



Legislation Passed November 13, 2018

The Tacoma City Council, at its regular City Council meeting of November 13, 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. 40158

A resolution setting Thursday, December 20, 2018, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a westerly portion of East D Street, lying south of East 18th Street, for marina and Johnny's Dock parking. (Pacific Harbor Landing, LLC; File No. 124.1391)
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40159

A resolution approving changes to the Electric Rate and Financial Policy.
[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

Resolution No. 40160

A resolution approving changes to the Water Rate and Financial Policy.
[Sean Senescall, Rates and Financial Planning Manager; Scott Dewhirst, Water Superintendent]

Ordinance No. 28542

An ordinance approving a six-month extension of the Tideflats Interim Regulations as originally approved by Amended Ordinance No. 28470.
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

Ordinance No. 28543

An ordinance fixing the amount of the Ad Valorem tax levies necessary to identify the amount of the estimated revenues from property tax levies to match estimated expenditures for debt service and other funding requirements.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 28544

An ordinance authorizing an increase in the 2019 general property tax revenue collection in terms of both dollars and percentage.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 28545

An ordinance fixing the amount of the Emergency Medical Services levy necessary to identify the amount of the estimated revenues from the property tax levy to match estimated expenditures for debt service and other funding requirements.

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

Ordinance No. 28546

An ordinance authorizing an increase for the 2019 Emergency Medical Services property tax levy in terms of both dollars and percentage.

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



RESOLUTION NO. 40158

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
 2 December 20, 2018, at 9:00 a.m., as the date for a hearing before the
 3 City of Tacoma Hearing Examiner on the petition of Pacific Harbor
 4 Landing, LLC, to vacate a westerly portion of East D Street, lying south
 5 of East 18th Street, for marina and Johnny’s Dock parking.

6 WHEREAS Pacific Harbor Landing, LLC, having received the consent of
 7 the owners of more than two-thirds of the properties abutting a westerly portion
 8 of East D Street, lying south of East 18th Street, has petitioned for the vacation
 9 of the following legally described right-of-way area:

10 The Westerly 23.50 feet of the following described portion
 11 of East “D” Street:

12 Commencing at the Northwest corner of Block 52, Map of
 13 Tacoma Tidelands as surveyed and platted by the Board of
 14 Tidelands Appraisers of Pierce County, as per map thereof
 15 filed for record September 14, 1895, in the office of the
 16 County Auditor;

17 Thence North 82°38’31” East along the North line of said
 18 Block 52, a distance of 201.90 feet to the Westerly margin
 19 of the above described East “D” Street and the True Point
 20 of Beginning;

21 Thence continuing North 82°38’31” East along the
 22 extension of said North line, a distance of 100.59 feet to the
 23 centerline of the above described East “D” Street;

24 Thence South 01°11’30” East along said centerline, a
 25 distance of 256.50 feet to an angle point thereof;

26 Thence South 07°23’37” East along said centerline, a
 distance of 160.01 feet to the City of Tacoma Control
 Monument Number 216;

Thence continuing South 07°23’37” East along said
 centerline, a distance of 80.52 feet to a line parallel with and
 545.00 feet North of the South line of the above described
 Block 52;



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Thence South 82°39'35" West along said parallel line, a distance of 100.00 feet to the above described Westerly margin of East "D" Street;

Thence North 07°23'37" West along said Westerly margin, a distance of 245.85 feet to an angle point thereof;

Thence North 01°11'30" West along said Westerly margin, a distance of 251.12 feet to the Point of Beginning.

Containing 0.268 acres, more or less.

Situate in the City of Tacoma, County of Pierce, State of Washington;

Now, Therefore,

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

Section 1. That Thursday, December 20, 2018, at 9:00 a.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where said request will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.



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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A westerly portion of East D Street, lying south of East 18th Street
Petitioner: Pacific Harbor Landing, LLC
File No.: 124.1391



RESOLUTION NO. 40159

1 A RESOLUTION relating to the City's Department of Public Utilities, Light Division,
2 d.b.a. Tacoma Power; approving changes to the Tacoma Power Rate &
3 Financial Policy.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Light Division
5 (d.b.a. "Tacoma Power"), has proposed changes to the Tacoma Power Rate &
6 Financial Policy to provide better alignment between the respective rate and
7 financial policies of Tacoma Power and Tacoma Water, and

8 WHEREAS Tacoma Power's Electric Rate & Financial Policy gives direction
9 to future rate and financial planning decisions, and helps ensure that reliable
10 service is provided to all customers at the lowest possible cost, consistent with
11 prudent utility management, and
12

13 WHEREAS Tacoma Power is recommending changes to the Electric Rate &
14 Financial Policy, as follows: (1) *Section I.G. (Low-Income Customers)*: modify the
15 description of rate setting objectives for low-income customers to include senior and
16 disabled customers and address programs available through utility assistance
17 programs, to modernize the existing language for customers who may benefit from
18 utility assistance programs; (2) *Section I*: add a rate-setting objective to maintain
19 rate stability, which reflects the approach for long-term financial planning in Tacoma
20 Power's Long-Range Financial Plan; and (3) *Section IV.B.3*: add a description of
21 phased-in approach for rate adjustments if a disproportionate change in rate levels
22 is expected for certain classes, and
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WHEREAS, pursuant to Tacoma City Charter Section 4.11, the proposed revisions to the Electric Rate & Financial Policy require approval by the Public Utility Board and City Council, and

WHEREAS, on May 9, 2018, and August 8, 2018, the Public Utility Board conducted reviews of the recommended changes, and the Board approved the recommended changes at its regular meeting held on October 24, 2018, and

WHEREAS the recommended changes to the rates, regulations and policies are just, fair, and reasonable, and are in the best interest of the citizens of Tacoma and the customers of Tacoma Power; Now, Therefore,

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

That the recommended changes to the Electric Rate & Financial Policy proposed by the Department of Public Utilities, Light Division, d.b.a. Tacoma Power, are hereby approved, said document to be substantially in the form of the Policy 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-11034



RESOLUTION NO. 40160

1 A RESOLUTION relating to the City's Department of Public Utilities, Water
2 Division, d.b.a. Tacoma Water; approving changes to the Water Rate and
3 Financial Policy.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Water
5 Division (d.b.a. "Tacoma Water"), has proposed changes to the Water Rate and
6 Financial Policy to provide better alignment between the respective rate and
7 financial policies of Tacoma Water and Tacoma Power, and

8 WHEREAS the Water Rate and Financial Policy gives direction to future
9 rate and financial planning decisions, and helps ensure that reliable service is
10 provided to all customers at the lowest possible cost consistent with prudent utility
11 management, and

12 WHEREAS Tacoma Water is recommending changes to the Water Rate and
13 Financial Policy, as follows: (1) *III.B.3. Policies. Water Rates Should Be As Low
14 As Is Possible*: proposing a reduction in All-In Debt Service coverage from 1.25x to
15 1.00x during periods of spending down cash reserves, to formalize its commitment
16 to monitoring debt service coverage and demonstrate that gross revenues will be
17 sufficient to cover expenses; and (2) *III.C.16. Policies. Water Rates Shall Be Fair*:
18 modernize existing language to address low-income, senior, and disabled programs
19 available through utility assistance programs, for customers who may benefit from
20 these programs, and

21 WHEREAS, pursuant to Tacoma City Charter Section 4.11, the proposed
22 revisions to Tacoma Water rates and regulations and the Water Rate and Financial
23 Policy require approval by the Public Utility Board and City Council, and
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WHEREAS, on May 9, 2018, and August 8, 2018, the Public Utility Board conducted reviews of the recommended changes, and the Board approved the recommended changes at its regular meeting held on October 24, 2018, and

WHEREAS the recommended changes to the rates, regulations and policies are just, fair, and reasonable, and are in the best interest of the citizens of Tacoma and the customers of Tacoma Water; Now, Therefore,

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

That the recommended changes to the Water Rate and Financial Policy proposed by the Department of Public Utilities, Water Division, d.b.a. Tacoma Water, are hereby approved, said document to be substantially in the form of the Policy 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-11038



ORDINANCE NO. 28542

1 AN ORDINANCE relating to zoning; approving a six-month extension of the
2 Tideflats Interim Regulations as originally approved by Amended
Ordinance No. 28470, passed November 21, 2017.

3 WHEREAS, on May 9, 2017, the City Council adopted Amended
4 Resolution No. 39723, initiating the subarea planning process for the Tideflats
5 area, and further, requesting that the Planning Commission consider the need for
6 interim regulations in the Tideflats subarea while the subarea planning process is
7 underway, and
8

9 WHEREAS the Planning Commission (“Commission”) determined that
10 interim regulations were warranted, and on October 4, 2017 the Commission
11 forwarded its recommendation to the City Council for consideration, and
12

13 WHEREAS, in support of these deliberations, the Commission conducted
14 a public hearing, at which 81 people testified, and reviewed over 200 written
15 comments, and
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17 WHEREAS, following its own public hearing and substantial community
18 input and deliberation, the City Council, on November 21, 2017, passed
19 Amended Ordinance No. 28470, which included the following elements:

- 20 • Category 1: Expanded public notification of heavy industrial use permits;
- 21 • Category 2: A temporary pause of certain new non-industrial uses in the Port of
22 Tacoma Manufacturing and Industrial Center;
- 23 • Category 3: A temporary pause of new residential development along Marine
24 View Drive and NE Tacoma slopes; and
- 25 • Category 4: A temporary pause on certain types of new heavy industrial uses,
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WHEREAS Amended Ordinance No. 28470 established the interim regulations for an initial one-year period, and

WHEREAS the Tacoma Municipal Code (“TMC”), consistent with state law, allows the City Council to consider reauthorization of the interim regulations every six months subsequent to the initial one-year authorization period, and

WHEREAS the related Subarea Planning effort is ongoing and will likely require multiple years to complete, and

WHEREAS the intent of the interim regulations was to implement a pause on certain types of use and development while the Subarea Plan was under development, and

WHEREAS, on October 23, 2018, pursuant to TMC 13.02.055, the City Council conducted a public hearing on the proposed extension of the interim regulations, and

WHEREAS the City Council determined that it is necessary to extend the interim regulations for an additional a six-month period; Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

That a six-month extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470, passed November 21, 2017, is hereby approved.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28543

1 AN ORDINANCE relating to property tax levies; fixing the amount of the
2 Ad Valorem tax levies necessary to identify the amount of the estimated
3 revenues from property tax levies to match estimated expenditures for debt
service and other funding requirements.

4 WHEREAS, pursuant to RCW 84.52.020 and RCW 84.52.070, the City of
5 Tacoma is requesting property taxes in the amount as described below and as
6 certified to Pierce County, and

7 WHEREAS the total levy is \$63,511,060.09, exclusive of additional revenue
8 derived from new construction, improvements to property, newly constructed wind
9 turbines, any increase in the value of state-assessed property, and any
10 annexations that have occurred and refunds made, and

11 WHEREAS the population of the City of Tacoma is more than 10,000; Now,
12 Therefore,

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City of Tacoma hereby certifies to Pierce County
15 ("County") the total levy amount of \$63,511,060.09, exclusive of the amount
16 derived from new construction, improvements to property, newly constructed wind
17 turbines, any increase in the value of state-assessed property, and any
18 annexations that have occurred and refunds made, to be collected in 2019.

19 Section 2. That the taxes herein provided for are levied to match the
20 estimated expenditures for debt service and other funding requirements and are
21 hereby levied upon all real and personal property as shown by the assessment in

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the County, as finally and hereafter fixed by the County and State Board of Equalization, and as finally extended upon the books of the County Assessor showing the property within the City subject to taxation for municipal purposes and upon the amount of said real and personal property in accordance with certified assessed valuation of all taxable property within the City of Tacoma as fixed in 2018 for collection in 2019, as provided by the Pierce County Assessor.

Section 3. That the taxes collected from levies hereby fixed and made, together with the estimated revenues from sources other than Ad Valorem taxation, which will constitute the appropriations of the City for the fiscal year 2019 are hereby available for appropriation, all as itemized and classified in the Biennial Budget for fiscal years 2019-2020, as adopted, pursuant to the laws of the state of Washington.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28544

1 AN ORDINANCE relating to property tax levies; authorizing an increase in the
2 2019 general property tax revenue collection in terms of dollars and
3 percentage.

4 WHEREAS, pursuant to RCW 84.55.120, the City is requesting an increase
5 in the authorized levy collected in the 2019 tax year, and

6 WHEREAS it is necessary for the City to identify the amount of the
7 estimated revenues from property tax levies to match the estimated expenditures
8 for debt service and other funding requirements, and

9 WHEREAS the 2019 levy would be set at a 0.45146 percent and
10 \$285,440.85 increase over the previous year's actual levy of \$63,225,619.24,
11 exclusive of additional revenue derived from new construction, improvements to
12 property, newly constructed wind turbines, any annexations that have occurred and
13 administrative refunds made, and any increase in the value of state-assessed
14 property, and
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16 WHEREAS the population of the City of Tacoma is more than 10,000; Now,
17 Therefore,

18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 That a 0.45146 percent and \$285,440.85 increase over the 2018 actual levy
20 of \$63,225,619.24 is hereby authorized for the levy to be collected in the 2019 tax
21 year, exclusive of the increase due to new construction, improvements to property,
22 newly constructed wind turbines, any annexations that have occurred and
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administrative refunds made, and any increases in the value of state-assessed property. The authorized 2019 levy amount will be \$63,511,060.09.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28545

1 AN ORDINANCE relating to property tax levies; fixing the amount of the
2 Emergency Medical Services levy necessary to identify the amount of the
3 estimated revenues from the property tax levy to match estimated
4 expenditures for debt service and other funding requirements.

4 WHEREAS, pursuant to RCW 84.52.020 and RCW 84.52.070, the City of
5 Tacoma is requesting property taxes for Emergency Medical Services in the
6 amount as described below and as certified to Pierce County, and

7 WHEREAS property tax levies are limited by RCW 84.55.010, to an
8 increase of 1 percent on the highest levy since 1985, and by RCW 84.52.069, to
9 \$0.50 per \$1,000 of assessed property value in the taxing district, and
10

11 WHEREAS the 2019 levy is limited to \$10,767,464.62, a 1 percent increase
12 over the highest levy of \$10,660,856.06 in 2018, and

13 WHEREAS the current assessed property value in the taxing district is
14 \$26,529,656,708, and limits the 2019 collectable levy to \$10,767,464.62; Now,

15 Therefore,

16 BE IT ORDAINED BY THE CITY OF TACOMA:

17 Section 1. That the City of Tacoma hereby certifies to Pierce County the
18 total levy for Emergency Medical Services in the amount of \$10,767,464.62,
19 exclusive of the amount derived from new construction, improvements to property,
20 newly constructed wind turbines, any increase in the value of state-assessed utility
21 property, and any annexations that have occurred and refunds made, to be
22 collected in 2019.

23 Section 2. That the taxes herein provided for are levied to match the
24 estimated expenditures for debt service and other funding requirements and are
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1 hereby levied upon all the real and personal property as shown by the assessment
 2 in Pierce County ("County") as finally and hereafter fixed by the County and State
 3 Board of Equalization, and as finally extended upon the books of the County
 4 Assessor showing the property within said City, subject to taxation for municipal
 5 purposes and upon the amount of said real and personal property in accordance
 6 with certified assessed valuation of all taxable property within the City of Tacoma
 7 as fixed in 2018 for collection in 2019, as provided by the Pierce County Assessor.
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9 Section 3. That the taxes collected from the levy hereby fixed and made,
 10 together with the estimated revenues from sources other than Ad Valorem
 11 taxation, which will constitute the appropriations of the City for the fiscal year 2019,
 12 are hereby available for appropriation, all as itemized and classified in the Biennial
 13 Budget for the fiscal years 2019-2020, as adopted, pursuant to the laws of the
 14 state of Washington.
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 17 Passed _____
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19 _____
 20 Mayor

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 22 Attest: _____
 23 City Clerk

24 Approved as to Form:
 25 _____
 26 Deputy City Attorney



ORDINANCE NO. 28546

1 AN ORDINANCE relating to property tax levies; authorizing an increase in terms
2 of both dollars and percentage for the 2019 Emergency Medical Services
property tax levy.

3 WHEREAS, pursuant to RCW 84.55.120, the City is requesting an increase
4 in the amount collected from the 2019 Tacoma Emergency Medical Services
5 (“EMS”) property tax levy, and

6 WHEREAS it is necessary to identify the amount of estimated revenues
7 from property tax levies to match the estimated expenditures for debt service and
8 other funding requirements, and

9 WHEREAS EMS property tax levies are limited by the lesser amount
10 calculated by RCW 84.55.010, to an increase of 1 percent on the highest levy
11 since 1985, or by RCW 84.52.069, to \$0.50 per \$1,000 of assessed property
12 value in the taxing district, and

13 WHEREAS the assessed values for 2019 are high enough for the EMS
14 levy to be set based on a 1 percent increase over the highest levy since 1985,
15 rather than the maximum rate of \$0.50 per \$1,000, and

16 WHEREAS the 2019 levy is limited to \$10,767,464.62, a 1 percent
17 increase over the highest levy of \$10,660,856.06 in 2018, which represents a
18 0.4822067 percent and \$51,672.27 increase over the previous year’s actual levy
19 of \$10,715,792.35, exclusive of additional revenue derived from new construction,
20 improvements to property, newly constructed wind turbines, any annexations that
21 have occurred and administrative refunds made, and any increase in the value of
22 state-assessed property, and
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WHEREAS the current assessed values in the EMS property tax boundary total \$26,529,656,708, and, due to statutory requirements, limits the 2019 collectible levy to a 0.4822067 percent and \$51,672.27 increase from the previous year's actual levy, and

WHEREAS the population of the district is more than 10,000; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That the 2019 EMS property tax levy is hereby authorized to increase by 0.4822067 percent and \$51,672.27 from the previous year's actual levy of \$10,715,792.35, exclusive of the increase due to new construction, improvements to property, newly constructed wind turbines, any annexations that have occurred and administrative refunds made, and any increases in the value of state-assessed property.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney