



## Legislation Passed August 27, 2019

The Tacoma City Council, at its regular City Council meeting of August 27, 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.

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### **Resolution No. 40410**

A resolution authorizing the execution of a grant agreement and any associated term extensions with the Pierce County Conservation Futures, in the amount up to \$205,623, plus eligible costs; accepting and depositing said sum into an escrow account; and the expenditure of up to \$49,377 in matching City funds, budgeted from the Surface Water Fund, for a maximum total of \$255,000, to fund the appraisal and purchase of up to six parcels of land for the purpose of protecting natural habitat and providing stormwater benefit, and further authorizing the execution and closing of purchase and sale agreements, and conservation agreements for said parcels.

[John Burk, P.E., Science and Engineering Division Manager;  
Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 40411**

A resolution authorizing the execution of a grant agreement and any associated term extensions with the Washington State Department of Transportation, in the amount of \$1,100,000, and \$475,691 in matching City funds, budgeted from the Tacoma Rail Fund, to upgrade approximately 5,100 feet of existing railroad track along Marine View Drive.

[Kyle Kelleem, Roadmaster; Dale King, Rail Superintendent]

### **Resolution No. 40412**

A resolution reappointing individuals to the Foss Waterway Development Authority.

[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

### **Resolution No. 40413**

A resolution awarding a contract to Miles Resources, LLC, in the amount of \$1,344,617.25, plus applicable taxes, plus a 20 percent contingency, for a total of \$1,613,540.70, budgeted from various departmental funds, for a wastewater force main replacement, roadway, and curb ramp improvements in the vicinity of Sealawn and Overlook Avenues Northeast - Specification No. ES19-0218F.

[John Burk, Science and Engineering Division Manager; Michael P. Slevin III, P.E.,  
Director, Environmental Services]

**Resolution No. 40414**

A resolution awarding a contract to R.L. Alia Company, in the amount of \$1,570,982.00, plus applicable taxes, plus a 15 percent contingency, for a total of \$1,806,629.30, budgeted from various departmental funds, for the replacement of wastewater, stormwater, and water mains, in addition to roadway and curb ramp improvements at various locations in the City - Specification No. ES19-0028F.

[Jordan Ennis, P.E., Project Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 40415**

A resolution authorizing an increase to the contract with Stericycle Environmental Solutions, in the amount of \$176,800, plus applicable taxes, budgeted from the Solid Waste Fund, for the Household Hazardous Waste Program, for a projected contract total of \$695,344, through August 31, 2020 - Specification No. ES14-0319F.

[Lewis Griffith, P.E., Solid Waste Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 40416**

A resolution authorizing the execution of two interest-free loan agreements with the Washington State Department of Transportation, in the total amount of \$640,000, accepting and depositing said sum into the Tacoma Rail Fund, and further authorizing matching City funds in the amount of \$714,119, to partially fund railroad tracks for the Mazda Siding and the TOTE Yard projects.

[Kyle Kellem, Roadmaster; Dale King, Rail Superintendent]

**Resolution No. 40417**

A resolution designating the Alvin and Anna McIlvaine House, located at 413 South "M" Street, as a City Landmark and placing said property on the Tacoma Register of Historic Places.

[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]

**Resolution No. 40418**

A resolution renaming the property currently known as the Rhone Poulenc salt marsh, located at 1747 Port of Tacoma Road, as recommended by the Landmarks Preservation Commission.

[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]

**Resolution No. 40419**

A resolution authorizing the execution of an amendment to the Amended and Restated Agreement with North America Asset Management Group, LLC, to facilitate construction financing for Building 2 related to the Town Center mixed-use project, located between South 21st to South 23rd Streets and Jefferson to Tacoma Avenues, adjacent to the University of Washington Tacoma.

[Elly Walkowiak, Assistant Director; Jeff Robinson, Director, Community and Economic Development]

**Substitute Ordinance No. 28601**

An ordinance amending Chapter 6A.70 of the Municipal Code, relating to Local Option Taxes, by adding Section 6A.70.047 entitled “Credit against state’s share of tax - sales or use tax for affordable housing - Imposition” and Section 6A.70.048 entitled “Credit against state’s share of tax - sales or use tax for affordable housing - Rate,” and amending Section 6A.70.120 relating to “Administration and collection of taxes” to authorize the maximum capacity of the tax authorized under the provisions of Substitute House Bill 1406 for affordable and supportive housing; and declaring an emergency, making necessary the passage of this ordinance and it becoming effective immediately.

[Jeff Robinson, Director, Community and Economic Development]

**Ordinance No. 28603**

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by Teamsters Local 313.

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



## RESOLUTION NO. 40410

1 A RESOLUTION relating to open space; authorizing the execution of a grant  
2 agreement and any associated term extensions with Pierce County  
3 Conservation Futures, in an amount up to \$205,623, plus eligible costs;  
4 accepting and depositing said sum into an escrow account, together with  
5 funding of up to \$49,377 in matching City funds, budgeted from the  
6 Surface Water Fund, for a maximum total of \$255,000, plus eligible costs,  
7 to fund the appraisal and purchase of up to six parcels of land for the  
8 purpose of protecting natural habitat and providing stormwater benefit;  
9 and authorizing the execution and closing of purchase and sale  
10 agreements and conservation agreements for said parcels.

11 WHEREAS the City's Environmental Services Department manages  
12 passive open space parcels in a manner which, in addition to other benefits,  
13 increases the stormwater benefit for public good through increased vegetation  
14 cover, biodiversity, better health, and overall stormwater runoff absorption and  
15 filtration, and

16 WHEREAS the passive open space properties currently enrolled in the  
17 Open Space Program comprise approximately 488 acres of City-owned forests,  
18 wetlands, streams, steep slopes, and buffer areas, and

19 WHEREAS these areas are generally undeveloped and covered with  
20 vegetation, many are regulated by the City's Critical Areas Preservation Code,  
21 and most provide or have the potential to provide benefits to stormwater quantity  
22 and quality, and

23 WHEREAS the City has applied for and been awarded \$205,623, plus  
24 eligible costs, in grant funding from Pierce County Conservation Futures for the  
25 purpose of acquiring up to six parcels of property as a part of the Open Space  
26 Program, as passive open space with forested and wetland areas, and



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WHEREAS these properties provide an opportunity to create recreational amenities in an underserved area, and are adjacent to two additional open space areas owned by the City and managed by the Open Space Program, and

WHEREAS this connectivity will maintain a habitat corridor between the properties, which will support urban biodiversity of both plants and animals, and

WHEREAS the grant award requires a City match of \$49,377, and

WHEREAS, under the grant process guidelines, the City Council must approve acceptance of grant funding; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to execute a grant agreement and any associated term extensions with Pierce County Conservation Futures and accept an amount up to \$205,623, plus eligible costs, for deposit into an escrow account, together with funding of up to \$49,377 in matching City funds, budgeted from the Surface Water Fund, for a maximum total of \$255,000, plus eligible costs, to fund the appraisal and purchase of up to six parcels of land for the purpose of protecting natural habitat and providing stormwater benefit, said agreement to be substantially in the form of the document on file in the office of the City Clerk.



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Section 2. That the proper officers of the City are hereby authorized to execute and close purchase and sale agreements and conservation agreements for up to six parcels of land, for the purposes set forth in Section 1.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 40411

1 A RESOLUTION relating to the Department of Public Utilities, Beltline Division  
2 (d.b.a. "Tacoma Rail"); authorizing Tacoma Rail to enter into a grant  
3 agreement and any associated term extensions with the Washington  
4 State Department of Transportation to accept \$1,100,000 for deposit into  
5 the Tacoma Rail Fund, for the purpose of upgrading approximately  
6 5,100 feet of existing railroad track along Marine View Drive in Tacoma;  
7 and authorizing City matching funds in the amount of \$475,691.

8 WHEREAS the City of Tacoma, through its Department of Public  
9 Utilities, Beltline Division (d.b.a. "Tacoma Rail") was awarded a grant in the  
10 amount of \$1,100,000 from the Washington State Department of  
11 Transportation ("WSDOT") for the purpose of partially funding the replacement  
12 of approximately 5,100 feet of existing railroad track along Marine View Drive  
13 in Tacoma, and

14 WHEREAS Tacoma Rail's track infrastructure in the Tidelands area is  
15 heavily used and in need of periodic upgrades in order to safely enable the  
16 switching of railcars destined for, and originating from, the Port of Tacoma and  
17 other industrial customers, and

18 WHEREAS Grant Agreement No. RRB-1227 – Marine View Drive Track  
19 Upgrades, requires a City match of \$475,691, budgeted from the Tacoma Rail  
20 Fund, and

21 WHEREAS Section 4.11 of the Tacoma City Charter requires that all  
22 matters relating to the "incurring of indebtedness . . . shall be initiated by the  
23 Board, subject to approval by the Council, and executed by the Board," prior to  
24 acceptance of the Agreement, and  
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WHEREAS, by adoption of Public Utility Board Resolution No. U-11096 on August 14, 2019, the proposed grant agreement was approved, pending confirmation from the City Council; Now, Therefore,

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

Section 1. That the City of Tacoma, Department of Public Utilities, Beltline Division (d.b.a. "Tacoma Rail"), is approved to accept grant funding in the amount of \$1,100,000 from the Washington State Department of Transportation ("WSDOT") for the purpose of partially funding the replacement of approximately 5,100 feet of existing railroad track along Marine View Drive in Tacoma, and to deposit said funding into the Tacoma Rail Fund; and authorizing City matching funds in the amount of \$475,691.

Section 2. That the Superintendent of Tacoma Rail is authorized to execute the Loan Agreements and any associated term extensions with the WSDOT for the administration of the state funding accepted pursuant to





Section 1, said document to be substantially in the form of the grant agreement  
1 on file in the office of the City Clerk.

2  
3 Adopted \_\_\_\_\_

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5 \_\_\_\_\_  
6 Mayor

7  
8 Attest:

9 \_\_\_\_\_  
10 City Clerk

11 Approved as to form:

12 \_\_\_\_\_  
13 Chief Deputy City Attorney

14 Requested by Public Utility Board  
15 Resolution No. U-11096  
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## RESOLUTION NO. 40412

1 BY REQUEST OF DEPUTY MAYOR McCARTHY AND COUNCIL MEMBERS  
2 HUNTER, THOMS, AND USHKA

3 A RESOLUTION relating to committees, boards, and commissions; reappointing  
4 individuals to the Foss Waterway Development Authority.

5 WHEREAS vacancies exist on the Foss Waterway Development Authority,  
6 and

7 WHEREAS, at its meeting of August 13, 2019, the Economic Development  
8 Committee conducted interviews and recommended the reappointment of  
9 individuals to said authority, and

10 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,  
11 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"  
12 have been nominated to serve on the Foss Waterway Development Authority; Now,  
13 Therefore,

14  
15 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

16 That those nominees to the Foss Waterway Development Authority, listed  
17 on Exhibit "A," are hereby confirmed and reappointed as members of such  
18 authority for such terms as are set forth on the attached Exhibit "A."  
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20 Adopted \_\_\_\_\_

21 \_\_\_\_\_  
22 Mayor

23 Attest:

24 \_\_\_\_\_  
25 City Clerk

26 Approved as to form:

\_\_\_\_\_  
City Attorney



**EXHIBIT "A"**

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**FOSS WATERWAY DEVELOPMENT AUTHORITY**

Reappointing **Michael Miller** to serve a three-year term to expire August 31, 2022.

Reappointing **Joseph Zawacki** to serve a three-year term to expire August 31, 2022.



## RESOLUTION NO. 40413

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 Miles Resources, LLC, in the amount of \$1,344,617.25, plus a 20 percent  
4 contingency, for a cumulative total of \$1,613.540.70, plus applicable  
5 taxes, budgeted from various departmental funds, for a wastewater force  
6 main replacement, roadway, and curb ramp improvements in the vicinity  
7 of Sealawn and Overlook Avenues Northeast, pursuant to Specification  
8 No. ES19-0218F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with Miles Resources, LLC, in the amount of  
21 \$1,344,617.25, plus a 20 percent contingency, for a cumulative total of  
22 \$1,613.540.70, plus applicable taxes, budgeted from various departmental  
23 funds, for a wastewater force main replacement, roadway, and curb ramp  
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1 improvements in the vicinity of Sealawn and Overlook Avenues Northeast,  
2 pursuant to Specification No. ES19-0218F, 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. 40414

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract  
3 with R.L. Alia Company, in the amount of \$1,570,982.00, plus a 15  
4 percent contingency, for a cumulative total of \$1,806,629.30, plus  
5 applicable taxes, budgeted from various departmental funds, for the  
6 replacement of wastewater, stormwater, and water mains, in addition to  
7 roadway and curb ramp improvements at various locations in the City,  
8 pursuant to Specification No. ES19-0028F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to  
20 enter into a contract with R.L. Alia Company, in the amount of \$1,570,982.00,  
21 plus a 15 percent contingency, for a cumulative total of \$1,806,629.30, plus  
22 applicable taxes, budgeted from various departmental funds, for the replacement  
23 of wastewater, stormwater, and water mains, in addition to roadway and curb  
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1 ramp improvements at various locations in the City, pursuant to Specification  
2 No. ES19-0028F, 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

11 Approved as to form:  
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13 City Attorney

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## RESOLUTION NO. 40415

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
 2 and the furnishing of services; authorizing the increase of Contract  
 3 No. 4600012567 with Stericycle Environmental Solutions, in the amount of  
 4 \$176,800, budgeted from the Solid Waste Fund, for Household Hazardous  
 5 Waste Program, for a projected contract total of \$695,344, plus applicable  
 6 taxes, pursuant to Specification No. ES14-0319F, and extending the  
 7 contract completion date to August 31, 2020.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to  
 19 increase Contract No. 4600012567 with Stericycle Environmental Solutions, in the  
 20 amount of \$176,800, budgeted from the Solid Waste Fund, for Household  
 21 Hazardous Waste Program, for a projected contract total of \$695,344, plus  
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1 applicable taxes, pursuant to Specification No. ES14-0319F, and extending the  
2 contract completion date to August 31, 2020, 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. 40416

1 A RESOLUTION relating to the Department of Public Utilities, Beltline Division,  
2 (d.b.a. "Tacoma Rail"); authorizing Tacoma Rail to enter into two interest-  
3 free Loan Agreements with the Washington State Department of  
4 Transportation to accept the total amount of \$640,000 for deposit into the  
5 Tacoma Rail Fund, for the purpose of partially funding the upgrade of  
6 1,550 feet of existing railroad track for the Mazda Siding project and  
7 1,900 feet of railroad track for the TOTE Yard project; and authorizing City  
8 matching funds in the total amount of \$714,119.

9 WHEREAS the City of Tacoma, through its Department of Public Utilities,  
10 Beltline Division (d.b.a. "Tacoma Rail"), was awarded two interest-free loans, in  
11 the total amount of \$640,000, through a competitive call for projects initiated by  
12 the Washington State Department of Transportation ("WSDOT"), and

13 WHEREAS Tacoma Rail's track infrastructure in the Tidelands area is  
14 heavily used and in need of periodic upgrades in order to safely enable the  
15 switching of railcars destined for, or originating from, the Port of Tacoma and  
16 other industrial customers, and

17 WHEREAS Loan Agreement No. RRB-1225 – Mazda Siding, in the principal  
18 amount of \$240,000, less a one percent administrative fee, requires City matching  
19 funds in the amount of \$109,572, budgeted from the Tacoma Rail Fund, with loan  
20 repayment terms requiring 10 annual payments of \$24,000 each, beginning  
21 October 1, 2021, and will partially finance the upgrade of approximately 1,550 feet  
22 of old and worn 90-pound rail with new 115-pound rail, to include select crosstie  
23 replacement and other associated railroad track components, and

24 WHEREAS Loan Agreement No. RRB-1226 – TOTE Yard, in the amount  
25 of \$400,000, less a 1 percent administrative fee, requires City matching funds in  
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1 the amount of \$604,547, budgeted from the Tacoma Rail Fund, with loan  
2 repayment terms requiring 10 annual payments of \$40,000 each, beginning  
3 October 1, 2021, and will partially finance the upgrade of approximately 1,900 feet  
4 of old and worn 90-pound rail with new 115-pound rail, to include select crosstie  
5 replacement and other associated railroad track components, and

6 WHEREAS both Loan Agreements require project completion by June 30,  
7 2021, and

8 WHEREAS Section 4.11 of the Tacoma City Charter requires that all  
9 matters relating to the "incurring of indebtedness . . . shall be initiated by the  
10 Board, subject to approval by the Council, and executed by the Board," prior to  
11 acceptance of the Agreement, and

12 WHEREAS, by adoption of Public Utility Board Resolution No. U-11097 on  
13 August 14, 2019, the proposed Loan Agreements were approved, pending  
14 confirmation from the City Council; Now, Therefore,  
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16  
17 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

18 Section. 1. That the City of Tacoma, Department of Public Utilities,  
19 Beltline Division (d.b.a. "Tacoma Rail"), is approved to enter into Loan  
20 Agreement Nos. RRB-1225, in the principal amount of \$240,000, and RRB-1226,  
21 in the principal amount of \$400,000, with the Washington State Department of  
22 Transportation ("WSDOT"), to partially fund the upgrade of 1,550 feet of railroad  
23 track for the Mazda Siding project and 1,900 feet of railroad track for the TOTE  
24 Yard project, and to deposit said funding into the Tacoma Rail Fund; and  
25 authorizing City matching funds in the total amount of \$714,119.  
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Section 2. That the Superintendent of Rail is authorized to execute the  
Loan Agreements with the WSDOT for the administration of the state funding  
accepted pursuant to Section 1, said documents to be substantially in the form of  
the proposed Loan Agreements 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-11097



## RESOLUTION NO. 40417

1 A RESOLUTION relating to historic preservation; adding the proposed landmark to  
2 the Tacoma Register of Historic Places and imposing controls for the  
3 following property: Alvin and Anna McIlvaine House, located at  
4 413 South "M" Street; said landmark designated by the Landmarks  
5 Preservation Commission under Chapter 13.07 of the Tacoma Municipal  
6 Code.

7 WHEREAS the Tacoma Landmarks and Historic Districts Code,  
8 Chapter 13.07 of the Tacoma Municipal Code ("TMC"), establishes a procedure for  
9 the designation and preservation of structures and areas having historical, cultural,  
10 architectural, archaeological, engineering, or geographic importance, and

11 WHEREAS, pursuant to TMC 13.07.050, the nomination of the Alvin and  
12 Anna McIlvaine House, located at 413 South "M" Street ("Property"), was submitted  
13 by the property owner, for inclusion on the Tacoma Register of Historic Places,  
14 along with the requisite application materials, and

15 WHEREAS the Landmarks Preservation Commission ("Commission")  
16 reviewed the request on June 12, 2019, and held a public hearing on July 10, 2019  
17 to receive public comment on the historic significance of the Property, and

18 WHEREAS, according to TMC 13.07.040, the Commission found that the  
19 Property meets the eligibility requirements for listing on the Tacoma Register of  
20 Historic Places, and

21 WHEREAS, based upon said findings, the City Council believes that it would  
22 be in the best interest of the City to designate the Property described below as a  
23 historic landmark and place it on the Tacoma Register of Historic Places; Now,  
24 Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. Designation. That, pursuant to the provisions of Chapter 13.07 of the Tacoma Municipal Code (“TMC”), the City Council of Tacoma approves the designation of the following Property as a historic landmark and places said property on the Tacoma Register of Historic Places:

(1) Alvin and Anna McIlvaine House.

More particularly described as: 413 South “M” Street,  
Tacoma, WA 98405-3726

Parcel No.: 2004250060

Legal Description:

Lot 7 and the north half of Lot 8, Block 425, Map of New Tacoma, Washington Territory, according to plat filed for record February 3, 1875, in the Office of the County Auditor, together with 10 feet strip of alley vacated by Ordinance No. 2773 and attached thereto; Situate in the City of Tacoma, County of Pierce, State of Washington;

based upon satisfaction of the following standards of TMC 13.07.040, that the Property:

- B. Is associated with the lives of persons significant in our past;
- E. Is part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; and
- F. Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

Section 2. Controls. A Certificate of Approval must be obtained from the Landmarks Preservation Commission pursuant to TMC 13.05.047 et seq., or the



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time for denying an application for a Certificate of Approval must have expired  
before the owners may make alterations or changes to the following Property:

- 1. Alvin and Anna McIlvaine House: Changes to exterior of the primary structure and its additions, but excluding any changes to the surrounding landscaping or site.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney

Legal Description Approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department



## RESOLUTION NO. 40418

1 A RESOLUTION renaming the property currently known as the Rhone Poulenc  
2 salt marsh, located at 1747 Port of Tacoma Road, to “qʷiqʷəlut,” a  
3 Twulshootseed word meaning “Little Marsh,” as recommended by the  
Landmarks Preservation Commission.

4 WHEREAS 350 Tacoma, in consultation with the Puyallup Tribe (“Tribe”)  
5 and the City of Tacoma Environmental Services (“CTES”), is requesting to rename  
6 the Rhone Poulenc salt marsh located at 1747 Port of Tacoma Road to qʷiqʷəlut, a  
7 Twulshootseed name meaning “little marsh,” to reflect the ecological and cultural  
8 history of the site, and  
9

10 WHEREAS during restoration and reclaiming events over the last year,  
11 outreach about the name change was conducted by 350 Tacoma and Earth Corps,  
12 with participation from CTES, and  
13

14 WHEREAS through anticipated collaboration with the Tribe, the name  
15 change will include interpretative signage at the site, and  
16

17 WHEREAS on April 24, 2019, the Landmarks Preservation Commission  
18 (“Commission”) voted to schedule the request for public hearing, with the hearing  
19 being held on May 23, 2019, and  
20

21 WHEREAS following a 30 day open comment period, the Commission voted  
22 on July 10, 2019 to recommend approval to the City Council, and on August 7,  
23 2019, the Infrastructure, Planning, and Sustainability Committee recommended  
24 adoption of the name change; Now, Therefore,  
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Rhone Poulenc salt marsh, located at 1747 Port of Tacoma Road,  
be renamed q̣ẉiq̣ẉəlut per the Landmarks Preservation Commission's  
recommendation.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 40419

1 A RESOLUTION relating to economic development; authorizing the execution of  
2 an amendment to the Amended and Restated Agreement with North  
3 America Asset Management Group, LLC, relating to the Town Center  
4 mixed-use project, located between South 21st to South 23rd Streets, from  
Jefferson to Tacoma Avenues, to facilitate construction financing for  
Building 2.

5 WHEREAS, on August 18, 2015, the City Council approved the Purchase  
6 and Sale and Development Agreement ("Agreement") with North America Asset  
7 Management Group, LLC ("NAAM") to develop the Town Center project on an  
8 approximately 6.4-acre site situated between South 21st and South 23rd Streets,  
9 from Jefferson to Tacoma Avenues, adjacent to the University of Washington, and  
10

11 WHEREAS the Agreement has been amended three times: (1) the First  
12 Amendment, dated June 14, 2016, primarily adjusted the legal description,  
13 adjusted the Purchase Price to \$3,451,228, updated the Development Plan, and  
14 extended the construction timeline; (2) the Second Amendment, dated  
15 December 13, 2016, required a \$2.4 million non-refundable deposit, altered project  
16 phasing, increased residential density, and extended the construction timeline; and  
17 (3) the Amended and Restated Agreement (Third Amendment), dated October 16,  
18 2017, refined the conditions precedent to closing, fine-tuned development  
19 requirements, adjusted the closing date, extended performance deadlines,  
20 strengthened the City's reacquisition rights to the entire site, and memorialized a  
21 commitment by the Developer to contribute \$750,000 to fund South 21st Street  
22 improvements adjacent to the Property, which funding has been received, and  
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1 WHEREAS, on October 16, 2017, the City conveyed the 6.4-acre  
2 development site to the Developer, which was necessary for the Developer to  
3 invest in and construct the offsite improvements that encompass the whole  
4 property, and

5 WHEREAS NAAM is now requesting an amendment to the Agreement to  
6 facilitate construction financing for Building 2, consisting of 144 market-rate  
7 housing units, situated at the northwest corner of South 23rd Street and  
8 Jefferson Avenue, and

9 WHEREAS construction on Building 2 has commenced, is approximately  
10 70 percent complete, and is anticipated to be finished by January 31, 2020;  
11 however, the lender is requiring the City to extinguish its rescission right to  
12 Building 2 and the underlying land in order to provide the necessary debt financing  
13 and enable building completion, and

14 WHEREAS this estimated \$125 million mixed-use project will serve as a  
15 catalytic development in the downtown core, generating significant direct and  
16 indirect revenue, creating jobs, increasing downtown residential density, adding to  
17 the liveliness of the UW Tacoma retail corridor, attracting diversified foreign  
18 investment, and enhancing the City's international image, and

19 WHEREAS, if the proposed amendment is not approved, Building 2 will not  
20 be timely completed and the City's long-term goal of a mixed-use urban village on  
21 the site will be delayed, and

22 WHEREAS the City will maintain its rescission rights to all of the remaining  
23 property within the Town Center development, and



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WHEREAS staff is recommending that the proposed Amendment be approved; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to enter into an amendment to the Amended and Restated Agreement with North America Asset Management Group, LLC, relating to the Town Center mixed-use project, to facilitate construction financing for Building 2 located between South 21st to South 23rd Streets, from Jefferson to Tacoma Avenues, said amendment to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That the City Manager, or designee, is hereby authorized to take and execute any additional measures or documents that may be necessary to complete this transaction which are consistent with the approved form of documents referenced by this Resolution, and the intent of this Resolution.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



## SUBSTITUTE ORDINANCE NO. 28601

1 AN ORDINANCE relating to local sales or use taxes; authorizing the maximum  
2 capacity of the tax authorized under the provisions of Substitute House  
3 Bill 1406 for affordable and supportive housing; amending Chapter 6A.70 of  
4 the Tacoma Municipal Code by the addition of two new sections, to be  
5 known and designated as Section 6A.70.047, “Credit against state’s share  
6 of tax – sales or use tax for affordable housing – Imposition” and  
7 Section 6A.70.048, “Credit against state’s share of tax – sales or use tax for  
8 affordable housing – Rate,” and by amending Section 6A.70.120; and  
9 declaring an emergency, making necessary the passage of this ordinance  
10 and its becoming effective immediately.

11 WHEREAS the City lacks affordable, high-quality homes for all of its  
12 residents, and

13 WHEREAS nearly 33,000 households in the City currently pay at least  
14 30 percent of their income on housing costs each month, reducing their ability to  
15 pay for other necessities, and

16 WHEREAS, in 2019, Washington State enacted Substitute House  
17 Bill 1406 (“SHB 1406”), a revenue sharing program with local governments for  
18 affordable housing which is intended to encourage investments in affordable  
19 and/or supportive housing, and

20 WHEREAS the effective date of SHB 1406 is July 28, 2019, and the  
21 Washington State Code Reviser’s Office will not publish the Revised Code of  
22 Washington (“RCW”) citation for this tax until at least August 16, 2019, and

23 WHEREAS the proposed Tacoma Municipal Code (“TMC”) language  
24 currently references the Session Law information, but will be updated by the City  
25 Clerk once the actual RCW citation is released, and

26



1 WHEREAS, through a credit against state retail sales or use taxes, the  
2 program allows the City to authorize and collect a local sales or use tax, estimated  
3 to be between \$800,000 to \$900,000 annually, for affordable housing or facilities  
4 providing supportive housing, and for operation and maintenance costs of  
5 affordable or supportive housing, with no increase in sales or use tax for the  
6 consumer, and

7 WHEREAS the credit against state retail sales or use taxes can be in place  
8 for a maximum of 20 years and can be used for acquiring, rehabilitating, or  
9 constructing affordable housing, and for operation and maintenance costs of new  
10 affordable or supportive housing facilities, and

12 WHEREAS funding must be spent on projects that serve persons whose  
13 income is at or below 60 percent of area median income, and

14 WHEREAS the state legislation requires that the City adopt an ordinance  
15 authorizing the tax within 12 months of the effective date of SHB 1406, or by  
16 July 28, 2020, and

18 WHEREAS, in 2012, the City implemented a retail sale tax under  
19 RCW 82.14.460 pursuant to Ordinance No. 28057, which allows the City to now  
20 collect the maximum retail sales or use tax rate of 0.0146 percent authorized by  
21 SHB 1406, and

23 WHEREAS the City is proposing to add new Sections 6A.70.047 and  
24 6A.70.048 to the TMC to authorize this tax, and amending Section 6A.70.120  
25 regarding administration and collection of the tax; Now, Therefore,  
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BE IT ORDAINED BY THE CITY OF TACOMA:

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Section 1. That Chapter 6A.70 of the Tacoma Municipal Code (“TMC”) is hereby amended as set forth in the attached Exhibit “A.”

Section 2. That, based upon the facts and conclusions as specified herein, an emergency exists, making this ordinance effective upon passage by an affirmative vote of a least six members of the City Council.

Section 3. That the City Clerk is authorized to update TMC 6A.70 with the correct Revised Code of Washington citation once the Washington State Code Reviser releases that information.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



**EXHIBIT "A"**

**Chapter 6A.70  
LOCAL OPTION TAXES**

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Sections:

- 6A.70.010 Sales or use tax – Imposition.
- 6A.70.020 Sales or use tax – Rate.
- 6A.70.030 Additional sales or use tax – Imposition.
- 6A.70.040 Additional sales or use tax – Rate.
- 6A.70.045 Additional sales or use tax for mental health treatment – Imposition.
- 6A.70.046 Additional sales or use tax for mental health treatment – Rate.
- 6A.70.047 Credit against state’s share of tax – sales use tax for affordable housing – Imposition.
- 6A.70.048 Credit against state’s share of tax – sales use tax for affordable housing – Rate.
- 6A.70.050 Leasehold excise tax – Imposition.
- 6A.70.060 Leasehold excise tax – Rate.
- 6A.70.070 Leasehold excise tax – Exemptions.
- 6A.70.080 Real estate excise tax – Imposition.
- 6A.70.090 Real estate excise tax – Rate.
- 6A.70.100 Additional real estate excise tax – Imposition.
- 6A.70.110 Additional real estate excise tax – Rate.
- 6A.70.120 Administration and collection of taxes.
- 6A.70.130 Inspection of records.
- 6A.70.140 Contract with the state authorized.

\* \* \*

**6A.70.046 Additional sales or use tax for mental health treatment – Rate.**

The rate of the tax imposed by Section 6A.70.045 of this chapter shall be one-tenth of one percent of the selling price or value of the article used, as the case may be.

**6A.70.047 Credit against state’s share of tax – sales or use tax for affordable housing – Imposition.**

There is hereby imposed an additional sales or use tax, as the case may be, separate and apart from the tax referred to in Sections 6A.70.010, 6A.70.020, 6A.70.030, 6A.70.040, 6A.70.045, as authorized by Laws of 2019, ch 338, § 1, upon every taxable event, as defined in RCW 82.14.020, occurring within the City. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to RCW 82.08 and 82.12, but will be credited against the state’s share of the tax. Moneys collected under this subchapter must be used solely, as required by Laws of 2019, ch 338, § 1 and as hereinafter amended, for the purpose of acquiring, rehabilitating, or constructing affordable housing, which may include new units of affordable housing within an existing structure or facilities providing supportive housing services under RCW 71.24.385, or funding the operations and maintenance costs of new units of affordable or supportive housing.

**6A.70.048 Credit against states share of tax – sales or use tax for affordable housing – Rate.**

The rate of the tax imposed by Section 6A.70.047 of this chapter shall be 0.0146 percent of the selling price or value of the article used, as the case may be.

\* \* \*

**6A.70.120 Administration and collection of taxes.**

The administration and collection of any and all sales or use taxes imposed by Sections 6A.70.010 and 6A.70.030 of this chapter shall be in accordance with the provisions of RCW 82.14.050. The administration and collection of the sales or use tax imposed by Section 6A.70.047 of this chapter shall be in accordance with the provision of Laws of 2019, ch. 338, § 1. The administration and collection of





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any leasehold excise tax imposed by Section 6A.70.050 of this chapter shall be in accordance with the provisions of RCW 82.29A. The administration and collection of any real estate excise taxes imposed by Sections 6A.70.080 and 6A.70.100 of this chapter shall be in accordance with the provisions of RCW 82.46.

\* \* \*



# ORDINANCE NO. 28603

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the  
 2 Tacoma Municipal Code to implement rates of pay and compensation for  
 3 employees represented by Teamsters Local 313, and declaring the effective  
 dates thereof.

4 BE IT ORDAINED BY THE CITY OF TACOMA:

5 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby  
 6 amended, effective retroactive to January 1, 2018, to read as follows:  
 7

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            | 6            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>22.74</u> | <u>23.85</u> | <u>25.03</u> | <u>26.29</u> | <u>27.60</u> | <u>28.98</u> |
| 5011 |   | Sewer Worker, Senior            | <u>31.80</u> | <u>33.39</u> | <u>35.07</u> | <u>36.82</u> |              |              |
| 5012 |   | Sewer Equipment Operator        | <u>28.85</u> | <u>30.29</u> | <u>31.80</u> |              |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>32.37</u> | <u>33.99</u> |              |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>26.16</u> | <u>27.48</u> | <u>28.85</u> | <u>30.29</u> | <u>31.80</u> |              |
| 5035 |   | Solid Waste Collector/Driver    | <u>28.86</u> | <u>30.29</u> | <u>31.84</u> |              |              |              |

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            | 6            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>23.28</u> | <u>24.44</u> | <u>25.66</u> | <u>26.94</u> | <u>28.29</u> | <u>29.70</u> |
| 5011 |   | Sewer Worker, Senior            | <u>32.60</u> | <u>34.23</u> | <u>35.94</u> | <u>37.74</u> |              |              |
| 5012 |   | Sewer Equipment Operator        | <u>29.57</u> | <u>31.05</u> | <u>32.60</u> |              |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>33.18</u> | <u>34.84</u> |              |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>26.82</u> | <u>28.16</u> | <u>29.57</u> | <u>31.05</u> | <u>32.60</u> |              |
| 5035 |   | Solid Waste Collector/Driver    | <u>29.58</u> | <u>31.06</u> | <u>32.61</u> |              |              |              |

18  
 19 Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby  
 20 amended, effective retroactive to January 1, 2019, to read as follows:

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            | 6            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>23.28</u> | <u>24.44</u> | <u>25.66</u> | <u>26.94</u> | <u>28.29</u> | <u>29.70</u> |
| 5011 |   | Sewer Worker, Senior            | <u>32.60</u> | <u>34.23</u> | <u>35.94</u> | <u>37.74</u> |              |              |
| 5012 |   | Sewer Equipment Operator        | <u>29.57</u> | <u>31.05</u> | <u>32.60</u> |              |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>33.18</u> | <u>34.84</u> |              |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>26.82</u> | <u>28.16</u> | <u>29.57</u> | <u>31.05</u> | <u>32.60</u> |              |
| 5035 |   | Solid Waste Collector/Driver    | <u>29.58</u> | <u>31.06</u> | <u>32.61</u> |              |              |              |



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| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>25.16</u> | <u>26.42</u> | <u>27.74</u> | <u>29.13</u> | <u>30.59</u> |
| 5011 |   | Sewer Worker, Senior            | <u>33.58</u> | <u>35.26</u> | <u>37.02</u> | <u>38.87</u> |              |
| 5012 |   | Sewer Equipment Operator        | <u>30.46</u> | <u>31.98</u> | <u>33.58</u> |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>34.18</u> | <u>35.89</u> |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>27.63</u> | <u>29.01</u> | <u>30.46</u> | <u>31.98</u> | <u>33.58</u> |
| 5035 |   | Solid Waste Collector/Driver    | <u>30.47</u> | <u>31.99</u> | <u>33.59</u> |              |              |

Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective January 1, 2020, to read as follows:

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>25.16</u> | <u>26.42</u> | <u>27.74</u> | <u>29.13</u> | <u>30.59</u> |
| 5011 |   | Sewer Worker, Senior            | <u>33.58</u> | <u>35.26</u> | <u>37.02</u> | <u>38.87</u> |              |
| 5012 |   | Sewer Equipment Operator        | <u>30.46</u> | <u>31.98</u> | <u>33.58</u> |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>34.18</u> | <u>35.89</u> |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>27.63</u> | <u>29.01</u> | <u>30.46</u> | <u>31.98</u> | <u>33.58</u> |
| 5035 |   | Solid Waste Collector/Driver    | <u>30.47</u> | <u>31.99</u> | <u>33.59</u> |              |              |

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>25.92</u> | <u>27.22</u> | <u>28.58</u> | <u>30.01</u> | <u>31.51</u> |
| 5011 |   | Sewer Worker, Senior            | <u>34.58</u> | <u>36.31</u> | <u>38.13</u> | <u>40.04</u> |              |
| 5012 |   | Sewer Equipment Operator        | <u>31.37</u> | <u>32.94</u> | <u>34.59</u> |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>35.21</u> | <u>36.97</u> |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>28.46</u> | <u>29.88</u> | <u>31.37</u> | <u>32.94</u> | <u>34.59</u> |
| 5035 |   | Solid Waste Collector/Driver    | <u>31.38</u> | <u>32.95</u> | <u>34.60</u> |              |              |

Section 4. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective January 1, 2021, to read as follows:

| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>25.92</u> | <u>27.22</u> | <u>28.58</u> | <u>30.01</u> | <u>31.51</u> |
| 5011 |   | Sewer Worker, Senior            | <u>34.58</u> | <u>36.31</u> | <u>38.13</u> | <u>40.04</u> |              |
| 5012 |   | Sewer Equipment Operator        | <u>31.37</u> | <u>32.94</u> | <u>34.59</u> |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>35.21</u> | <u>36.97</u> |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>28.46</u> | <u>29.88</u> | <u>31.37</u> | <u>32.94</u> | <u>34.59</u> |
| 5035 |   | Solid Waste Collector/Driver    | <u>31.38</u> | <u>32.95</u> | <u>34.60</u> |              |              |



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| Code | A | Title                           | 1            | 2            | 3            | 4            | 5            |
|------|---|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| 5010 |   | Sewer Worker                    | <u>26.57</u> | <u>27.90</u> | <u>29.30</u> | <u>30.76</u> | <u>32.30</u> |
| 5011 |   | Sewer Worker, Senior            | <u>35.46</u> | <u>37.23</u> | <u>39.09</u> | <u>41.04</u> |              |
| 5012 |   | Sewer Equipment Operator        | <u>32.15</u> | <u>33.76</u> | <u>35.45</u> |              |              |
| 5013 |   | Sewer Heavy Equipment Operator  | <u>36.09</u> | <u>37.89</u> |              |              |              |
| 5019 |   | Biosolids Distribution Operator | <u>29.16</u> | <u>30.62</u> | <u>32.15</u> | <u>33.76</u> | <u>35.45</u> |
| 5035 |   | Solid Waste Collector/Driver    | <u>32.17</u> | <u>33.78</u> | <u>35.47</u> |              |              |

Section 5. That Section 1.12.640 of the Tacoma Municipal Code is hereby amended, effective as provided by law, to read as follows:

**1.12.640 Application of additional rates**

\* \* \*  
~~5011 A Senior Sewer Worker (CSC 5011) will receive nonautomatic Step 4 rate of pay when assigned by management to supervise a repair crew of four (4) or more personnel for a minimum of two (2) hours; OR, for actual hours worked while performing the operation of a lateral launch camera or lateral reinstatement cutter.~~

\* \* \*  
Section 6. That Section 1 is effective retroactive to January 1, 2018. That Section 2 is effective retroactive to January 1, 2019. That Section 3 is effective January 1, 2020. That Section 4 is effective January 1, 2021. That Section 5 is effective as provided by law.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney