



Legislation Passed July 9, 2019

The Tacoma City Council, at its regular City Council meeting of July 9, 2019, 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. 40368

A resolution appointing individuals to the City Events and Recognitions Committee.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 40369

A resolution awarding a contract to Allied Trenchless, in the amount of \$2,996,770.00, plus applicable taxes, plus a 15 percent contingency, for a total of \$3,446,285.50, budgeted from the Surface Water and Wastewater Funds, for the rehabilitation of approximately 3,650 linear feet of stormwater pipe located in Buckley Gulch between North 21st and North 24th Streets and wastewater pipe located on South Tacoma Way between South "J" and South "C" Streets - Specification No. ES19-0038F.
[Jordan Ennis, P.E., Project Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40370

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Division Unit, consisting of approximately 129 budgeted full-time equivalent positions, retroactive to January 1, 2019, through December 31, 2021.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40371

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 22 budgeted full-time equivalent positions, effective January 1, 2020, through December 31, 2020.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40372

A resolution authorizing the execution of a Letter of Agreement with the Washington State Council of County and City Employees, Local 120, to address impacts to membership and dues.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40373

A resolution authorizing the execution of a Letter of Agreement with the Teamsters Local Union No. 117, Tacoma Venues and Events Unit, to address impacts to membership and dues.

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

Substitute Ordinance No. 28595

An ordinance creating a public development authority to be known as the South Sound 911 Public Authority; approving a charter; and amending Chapter 1.60 of the Municipal Code, relating to Public Corporations, to add a new Section 1.60.500 entitled "South Sound 911."

[Steve Victor, Deputy City Attorney; Bill Fosbre, City Attorney]

Ordinance No. 28596

An ordinance amending Chapter 1.95 of the Municipal Code, relating to the Rental Housing Code, to align with the new notice requirement in Engrossed Substitute House Bill 1440 and Washington State Residential Landlord-Tenant Act.

[ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator; Diane Powers, Director, Office of Equity and Human Rights]



RESOLUTION NO. 40368

1 BY REQUEST OF COUNCIL MEMBERS HUNTER, THOMS, AND USHKA

2 A RESOLUTION relating to committees, boards, and commissions; appointing
3 individuals to the City Events and Recognitions Committee.

4 WHEREAS vacancies exist on the City Events and Recognitions Committee,
5 and

6 WHEREAS, at its meetings of May 14 and June 25, 2019, the Economic
7 Development Committee conducted interviews and recommended the
8 appointment of individuals to the City Events and Recognitions Committee, 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 City Events and Recognitions Committee;

12 Now, Therefore,

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

14 That those nominees to the City Events and Recognitions Committee, listed
15 on Exhibit "A," are hereby confirmed and appointed as members of such
16 committee for such terms as are set forth on the attached Exhibit "A."

17 Adopted _____

18 _____
19 Mayor

20 Attest:

21 _____
22 City Clerk

23 Approved as to form:

24 _____
25 City Attorney



EXHIBIT "A"

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CITY EVENTS AND RECOGNITIONS COMMITTEE

Appointing **Adan Espino** to the "Council District No. 2" position to fill an unexpired term to expire June 30, 2021.

Appointing **Rhonda Ware** to the "Council District No. 5" position to fill an unexpired term to expire June 30, 2019, followed by a three-year term to expire June 30, 2022.



RESOLUTION NO. 40369

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract with
3 Allied Trenchless, in the amount of \$2,996,770.00, plus a 15 percent
4 contingency, for a cumulative total of \$3,446,285.50, plus applicable
5 taxes, budgeted from the Surface Water and Wastewater Funds, for the
6 rehabilitation of approximately 3,650 linear feet of stormwater pipe
7 located in Buckley Gulch between North 21st Street and North 24th
8 Street, and wastewater pipe located on South Tacoma Way between
9 South "J" Street and South "C" Street, pursuant to Specification
10 No. ES19-0038F.

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

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

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

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

21 Section 2. That the proper officers of the City are hereby authorized to
22 enter into a contract with Allied Trenchless, in the amount of \$2,996,770.00, plus
23 a 15 percent contingency, for a cumulative total of \$3,446,285.50, plus applicable
24 taxes, budgeted from the Surface Water and Wastewater Funds, for the
25 rehabilitation of approximately 3,650 linear feet of stormwater pipe located in
26 Buckley Gulch between North 21st Street and North 24th Street, and wastewater



1 pipe located on South Tacoma Way between South "J" Street and South "C"
2 Street, pursuant to Specification No. ES19-0038F, consistent with Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

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12 Approved as to form: _____
13 City Attorney

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RESOLUTION NO. 40370

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, Water Division
4 Unit, effective retroactive to January 1, 2019, through December 31, 2021.

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 this resolution allows for the execution of a three-year Collective
8 Bargaining Agreement (“CBA”) between the City and Brotherhood of Electrical
9 Workers, Local 483, Water Division Unit (“Union”), on behalf of the employees
10 represented by said Union, and

11 WHEREAS the bargaining unit consists of approximately 129 budgeted,
12 full-time equivalent (“FTE”) positions, and

13 WHEREAS the CBA covers three years and provides for a wage increase in
14 each year of the agreement; effective retroactive to January 1, 2019 the journey
15 level wage rate, and all wage rates not expressed as a percentage of journey level,
16 will increase retroactively by 3 percent; effective January 1, 2020, the journey level
17 wage rate and all wage rates not expressed as a percentage of journey level shall
18 increase by 3 percent; effective January 1, 2021, the journey level wage rate and
19 all wage rates not expressed as a percentage of journey level shall increase by 2.5
20 percent, and
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WHEREAS other changes include: (1) removing the CDL requirement for the classification of Water Service Mechanic positions in Water Quality, (2) adding language to Article 2, Union Recognition to reflect changes required by law, (3) adding language clarifying the article on non-discrimination, and (4) adding standard language regarding time off and benefits to Appendix B, and

WHEREAS the CBA was considered and approved by the Public Utility Board at its meeting of June 26, 2019, 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, Water Division Unit, effective



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retroactive to January 1, 2019, through December 31, 2021, 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-11081



RESOLUTION NO. 40371

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 one-year Collective Bargaining Agreement between the City and
3 International Brotherhood of Electrical Workers, Local 483, Human
4 Resources Unit, effective January 1, 2020, through December 31, 2020.

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

11 WHEREAS the bargaining unit consists of approximately 22 budgeted,
12 full-time equivalent (“FTE”) positions, and

13 WHEREAS the CBA will provide for a wage increase of three percent
14 effective January 1, 2020, and

15 WHEREAS other changes include: replacing the language of Article 4,
16 Union Recognition and Activities in its entirety to reflect the legal requirements of
17 the *Janus v. AFSCME Council 31*, court case to read as written in the Collective
18 Bargaining Agreement; and adding standard language regarding time off and
19 benefits to Appendix A, and

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

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

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That the proper officers of the City are hereby authorized to execute the one-year Collective Bargaining Agreement between the City and International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, effective January 1, 2020, through December 31, 2020, 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. 40372

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
Washington State Council of County and City Employees, Local 120.

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

7 WHEREAS Resolution No. 39945, adopted February 27, 2018, authorized
8 the execution of the two-year Collective Bargaining Agreement ("CBA") between the
9 City of Tacoma and the Washington State Council of County and City Employees,
10 Local 120 ("Union"), on behalf of the employees represented by said Union, and
11

12 WHEREAS the City and Union have negotiated a Letter of Agreement
13 ("LOA") to the CBA which provides for the replacement of Article 4, Union
14 Membership and Dues, in its entirety, with new language to reflect the legal
15 requirements of the *Janus v. AFSCME Council 31* court case, and
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17 WHEREAS the LOA was considered and approved by the Public Utility
18 Board at its meeting of June 26, 2019, and

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

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

22 That the proper officers of the City are hereby authorized to execute the
23 Letter of Agreement negotiated between the City of Tacoma and the Washington
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State Council of County and City Employees, Local 120, said document to be substantially in the form of the document 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-11082



RESOLUTION NO. 40373

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and Teamsters
3 Local Union No. 117, Tacoma Venues and Events 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. 40182, adopted December 11, 2018, authorized
8 the execution of the one-year Collective Bargaining Agreement ("CBA") between
9 the City of Tacoma and Teamsters Local Union 117, Tacoma Venues and Events
10 Unit ("Union"), on behalf of the employees represented by said Union, and
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12 WHEREAS the City and Union have negotiated a Letter of
13 Agreement ("LOA") to the CBA which provides for the replacement of Article 5,
14 Union Membership and Dues, in its entirety, with new language to reflect the
15 legal requirements of the *Janus v. AFSCME Council 31* court case, and
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17 WHEREAS it appears in the best interest of the City that the LOA
18 negotiated by said Union and the City be approved; Now, Therefore,

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

20 That the proper officers of the City are hereby authorized to execute the
21 Letter of Agreement negotiated between the City of Tacoma and Teamsters
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1 Local Union No. 117, Tacoma Venues and Events, said document to be
2 substantially in the form 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: _____
10 City Clerk

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12 Approved as to form: _____
13 Deputy City Attorney

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SUBSTITUTE
ORDINANCE NO. 28595

1 AN ORDINANCE relating to public safety; authorizing the creation of a public
2 development authority to be known as the South Sound 911 Public
3 Authority; approving a charter; amending Chapter 1.60 of the Tacoma
4 Municipal Code by the addition of a new Section 1.60.500 thereto, to be
known and designated as “South Sound 911”; and approving other matters
related thereto.

5 WHEREAS, in 2011, the City previously entered into an Interlocal
6 Agreement for Communications Services among the parties thereto (as
7 subsequently amended and restated in 2014, the “Original Interlocal Agreement”),
8 which created an emergency communications joint operations agency pursuant to
9 its terms and the terms of Chapter 39.34 of the Revised Code of Washington
10 (“RCW”), the Interlocal Cooperation Act, known as South Sound 911 (“Interlocal
11 Agency”), and
12

13 WHEREAS the purpose of the Interlocal Agency is to serve as a consolidated
14 entity to provide public safety communications services to Pierce County and the
15 cities, fire protection districts, and other entities within Pierce County, and
16

17 WHEREAS, after due consideration, the parties to the Original Interlocal
18 Agreement have determined that it would be in the best interest of the public and
19 the parties thereto for the Interlocal Agency to be reorganized as a public
20 development corporation chartered under the provisions of chapter 35.21 RCW
21 and to subsequently dissolve the Interlocal Agency, and
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23 WHEREAS, pursuant to the provisions of chapter 82.14 RCW, Pierce
24 County has imposed a countywide enhanced 911 excise tax, the proceeds of
25 which shall be used to fund emergency services communication systems, and
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1 WHEREAS, pursuant to the provisions of RCW 82.14.420, the voters of the
2 County approved the imposition of a 1/10th of 1 percent sales and use tax (“Sales
3 and Use Tax”), the proceeds of which will be used for the purpose of providing
4 funds for costs associated with the design, acquisition, construction, equipping,
5 operating, maintaining, remodeling, repairing, reequipping, improvement, and
6 financing of emergency communication systems and facilities, and

7 WHEREAS revenue received from the enhanced 911 excise tax, the Sales
8 and Use Tax, and other service fees, assessments, and sources of revenue will be
9 used by the new public development authority to fund costs of providing emergency
10 communication services previously provided by the Interlocal Agency, and
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12 WHEREAS the City has determined that chartering a public development
13 authority to oversee the delivery of emergency communications services within
14 Pierce County will create a highly focused and dedicated entity that will insure that
15 such emergency communication services are effective, efficient, affordable,
16 adaptable, and sustainable, all while ensuring appropriate public oversight and
17 accountability, and
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19 WHEREAS the City Council has been presented with a draft of a proposed
20 charter (“Charter”) for the establishment and chartering of a public development
21 authority to be known as the South Sound 911 Public Authority, which will have as
22 its purpose providing consolidated communications services pursuant to the terms
23 of this ordinance and the Charter, and
24

25 WHEREAS it appears in the best interest of the City to approve the Charter
26 for the public development authority as now proposed; Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

1 Section 1. Authority Created—City Liability Limited.

2 A. Authority Created. The Council hereby authorizes the creation of a
3 public development authority pursuant to RCW 35.21.730(5). The public
4 development authority shall have all of the powers set forth in this ordinance,
5 RCW 35.21.730 through 35.21.755, and its Charter necessary to assume and
6 continue to provide all of the rights, powers, responsibilities, liabilities, assets, and
7 services previously provided by the Interlocal Agency. Such services include, but
8 are not limited to the following: (a) communication services, including 24-hour
9 dispatch for law enforcement and fire agencies, radio system operations, and other
10 communication services as approved by the governing board, (b) support services,
11 including law enforcement records, firearm licensing, fingerprinting, and any other
12 agency support services approved by the governing board, and (c) any other
13 function specified in this ordinance and the Charter.
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17 B. Name. The name of the public development authority shall be the
18 “South Sound 911 Public Authority” (d.b.a. “South Sound 911” and referred to
19 herein as “South Sound 911” or “Authority”).

20 C. Seal. The corporate seal of the Authority shall carry its name.

21 D. Liability Limited. The Authority is an independent legal entity exclusively
22 responsible for its own debts, obligations and liabilities. Except as specifically
23 agreed in writing by the City or any other public or private entity, the Authority shall
24 take no action that might impose liability upon the City or any other public or
25 private entity. Pursuant to RCW 35.21.730(5), all liabilities incurred by the
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1 Authority shall be satisfied exclusively from the assets, credit, and properties of the
2 Authority, and no creditor or other person shall have any right of action against or
3 recourse against the City, any public or private entity that may contract with the
4 Authority, or their assets, credit, or services, on account of any debts, obligations,
5 liabilities or acts or omissions of the Authority.

6 The Charter of the Authority shall provide that it is organized pursuant to this
7 ordinance and RCW 35.21.730 through 35.21.755 and state as follows: “[A]ll
8 liabilities incurred by South Sound 911 shall be satisfied exclusively from the
9 assets and properties of South Sound 911 and no creditor or other person shall
10 have any right of action against the City of Tacoma or any other public or private
11 entity or agency on account of any debts, obligations, or liabilities of South
12 Sound 911 unless explicitly agreed to in writing by such public or private entity or
13 agency.” Such statement shall be displayed in a prominent location in the principal
14 office or other offices of the Authority. It shall also be printed or stamped on all
15 contracts and other documents that may entail any debt or liability by the Authority.
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18 The Charter of the Authority shall provide that it is organized pursuant to
19 this ordinance and RCW 35.21.730 through 35.21.755 and state as follows: “[A]ll
20 liabilities incurred by South Sound 911 shall be satisfied exclusively from the
21 assets and properties of South Sound 911 and no creditor or other person shall
22 have any right of action against the City of Tacoma or any other public or private
23 entity or agency on account of any debts, obligations, or liabilities of South
24 Sound 911 unless explicitly agreed to in writing by such public or private entity or
25 agency.” Such statement shall be displayed in a prominent location in the
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1 principal office or other offices of the Authority. It shall also be printed or stamped
2 on all contracts and other documents that may entail any debt or liability by the
3 Authority.

4 Section 2. Powers – Generally. Except as otherwise limited by Washington
5 State law, this ordinance, or the Charter, the Authority shall have and exercise all
6 lawful powers necessary or convenient to affect the purposes for which the
7 Authority is organized and to perform authorized corporate functions as provided in
8 its Charter.

9 Section 3. Limitation of Powers. The activities and transactions of the
10 Authority shall be limited as provided in its Charter.

11 Section 4. Charter. The Charter of the Authority is hereby approved in
12 substantially the form set forth at Exhibit A, with such changes as determined to
13 be necessary by the City Manager to accomplish the provisions of this ordinance.
14 The Charter shall be issued in duplicate originals, each signed by the City
15 Manager and bearing the City seal attested by the City Clerk. One original shall
16 be filed with the Tacoma City Clerk and filed as a public record. A duplicate
17 original shall be provided to the Authority. The Charter may be amended as
18 provided therein.

19 Section 5. Effect of Issuance of Charter. The Authority shall commence its
20 existence effective upon issuance of its Charter, appointment and confirmation of
21 the initial board of directors (“Board”) as provided below, and the first
22 organizational meeting of the initial Board is held. Except as against the state or
23 the City in a proceeding to cancel or revoke the Charter, delivery of a duplicate
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original Charter shall conclusively establish that the Authority has been established in compliance with the procedures of this ordinance.

Section 6. Board of Directors; Officers. A Board is hereby established to govern the affairs of the Authority. The initial Board of the Authority shall consist of eleven members appointed pursuant to the formula provided in the Charter. The initial Board shall be comprised of representatives of the following city, county and fire district agencies as follows:

Relative size of most recent approved Communications Assessment	Number of Board Seats	Appointing Authority	Name/Title of Appointee
As among City and County Contract Agencies			
1st largest communications assessment	2	Tacoma City Council	Council Member Lillian Hunter; Council Member Robert Thoms
2nd Largest communications assessment	2	Pierce County Council	Executive Bruce Dammeier; Council Member Doug Richardson
3rd largest communications assessment	1	Lakewood City Council	Council Member Michael Brandstetter
4th largest communication assessment	1	Puyallup City Council	Council Member Julie Door
5th, 6th and 7th largest communications assessments	2	Joint resolution of legislative authorities of Fife, Sumner, and Bonney Lake;	City of Fife: Council Member Tim Curtis; City of Sumner: Mayor Bill Pugh
As among Fire District Contract Agencies			
1st largest communications assessments	1	Central Pierce Fire District Board of Commissioners	Commissioner Matt Holm
2nd largest communications assessment	1	West Pierce Fire District Board of Commissioners	Commissioner Dan Rankin
All Fire District Contract Agencies with small communications assessments	1	Pierce County Fire Commissioners Association Board	Commissioner Pat McElligott



1 Successor Board members shall be appointed and serve their terms as
2 provided in the Charter. All corporate powers of the Authority shall be exercised by
3 or under the authority of the Board, and the business, property, and affairs of the
4 Authority shall be managed under the supervision of the Board, except as may be
5 otherwise provided by law or in the Charter. The Board shall have officers as
6 provided in the Charter.

7 Section 7. Meeting. Within ninety (90) days after the effective date of
8 this ordinance, the current Executive Director of the Interlocal Agency, or
9 designee, shall call an organizational meeting of the initial Board, giving at least
10 ten (10) days' advance written notice to each, unless waived in writing. At such
11 meeting, the Board shall organize itself, appoint initial officers, select its place of
12 business, and adopt a code of ethics policy. All Board meetings, including
13 executive, all other permanent and ad hoc committee meetings, shall be open to
14 the public to the extent required by chapter 42.30 RCW.

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17 Section 8. Funds of the Authority. All money belonging to or collected for
18 the use of the Authority coming into the hands of any officer thereof shall
19 immediately be deposited with the treasurer or other legal depository consistent
20 with Washington State law to the credit of the Authority for the benefit of the funds
21 to which they belong. The use of funds of the Authority for any purpose not
22 authorized by law by any officer having possession or control thereof is prohibited.

23
24 Section 9. Discrimination Prohibited. Membership to the Board shall not be
25 directly or indirectly based upon or limited by age, sex, marital status, sexual
26 orientation, race, creed, color, national origin, honorably discharged veteran or



1 military status, or the presence of any sensory, mental, or physical disability or the
2 use of a trained dog guide or service animal by a person with a disability.

3 Furthermore, the Authority shall not discriminate in any matter related to
4 employment because of age, sex, marital status, sexual orientation, race, creed,
5 color, national origin, honorably discharged veteran or military status, or the
6 presence of any sensory, mental, or physical disability or the use of a trained dog
7 guide or service animal by a person with a disability. The Authority shall, in all
8 solicitation or advertisements for employees placed by or on behalf of the
9 Authority, if any, state that all qualified applicants will receive consideration for
10 employment without regard to age, sex, marital status, sexual orientation, race,
11 creed, color, national origin, honorably discharged veteran or military status, or the
12 presence of any sensory, mental, or physical disability or the use of a trained dog
13 guide or service animal by a person with a disability.
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15 Section 10. Dissolution. The Authority is formed to provide an essential
16 public purpose of providing emergency communication services within Pierce
17 County. The City recognizes that dissolution of the Authority without a successor
18 public safety answering point authorized to assume its duties would have a
19 significant impact on the local governments, customers, and individuals that the
20 Authority is intended to serve. Dissolution of the Authority shall be permitted as
21 provided in the Charter.
22

23 Section 11. Insurance. The Authority shall maintain in full force and effect
24 public liability insurance in an amount sufficient to cover potential claims for bodily
25 injury, death, or disability and for property damage, which may arise from or be
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1 related to projects and activities of the Authority, and covering the City as to such
2 activities of the Authority.

3 The insurance required under this section may be fulfilled by acquiring
4 excess liability or umbrella liability coverage. However, in all cases, certificates of
5 insurance must be filed with the City.

6 Section 12. Annual Reports. The Authority shall promptly, after it is
7 available, provide its audited financial statements to the City Finance Director. If,
8 prior the end of nine months after the end of its fiscal year, the audited financial
9 statements are not available, the Authority shall file a copy of its unaudited
10 financial statements with the City Finance Director, to be promptly followed by
11 audited information. The Authority shall also file, promptly after it is available, with
12 the City Finance Director a copy of the operating budget once it is approved by the
13 Board. Any person shall have access to the financial statements of the Authority to
14 the extent required by Washington State law. The Authority shall also answer fully
15 and within a reasonable time any written inquiries by City or other public officials in
16 the course of their duties about its finances, organization or activities.

17 Section 13. Access to Records. To the extent required by Washington
18 State law, the Authority shall keep an official record of the minutes of proceedings
19 at all meetings of the Board and any meetings of any membership and the
20 resolutions of the Board. Any person shall have access to records and information
21 of the Authority to the extent required by Washington State law.
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Section 14. Public Corporation. The Authority is a public development authority created pursuant to RCW 35.21.730 through 35.21.755 as a separate legal entity from the City.

Section 15. Amendment to Tacoma Municipal Code. The Chapter 1.60 of the Tacoma Municipal Code is hereby amended by the addition thereto of a new Section 1.60.500, to be known and designated as “South Sound 911,” reading as follows:

**Chapter 1.60
Public Corporations**

Sections:
* * *
1.60.490 Ratification of prior acts.
1.60.500 South Sound 911.

* * *
1.60.500 South Sound 911. Notwithstanding anything in this chapter to the contrary, nothing in this chapter shall prevent the City Council from establishing, by ordinance, a public corporation that is not subject to the terms of this chapter. Upon the establishment and chartering of such public corporation, the ordinance authorizing such public corporation shall state that the public corporation is formed pursuant to its formation ordinance and charter and not pursuant to Chapter 1.60 of the Tacoma Municipal Code.

Section 16. Formation of the Authority. The Authority shall be established and chartered pursuant to this ordinance and its charter, and shall not otherwise be subject to the terms of Chapter 1.60 of the Tacoma Municipal Code.

Section 17. Ancillary Authority; Ratification. The City Manager, the City Manager’s designee, and other appropriate officers of the City are authorized to take any actions and to execute documents as in their judgment may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this ordinance. All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified.



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Section 18. Liberal Construction. This ordinance shall be liberally construed so as to effectuate its purposes and the purposes of RCW 35.21.730 through 35.21.755.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28596

1 AN ORDINANCE relating to the rental housing code; amending Chapter 1.95 of
2 the Tacoma Municipal Code, the Rental Housing Code, by amending
3 Section 1.95.060 thereof to align with the new notice requirement in
4 Engrossed Substitute House Bill 1440 and Washington State Residential
5 Landlord-Tenant Act.

6 WHEREAS Chapter 1.95 of the Tacoma Municipal Code (“TMC”), the
7 Rental Housing Code, was enacted on November 20, 2018, pursuant to Ordinance
8 No. 28559, and

9 WHEREAS TMC 1.95 currently requires (1) 60 or 120 days’ written notice
10 to a tenant before terminating tenancy, depending on the circumstances;
11 (2) 60 days’ notice to a tenant for a landlord to increase rent, except the notice to
12 increase rent is not required for a “fixed lease agreement [that] includes agreed-
13 upon rent increase during the term of the tenancy or agreement”; (3) landlords to
14 pay tenant relocation assistance in certain circumstances; and (4) landlords to
15 provide tenants with information relevant to the rental agreement, landlord, and
16 rental property, and

17 WHEREAS Engrossed Substitute House Bill (“ESHB”) 1440, which recently
18 passed the Washington State Legislature and becomes effective on July 28,
19 2019, provides for a longer notice period to increase rent that what is currently set
20 forth in Washington State Residential Landlord-Tenant Act, RCW 59.18, and

21 WHEREAS it is necessary to amend TMC 1.95 to align the City’s rental
22 housing code with the new notice requirement in ESHB 1440 and the Washington
23 State Residential Landlord-Tenant Act, RCW 59.18, and
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WHEREAS the proposed amendments include (1) adding the 30-day notice to increase requirement for subsidized tenancies; and (2) deleting the general exception to the 60-day notice requirement for a “fixed lease agreement [that] includes agreed-upon rent increases during the term of the tenancy or agreement; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Section 1.95.060 of the Tacoma Municipal Code, relating to the Rental Housing Code, is hereby amended as set forth in the attached Exhibit “A.”

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

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1.95.060 Notice to increase rent requirements.

A landlord is required to provide at the minimum of 60 days' prior written notice, as outlined in Chapter 59.18.140 RCW, as it currently exists or is hereinafter amended, whenever the periodic or monthly housing costs to be charged a tenant will increase by any amount over the periodic or monthly rental rate charged the same tenant for the same housing unit, unless the fixed lease agreement includes agreed-upon rent increases during the term of the tenancy or agreement.