



Legislation Passed October 16, 2018

The Tacoma City Council, at its regular City Council meeting of October 16, 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. 40134

A resolution setting Tuesday, October 30, 2018, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the proposed Ad Valorem and Emergency Medical Services tax levies for 2019.

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

Resolution No. 40135

A resolution setting Tuesday, October 30, and Tuesday, November 6, 2018, at approximately 5:30 p.m., as the dates for the first and second public hearings by the City Council on the proposed 2019-2020 Biennial Budget, 2019-2020 Capital Budget, and the 2019-2024 Capital Facilities Program.

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

Resolution No. 40136

A resolution authorizing the execution of a Memorandum of Understanding with the Washington State Utilities and Transportation Commission to allow the City to request participation in the Railroad Crossing Inspection Program.

[Chris E. Larson, P.E., Engineering Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40137

A resolution amending and adopting the Legislative Policy Statement for the years 2019 and 2020.

[Alisa O'Hanlon, Government Relations Analyst; Randall Lewis, Director, Government Relations Office]

Resolution No. 40138

A resolution authorizing the execution of a Collective Bargaining Agreement with the Tacoma Joint Labor Committee, effective January 1, 2019 through December 31, 2019.

[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40139

A resolution authorizing the execution of a Letter of Agreement with the Teamsters Local Union No. 117, General Unit.

[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Ordinance No. 28532

An ordinance extending the prohibitions relating to temporary tenant protections contained in Amended Ordinance No. 28508, from October 31, 2018 to January 31, 2019.
[Diane Powers, Director, Office of Equity and Human Rights]



RESOLUTION NO. 40134

1 A RESOLUTION relating to revenue sources; setting October 30, 2018, as the date
2 for a public hearing on the proposed Emergency Medical Services (“EMS”)
3 tax levy for 2019 and the proposed Ad Valorem tax levy for 2019.

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

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

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

11 Section 1. That the hearing required by RCW 84.55.120, for the purpose of
12 setting the proposed Emergency Medical Services (“EMS”) tax levy for 2019 and
13 the proposed Ad Valorem tax levy for 2019, shall commence on October 30, 2018,
14 at approximately 5:30 p.m., in the City Council Chambers, First Floor, Tacoma
15 Municipal Building, 747 Market Street, Tacoma, Washington.

16 Section 2. That the Clerk of the City of Tacoma shall give proper notice of
17 the time and place of said hearing.
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19 Adopted _____
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21 _____
22 Mayor

23 Attest:
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25 _____
26 City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40135

1 A RESOLUTION relating to the Biennial Budget, Capital Budget, and Capital
2 Facilities Program; setting October 30 and November 6, 2018, as the dates
3 for the public hearing on the City of Tacoma's proposed 2019-2020
4 Biennial Budget, proposed 2019-2020 Capital Budget, and proposed
5 2019-2024 Capital Facilities Program.

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

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

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

20 WHEREAS state law provides an exception for an amendment to the Capital
21 Facilities Element of the Comprehensive Plan, which may be adopted separately
22 from other amendments to the Comprehensive Plan if adoption occurs concurrently
23 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 2019-2020 Biennial Budget and the proposed 2019-2020 Capital Budget, shall commence on Tuesday, October 30, 2018, and Tuesday, November 6, 2018, 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 2019-2024 Capital Facilities Program, shall commence on Tuesday, October 30, 2018, and Tuesday, November 6, 2018, 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. 40136

1 A RESOLUTION relating to railroad crossings; authorizing the execution of a
2 Memorandum of Understanding with the Washington State Utilities and
3 Transportation Commission (“UTC”), to allow the City to request
4 participation in the Railroad Crossing Inspection Program.

4 WHEREAS the City is currently responsible for its own rail crossing safety
5 inspections, and

6 WHEREAS, in 2015 the Washington State Legislature approved expanding
7 the UTC’s regulatory jurisdiction to improve safety in response to the increase of
8 crude oil trains traveling through the state, and the UTC developed rules to
9 implement the new law, which went into effect on March 11, 2016, and
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11 WHEREAS as part of the new law, first-class cities are required to keep
12 public railroad crossing data current; the cities will be responsible for providing
13 updated crossing inventory information to the UTC as crossings are modified,
14 closed or opened; and first-class cities are allowed to opt-in to the UTC’s railroad
15 crossing safety inspection program (“Program”), and
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17 WHEREAS the Program includes regular periodic inspections, identification
18 of defects, and enforcement for correcting those defects, and there is no cost to
19 the City to participate, and
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21 WHEREAS, as a first-class city, the City must notify UTC in writing of its
22 intent to opt-in to the Program, and the request must be accompanied by
23 documentation stating that the City’s governing body has approved a
24 Memorandum of Understanding between the City and the UTC; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute a Memorandum of Understanding with the Washington State Utilities and Transportation Commission, allowing the City to request participation in the Railroad Crossing Inspection Program, said document to be substantially in the form of the proposed memorandum on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40137

1 A RESOLUTION relating to government relations; amending and adopting the
2 Legislative Policy Statement of the City of Tacoma for 2019-2020.

3 WHEREAS the City maintains a set of adopted policy statements in its
4 "Legislative Policy Statement" to guide the lobbying activities of the City and to
5 express the City's positions on a variety of issues that may come before the
6 United States Congress and Washington State Legislature, and

7
8 WHEREAS it is necessary to periodically amend these policy statements
9 as issues change and new issues emerge; Now, Therefore,

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

11 That the City Council hereby amends and adopts the City of Tacoma
12 Legislative Policy Statement for the upcoming sessions of the United States
13 Congress and the Washington State Legislature for the years 2019 and 2020,
14 said document to be substantially in the form of the proposed Legislative Policy
15 Statement on file in the office of the City Clerk.
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18 Adopted _____

19 _____
20 Mayor

21 Attest:

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City Clerk

24 Approved as to form:

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City Attorney



RESOLUTION NO. 40138

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 one-year Collective Bargaining Agreement between the City and the
3 Tacoma Joint Labor Committee, effective January 1, 2019, through
4 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

7
8 WHEREAS, pursuant to said policy, the Tacoma Joint Labor Committee,
9 which includes the International Federation of Professional and Technical
10 Engineers, Local 17; Tacoma Firefighters Union, Local 31; Teamsters, Local
11 Union No. 117; Washington State Council of County and City Employees,
12 AFSCME, Local 120; International Association of Machinists and Aerospace
13 Workers, Local 160; Teamsters, Local 313; and International Brotherhood of
14 Electrical Workers, Local 483, and representatives of the administration of the
15 City engaged in collective bargaining and reached an agreement relating to
16 certain employee benefits and matters common to all member unions, and
17

18 WHEREAS the proposed one-year Collective Bargaining Agreement
19 ("CBA") provides for the continuation of employee benefits for the term of the
20 CBA, and includes the following: (1) the City will pay the full premium cost for
21 dental and vision insurance for eligible full-time employees, and (2) employee
22 premium contributions toward medical insurance remain unchanged, and
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WHEREAS it appears in the best interests of the City that the CBA negotiated by the Tacoma Joint Labor Committee and 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 Collective Bargaining Agreement between the City and the Tacoma Joint Labor Committee, effective January 1, 2019, through December 31, 2019, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40139

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and
3 Teamsters Local Union No. 117, General Unit.

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

7 WHEREAS Resolution No. 39394, adopted March 1, 2016, authorized the
8 execution of the four-year Collective Bargaining Agreement ("CBA") between the
9 City of Tacoma and Teamsters Local Union No. 117, General Unit ("Union"), on
10 behalf of the employees represented by said Union, and

11 WHEREAS the City and Union have negotiated a Letter of Agreement
12 ("LOA") to the CBA which provides for an application of rate of 3 percent for
13 employees in the classification of Animal Control and Compliance Officer when
14 assigned by a Supervisor and performing specific tasks and duties related to
15 training other Animal Control and Compliance Officers, and

16 WHEREAS it appears in the best interest of the City that the LOA
17 negotiated by said Union and the City be approved; Now, Therefore,

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

19 That the proper officers of the City are hereby authorized to execute the
20 Letter of Agreement negotiated between the City of Tacoma and Teamsters
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1 Local Union No. 117, General Unit, said document to be substantially in the form
2 of the document on file in the office of the City Clerk.

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4 Adopted _____

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7 Mayor

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9 Attest:

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11 _____
12 City Clerk

13 Approved as to form:

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16 Deputy City Attorney

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ORDINANCE NO. 28532

1 AN ORDINANCE relating to affordable housing and tenant protections; extending
2 the prohibitions contained in Amended Ordinance No. 28508, relating to
3 temporary tenant protections as set forth in Tacoma Municipal Code 1.95,
through 11:59 p.m. on January 31, 2019.

4 WHEREAS shelter is a basic human necessity, and as the City works to
5 alleviate homelessness, it also wants to ensure that those who are currently housed
6 remain so, and

7 WHEREAS owners and landlords of affordable housing play an important
8 part of our community, and

9 WHEREAS tenants of affordable housing deserve safe and stable housing,
10 and

11 WHEREAS, on April 26, 2018, the City Council passed Amended Ordinance
12 No. 28508, establishing Tacoma Municipal Code (“TMC”) 1.95, entitled “Tenant
13 Rights Code,” to increase protections for tenants, and further, declared an
14 emergency to sunset at 11:59 p.m. on September 30, 2018, and

15 WHEREAS, on September 11, 2018, pursuant to Ordinance No. 28527, the
16 City Council extended these protections through October 31, 2018, and

17 WHEREAS, since the original ordinance was enacted, staff has developed a
18 more comprehensive Rental Housing Code, and

19 WHEREAS, before the proposed code goes into effect, adequate notice
20 about the proposed Rental Housing Code, to include outreach and training efforts,
21 should be given to housing providers and tenants in the City, and

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WHEREAS, in order for this process to be productive, staff is proposing that the new Rental Housing Code become effective on February 1, 2019, and

WHEREAS, at the September 27, 2018, Community Vitality and Safety Committee meeting, staff presented the proposed amendments and new additions to TMC 1.95, as well as an estimate of cost impacts for staff and outreach/ education efforts in the first year and caseload-driven costs in the second year, and

WHEREAS staff is recommending the extension of the temporary tenant protections set forth in TMC 1.95 be extended through 11:59 p.m. on January 31, 2019, to allow adequate notice, including outreach and training, on the proposed Rental Housing Code; Now, Therefore,

BE IT ORDAINED BY CITY OF TACOMA:

That the prohibitions contained in Amended Ordinance No. 28508, relating to the temporary tenant protections set forth in Tacoma Municipal Code 1.95, shall sunset and no longer be in effect at 11:59 p.m. on January 31, 2019.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney