authority and is authorized to establish and maintain a "Residential Parking Program" ("Program"), consistent with this section, to establish residential parking zones as authorized herein, to prioritize parking in residential areas in which residential parking zones have been established, to manage availability of on-street parking supply, to issue permits authorizing parking within restricted zones, to establish rules and regulations to implement the program, to provide for enforcement, and to provide for recovery of the costs of administration of the Program. The Program shall establish the procedural requirements and criteria applicable to establishment of a "Residential Parking Zone" and any permits or other authorizations to park in an established Residential Parking Zone. The Program may provide that in any Residential Parking Zone, the City may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles that may validly be parked in any Residential Parking Zone from other vehicles. The



1 establishment of Residential Parking Zones shall not limit parking of vehicles displaying a card or decal pursuant to RCW 46.19.030, as it exists or as hereinafter amended. Residential Parking Zones shall be appropriately signed and/or marked.

2 B. Parking Zone Areas. The City Manager, or designee, ~~may, at its discretion, upon receipt of an application meeting Program requirements, may recommend that the City Council~~ establish a ~~restricted Residential~~ Parking Zone in an area where any of the following instances occur:

3 ~~A~~1. On-street parking is reserved for the exclusive use of residents in a prescribed vicinity, their visitors, and service vehicles serving such residences.

4 ~~B~~2. On-street parking is reserved during certain posted hours for such exclusive use and available at all other times without restrictions.

5 ~~C~~3. Time limits are established for on-street parking which apply to all vehicles except vehicles owned or used by such residents, their visitors, or service vehicles serving such residences.

6 C. Administration and Enforcement. The City Public Works Department, Parking Services, shall implement and administer the Program and adopted rules and regulations. Parking Services shall enforce the Program during the hours of 8:00 AM to 6:00 PM. Parking Services shall maintain and administer a guide for residents to petition the City for consideration of a Residential Parking Zone.

7 In any restricted parking zone, the City may issue permits or other means of identification, maintain lists of vehicles used by residents, or adopt any other reasonable means of distinguishing vehicles that may validly be parked in any restricted parking zone from other vehicles. The establishment of restricted parking zones shall not limit parking of vehicles displaying a card or decal pursuant to RCW 46.19.030, as it exists or as hereinafter amended. Restricted parking zones shall be appropriately signed and/or marked.

8 D. Fees.

9 1. It is the intent of the City Council to ensure that fees established as provided herein reasonably provide for the recovery of the general and administrative costs of the Program, and that the fees do not exceed the reasonable estimated cost for providing the services for which the fees are charged. The term "costs" shall mean all reasonable expenses, including, without limitation, employee wages, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of transportation, costs of material disposal, costs of contracted labor, and litigation costs associated with enforcement, that are incurred by the City as a direct result of implementation, operation, and enforcement of the Program. The City Manager, or designee, is authorized to establish and adjust a fee schedule and due dates for residential parking permits and Residential Parking Zone applications in a manner consistent with this section and Program requirements. The fee schedule will be subject to review every two years and adjustment in conjunction with the City's biennial budget process.

12 2. Residential parking permit fees shall be paid annually for each parking permit issued or renewed. Residential Parking Zone application fees shall be paid at the time of submittal of the application; provided that, fees for parking permits with a term less than 12 months may be prorated based upon the number of months remaining in the term at the time the permit is issued.

13 3. The Program may provide that a household with limited annual income may be eligible to receive the first permit per address at no cost.

14 **11.05.236 Residential Parking Zones – violation.**

15 No person shall stop, stand, or park a vehicle in an established and posted or marked Residential Parking Zone unless: ~~violation of the posted or marked restrictions or when~~

16 A. a current and valid permit or other authorization issued by the City ~~is and~~ required as a condition for parking ~~unless the same is displayed on the vehicle for which the permit was issued, in a conspicuous location, and as otherwise required by applicable law, rule or regulation; or~~

17 B. a card or decal issued pursuant to RCW 46.19.030, as it exists or as hereinafter amended, is displayed in a prominent place on the vehicle.

18 Violation of this section shall constitute a parking violation and such act shall be subject to a monetary penalty of not less than \$30.00.



11.05.237 Residential ~~p~~Parking ~~zones~~Program – ~~abuse~~ revocation of privileges.

No person ~~shall, for any valuable consideration, other than City Officials, offer or agree to~~ is authorized ~~or to~~ permit any person to park a vehicle in any ~~r~~Residential ~~p~~Parking ~~z~~Zone. No person shall ~~for any valuable consideration~~ transfer or authorize the use of any permit or other identification issued by the City authorizing a vehicle to park in any ~~r~~Residential ~~p~~Parking ~~z~~Zone.

Any person to whom a permit or other authorization is granted to park in a ~~r~~Residential ~~p~~Parking ~~z~~Zone shall be strictly liable for compliance with its terms and conditions and complying with all applicable ordinances, rules, and regulations. In any of the following instances, such permit or other authorization issued shall be revoked if any person to whom such permit is issued or authorization granted:

- A. offers or agrees to authorize or permit any person to park a vehicle in any restricted parking zone for any monetary consideration; or
- B. transfers for money the use of any permit or other identification issued by the City authorizing a vehicle to park in any restricted parking zone; or
- C. allows any person under their control to perform the acts contained in subparagraph A or B above; or
- D. allows a permit or other authorization issued to them to be so used.

No new residential parking permit will be issued or other authorization granted to such person ~~for a period of one year~~ found to be in violation of this section.

Violation of this section shall be a civil infraction and any person found in violation hereof shall be subject to a fine of \$250.00, not including statutory assessments.

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