



Legislation Passed February 27, 2018

The Tacoma City Council, at its regular City Council meeting of February 27, 2018, 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. 39944

A resolution setting Tuesday, March 20, 2018, at approximately 5:15 p.m., as the date for the public hearing by the City Council on the proposed Emergency Temporary Shelters Permanent Regulations, as recommended by the Planning Commission.

[Brian Boudet, Division Manager; Peter Huffman, Director,
Planning and Development Services]

Resolution No. 39945

A resolution authorizing the execution of a Collective Bargaining Agreement with the Washington State Council of County and City Employees, Local 120, consisting of approximately 164 budgeted full-time equivalent positions, retroactive to January 1, 2017 through December 31, 2019.

[Kari Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director,
Human Resources]

Resolution No. 39946

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, consisting of approximately 19 budgeted full-time equivalent positions, retroactive to January 1, 2017 through December 31, 2019.

[Kari Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director,
Human Resources]

Resolution No. 39947

A resolution authorizing the execution of an agreement with Pierce Transit, in the amount of \$400,221.48, budgeted from the Human Resources Internal Service Fund, for the purchase of the One Regional Card for All (ORCA) Business Cards, as part of the City's Commute Trip Reduction Program for 2018.

[Kari Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director,
Human Resources]

Ordinance No. 28492

An ordinance amending Chapter 1.23 of the Municipal Code, relating to the Hearing Examiner, to make necessary corrections to clarify the Hearing Examiner's role in conducting administrative hearings, issuing recommendations to the City Council, and issuing decision on administrative appeal hearings.

[Jeff H. Capell, Hearing Examiner]



RESOLUTION NO. 39944

1 A RESOLUTION setting Tuesday, March 20, 2018, as the date for a public hearing
2 on the proposed Emergency Temporary Shelters Permanent Regulations,
as recommended by the Planning Commission.

3 WHEREAS, on May 2, 2017, the City Council adopted Resolution
4 No. 39716, directing the City Manager to prepare an Emergency Temporary Aid
5 and Shelter Program and an ordinance declaring a state of emergency in response
6 to the current homelessness crisis, and
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8 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430,
9 declaring a State of Public Health Emergency, effective through October 9, 2017,
10 and,
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12 WHEREAS, on that same date, the City Manager presented the three-
13 phase Emergency Aid and Sheltering Program, and immediately began
14 implementation of the program, and

15 WHEREAS, on June 6, 2017, the City Council passed Ordinance
16 No. 28432, enacting interim zoning and land use controls as an emergency
17 measure, effective through November 14, 2017, to permit the City to site temporary
18 emergency shelters in response to the declared public emergency, and
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20 WHEREAS, on October 3, 2017, the City Council passed Ordinance
21 No. 28458, extending the sunset date of the declared State of Public Health
22 Emergency from October 9, 2017, to December 31, 2017, and
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24 WHEREAS, on October 17, 2017, the City Council passed Ordinance
25 No. 28460, retaining and modifying the interim regulations enacted pursuant to
26 Ordinance No. 28432, and



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WHEREAS these modified regulations enabled the continued operation of the current stability site and allowed faith-based organizations and non-profits to host temporary homeless camps, as substantially outlined in the Tacoma Municipal Code ("TMC") 13.06.635.B.4, and

WHEREAS the interim regulations are effective through April 16, 2018, and

WHEREAS, on December 12, 2017, the City Council passed Ordinance No. 28478, further extending the sunset date of the declared State of Public Health Emergency to December 31, 2018, and

WHEREAS the Planning Commission has reviewed the interim regulations as set forth in Ordinance No. 28460 within the context of the three-phase Emergency Aid and Sheltering Program implementation; developed draft permanent regulations for City Council consideration upon expiration of the interim regulations; conducted a public hearing on February 7, 2018, to receive public comment on the draft regulations; and put forward its recommendations on February 21, 2018, as documented in the Commission's Findings of Fact and Recommendation Report, and

WHEREAS, pursuant to TMC 13.02, the City Council is required to conduct a public hearing before enacting any amendments to the Land Use Regulatory Code, and

WHEREAS the public hearing provides an opportunity for engaging concerned citizens in the decision-making process of the City Council; Now, Therefore,



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

Section 1. That Tuesday, March 20, 2018, at approximately 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on the proposed Emergency Temporary Shelters Permanent Regulations, as recommended by the Planning Commission.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39945

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 three-year Collective Bargaining Agreement between the City and
3 Washington State Council of County and City Employees, Local 120,
4 effective retroactive to January 1, 2017, through December 31, 2019.

4 WHEREAS the City has, for years, adopted the policy of collective
5 bargaining between the various labor organizations representing employees and
6 the administration, and

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8 WHEREAS this resolution allows for the execution of a three-year Collective
9 Bargaining Agreement (“CBA”) between the City and Washington State Council of
10 County and City Employees, Local 120 (“Union”), on behalf of the employees
11 represented by said Union, and

12
13 WHEREAS the bargaining unit consists of approximately 164 budgeted,
14 full-time equivalent (“FTE”) positions, with 116 FTEs assigned to General
15 Government and 48 FTEs assigned to Tacoma Public Utilities, and

16
17 WHEREAS the CBA will provide for a wage increase of 2 percent
18 retroactive to January 1, 2017; effective January 1, 2018, wages shall increase
19 retroactively by between 2.5 percent and 3.75 percent, depending on classification;
20 effective January 1, 2019, wages will increase by 2.5 percent; and additionally, any
21 employee who was active as of the date of ratification of the agreement on
22 December 21, 2017, will receive a one-time lump sum payment of \$250, and

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24 WHEREAS other changes include: (1) an increase to the safety footwear
25 allowance from \$150 to \$200 annually for employees in the classifications of
26 Converter Inventory Technician, Warehouse Technician, Senior Warehouse



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Technician, Vehicle Parts Assistant, and Fleet Services Parts Technician,
retroactive to July 1, 2017 for employees eligible on that date; (2) clarification to
the language regarding how grievances are handled; (3) defining the workweek as
it relates to overtime and the use of call-in lists; and (4) the addition of standard
language regarding time off and benefits to Appendix B, and

WHEREAS it appears in the best interests of the City that the CBA
negotiated by said Union and the City be approved; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute the
three-year Collective Bargaining Agreement between the City and Washington
State Council of County and City Employees, Local 120, effective retroactive to
January 1, 2017, through December 31, 2019, said document to be substantially in
the form of the agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10992



RESOLUTION NO. 39946

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 three-year Collective Bargaining Agreement between the City and
3 International Brotherhood of Electrical Workers, Local 483, Human
4 Resources Unit, effective retroactive to January 1, 2017, through
5 December 31, 2019.

6 WHEREAS the City has, for years, adopted the policy of collective
7 bargaining between the various labor organizations representing employees and
8 the administration, and

9 WHEREAS this resolution allows for the execution of a three-year Collective
10 Bargaining Agreement ("CBA") between the City and International Brotherhood of
11 Electrical Workers, Local 483, Human Resources Unit ("Union"), on behalf of the
12 employees represented by said Union, and

13 WHEREAS the bargaining unit consists of approximately 19 budgeted,
14 full-time equivalent positions, and

15 WHEREAS, effective retroactive to April 1, 2017, pay ranges will be moved
16 to a five-step system, and will increase by 2 percent for the classifications of
17 Human Resources Analyst and Human Resources Specialist, with a 5 percent
18 increase for the classification of Human Resources Assistant; effective retroactive
19 to January 1, 2018, wages will be increased by 2.5 percent for the classifications of
20 Human Resources Analyst and Human Resources Specialist, and by 4 percent for
21 the classification of Human Resources Assistant; and effective January 1, 2019,
22 wages will be increased by 2.75 percent for all classifications, and

23 WHEREAS other changes include: (1) employees in the classification of
24 Human Resources Specialist will be classified as Class A, overtime eligible, upon
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implementation of the CBA; and (2) retroactive to April 1, 2017, all classifications will be eligible for longevity pay, and

WHEREAS it appears in the best interests of the City that the CBA negotiated by said Union and the City be approved; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute the three-year Collective Bargaining Agreement between the City and International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, effective retroactive to January 1, 2017, through December 31, 2019, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39947

1 A RESOLUTION relating to the City's Commute Trip Reduction Program;
2 authorizing the execution of an agreement with Pierce Transit, in the
3 amount of \$400,221.48, budgeted from the Human Resources Internal
4 Service Fund, for the purchase of the One Regional Card for All ("ORCA")
5 Business Cards, as part of the City's Trip Reduction Program for 2018.

6 WHEREAS, since 1996, the City has provided bus pass/vanpool subsidies
7 for its employees as part of the Commute Trip Reduction ("CTR") Program, and

8 WHEREAS ORCA Business Cards provide employees access to Pierce,
9 Metro, Kitsap, Everett Community, and Sound Transit systems, including the
10 Sound Transit Link Light Rail, Seattle Streetcar, and Sounder, and also provides
11 vanpool and vanshare services from these systems, and

12 WHEREAS, in 2017, there were approximately 1,093 City employee transit
13 program users, which represents approximately 30 percent of the City's work force,
14 and

15 WHEREAS the 2018 agreement, in the amount of \$400,221.48, represents
16 the annual program fee for both the ORCA Transit passes and vanpool services,
17 and

18 WHEREAS the increase of \$23,871.52 over 2017 costs is due to an
19 increase in vanpool usage by employees, and

20 WHEREAS Human Resources staff will continue the oversight of the CTR
21 transit pass program, and

22 WHEREAS each employee receiving an ORCA card will be required to sign
23 a Term of Agreement outlining use expectations and requirements; Now,
24 Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to enter into an agreement with Pierce Transit, in the amount of \$400,221.48, budgeted from the Human Resources Internal Services Fund, for ORCA Business Cards and vanpool and vanshare services that will be part of the City's Commute Trip Reduction Program for 2018, said document to be substantially in the form of the proposed document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28492

1 AN ORDINANCE relating to the Hearing Examiner; amending Section 1.23.050 of
2 the Tacoma Municipal Code, entitled "Areas of jurisdiction," to make
3 necessary corrections to clarify the Hearing Examiner's role in conducting
4 administrative hearings, issuing recommendations to the City Council, and
5 issuing decision on administrative appeal hearings.

6 WHEREAS Chapter 1.23 of the Tacoma Municipal Code ("TMC") governs
7 the Hearing Examiner's role in conducting administrative hearings, and, as a result
8 of those hearings, issuing recommendations to the City Council and administrative
9 appeal decisions, and

10 WHEREAS TMC 1.23.050 is divided into two subsections: Subsection A,
11 which sets forth subject matter areas where the Hearing Examiner acts as the
12 hearing officer for the City Council, conducts the public hearing, and makes a
13 written recommendations to assist the City Council, as the ultimate decision-
14 maker; and Subsection B, which sets forth subject matter areas where the Hearing
15 Examiner conducts appeal and other hearings, and issues the City's final
16 administrative decision, and

17 WHEREAS Sections 1.23.050.A.6 and .8 of the TMC are currently worded
18 in a way that confuses the Hearing Examiner's hearing officer function with the
19 Hearing Examiner's role as the final administrative decision-maker on appeal, in a
20 way that is inconsistent with the intent of the Code, and

21 WHEREAS it is necessary to amend these sections of TMC 1.23.050 to
22 accurately reference the Hearing Examiner's separate and distinct functions, and
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WHEREAS Section 1.23.050.A.7 needs to be relocated to TMC 1.23.050.B in order to harmonize with the language in TMC 13.05.047.G regarding appeals of certain Landmarks Preservation Commission decisions; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Section 1.23.050 of the Tacoma Municipal Code, entitled "Areas of jurisdiction," is hereby amended as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

**Chapter 1.23
HEARING EXAMINER**

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1.23.050 Areas of jurisdiction.

A. The Examiner shall receive and examine relevant information, conduct public hearings, maintain a record thereof, and enter findings of fact, conclusions of law, and recommendations to the City Council or other order, as appropriate, in the following matters:

- 1. Applications for rezoning of property (Chapter 13.05; Section 13.06.650);
- 2. Formation of Local Improvement Districts (Chapter 10.04);
- 3. Approval of Local Improvement District assessments (Chapter 10.04);
- 4. Dangerous sidewalks proceedings (Chapter 10.18);
- 5. Petitions for street and alley vacations (Chapter 9.22);
- 6. Appeals of administrative determinations ~~of to~~ the City Council if delegated under TMC (Section 1.06.820); and

7. Appeals arising under the City's Code of Ethics as set forth in TMC 1.46.025.F, and 1.46.040.F and G. Hearing Examiner recommendations under this subsection shall be to the person(s) or body responsible for acting on the Hearing Examiner's order or recommendation.

~~7. Appeals from the decision of the Landmarks Preservation Commission regarding Certificates of Approval (Section 13.05.047.G); and~~

~~8. Appeals of a decision of the City Council to remove a member of a City board, commission, committee, task force, or other multi-member body from office (Chapter 1.46).~~

B. In regard to the matters set forth below, the Examiner shall conduct adjudicative proceedings, maintain a record thereof, and enter findings of fact, conclusions of law, and a final decision or other order, as appropriate:

* * *

39. Appeals from the decision of the Landmarks Preservation Commission regarding Certificates of Approval (Section 13.05.047.G).