



Legislation Passed February 25, 2020

The Tacoma City Council, at its regular City Council meeting of February 25, 2020, 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. 40560

A resolution appointing MaryMikel Stump to the Tacoma Arts Commission.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 40561

A resolution appointing and reappointing individuals to the Tacoma Community Redevelopment Authority Board.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Ordinance No. 28658

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for nonrepresented classifications and employees represented by the International Brotherhood of Electrical Workers, Local 483, Click! Unit, Power Unit, and Water Division Unit.
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]

Ordinance No. 28659

An ordinance amending Chapter 8.30A of the Municipal Code, relating to Chronic Public Nuisance, by amending Section 8.30A.020, entitled "Definitions", to remove "Domestic Violence" as a qualifying nuisance activity and to protect victims from being deemed "nuisance" tenants for reporting criminal activity.
[Danielle Larson, Tax and License Manager; Andy Cherullo, Director, Finance]



RESOLUTION NO. 40560

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

3 A RESOLUTION relating to committees, boards, and commissions; appointing an
4 individual to the Tacoma Arts Commission.

5 WHEREAS a vacancy exists on the Tacoma Arts Commission, and

6 WHEREAS, at its meeting of February 11, 2020, the Economic Development
7 Committee conducted interviews and recommended the appointment of MaryMikel
8 Stump to said commission, and

9 WHEREAS, pursuant to City Charter 2.4 and the Rules, Regulations, and
10 Procedures of the City Council, MaryMikel Stump has been nominated to serve on
11 the Tacoma Arts Commission; Now, Therefore,

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

13 That MaryMikel Stump is hereby confirmed and appointed as a member of
14 the Tacoma Arts Commission, to the "At-Large No. 7" position, to fill an unexpired
15 term to expire December 31, 2022.

16 Adopted _____

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18 _____
19 Mayor

20 Attest:
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22 _____
23 City Clerk

24 Approved as to form:
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26 _____
City Attorney



RESOLUTION NO. 40561

1 BY REQUEST OF DEPUTY MAYOR BLOCKER, AND COUNCIL MEMBERS
2 HINES AND USHKA

3 A RESOLUTION relating to committees, boards, and commissions; appointing and
4 reappointing individuals to the Tacoma Community Redevelopment
5 Authority Board.

6 WHEREAS vacancies exist on the Tacoma Community Redevelopment
7 Authority Board, and

8 WHEREAS, at its meeting of February 13, 2020, the Community Vitality
9 and Safety Committee conducted interviews and recommended the appointment
10 and reappointment of individuals to said board, and

11 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,
12 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"
13 have been nominated to serve on the Tacoma Community Redevelopment
14 Authority Board; Now, Therefore,

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

That those nominees to the Tacoma Community Redevelopment Authority Board, listed on Exhibit "A," are hereby confirmed and appointed or reappointed as members of such board for such terms as are set forth on the attached Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



EXHIBIT "A"

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TACOMA COMMUNITY REDEVELOPMENT AUTHORITY BOARD

Appointing **Lacey Barker** to the "Realtor Rep." designation to serve a two-year term, effective March 1, 2020, to expire February 28, 2022.

Reappointing **Jason Kors** to the "CPA Rep." designation to serve a two-year term, effective March 1, 2020, to expire February 28, 2022.

Reappointing **Steve Snider** to the "Lender Rep." designation to serve a two-year term, effective March 1, 2020, to expire February 28, 2022.



ORDINANCE NO. 28658

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of
2 the Tacoma Municipal Code to implement rates of pay and compensation
3 and changes in the organizational structure for nonrepresented
4 classifications and employees represented by the International
5 Brotherhood of Electrical Workers, Local 483, Click! Unit, Power Unit, and
6 Water Division Unit; and declaring the effective dates thereof.

7 WHEREAS this ordinance provides for the implementation of provisions
8 contained in agreements negotiated with the International Brotherhood of
9 Electrical Workers (“IBEW”), Local 483, Click! Unit, Power Unit, and Water
10 Division Unit; and includes a change to the overtime designation for
11 nonrepresented classifications in the Power Engineering classification series,
12 and

13 WHEREAS the Collective Bargaining Agreement (“CBA”) with IBEW,
14 Local 483, Click! Unit, includes a wage increase of 3 percent for the
15 classifications of Network Operations Center Technician (5517),
16 Telecommunications Technician 1 (5518), Sales and Service Representative
17 (5511), and Lead Sales and Service Representative (5512), and

18 WHEREAS a Letter of Agreement (“LOA”) with IBEW, Local 483, Click!
19 and Power Units, provides for the consolidation of the classifications of
20 Telecommunications Network Construction Technician (5540) and
21 Telecommunications Network Technician (5543) into a single classification titled
22 Network Construction Technician (5540), effective April 1, 2020, and
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1 WHEREAS these classifications will cease to be represented by IBEW,
2 Local 483 Click! Unit, and will be moved under the CBA with IBEW, Local 483,
3 Power Unit, and

4 WHEREAS the LOA further provides for a wage increase of 2.25 percent,
5 effective April 1, 2020; a change in the overtime designation for the titles to
6 overtime category C; and for employees in the impacted classifications on
7 March 31, 2020, to receive a one-time, lump sum payment of \$700, and

8 WHEREAS a LOA with IBEW, Local 483, Water Division Unit, provides
9 for the accretion of the nonrepresented classification of Water Supply
10 Supervisor into the bargaining unit; establishes a one-step pay rate of \$47.80
11 per hour, effective retroactive to January 1, 2020; and provides that the
12 classification will be eligible for longevity pay, and

13 WHEREAS the current incumbent in the classification will receive a wage
14 increase of 3 percent, and after the wage increase has been applied, the
15 incumbent's wage will be frozen until such time as the pay rate for the
16 classification exceeds the frozen rate, and

17 WHEREAS this ordinance also provides for a change to the overtime
18 designation for the nonrepresented classifications of Power Engineer I, Power
19 Engineer II, Power Engineer III, and Power Engineer IV, from overtime
20 category D (salaried) to overtime category E, in order to provide for overtime
21 compensation during emergency situations; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

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

Code	A	Job Title	1	2	3	4	5
5511		Sales & Service Representative	21.29	22.36	23.47	24.65	25.88
5512		Sales & Service Representative, Lead	26.45	27.77	29.16	30.62	32.15
5517		Network Operations Center Technician	24.02	25.22	26.49	27.81	29.20
5518		Telecommunications Technician 1	25.69	26.98	28.33	29.74	31.23

Code	A	Job Title	1	2	3	4	5
5511		Sales & Service Representative	21.93	23.03	24.17	25.39	26.66
5512		Sales & Service Representative, Lead	27.24	28.60	30.03	31.54	33.11
5517		Network Operations Center Technician	24.74	25.98	27.28	28.64	30.08
5518		Telecommunications Technician 1	26.46	27.79	29.18	30.63	32.17

Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective April 1, 2020, to read as follows:

Code	A	Job Title	1	2	3	4	5
5516		Telecommunications Utility Worker	20.15	21.16	22.21	23.32	24.49
5540		Telecommunications Network Construction Technician	28.56	29.99	31.49	33.07	34.72
5543		Telecommunications Network Technician	32.25	33.87	35.56	37.34	39.21

Code	A	Job Title	1	2	3	4	5
5516		Telecommunications Utility Worker	22.52	23.65	24.85	26.10	27.42
5540		Telecommunications -Network Construction Technician	34.30	36.02	37.81	39.70	41.68

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



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Code	A	Job Title	1A	1B	1C	1D	2A	2B	2C	2D
5068		Water Supply Supervisor	38.34	38.82	39.31	39.80	40.30	40.80	41.31	41.83
			3A	3B	3C	3D	4A	4B	4C	4D
			42.35	42.88	43.42	43.96	44.51	45.07	45.63	46.20
			5A	5B	5C	5D	6A			
			46.78	47.36	47.95	48.55	49.16			

Code	A	Job Title	1
5068		Water Supply Supervisor	47.80

Section 4. That Section 1.12.640 of the Tacoma Municipal Code is hereby amended, effective April 1, 2020, to read as follows:

L483 Power An employee in the classification of Telecommunications Network Construction Technician (CSC 5540), Telecommunications Network Technician (CSC 5543) and Telecommunications Utility Worker (CSC 5516) as of March 31, 2020 shall receive a one-time, lump sum payment in the amount of \$700.00.

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

2131, 2132, 2133, 2134 Employees in the classifications of Power Engineer I (CSC 2131), Power Engineer II (CSC 2132), Power Engineer III (CSC 2133) and Power Engineer IV (CSC 2134), assigned to work in emergency situations outside the normal work hours shall be compensated at time and one-half of their regular rate of pay for all hours worked during emergency situations.

2132 See 2131, 2132, 2133, 2134
2133 See 2131, 2132, 2133, 2134

2133 The classification of Power Engineer III (CSC 2133) is comprised of all non-automatic steps, and progression within the salary range is based on management discretion.

2134 See 2131, 2132, 2133, 2134

2134 The classification of Power Engineer IV (CSC 2134) is comprised of all non-automatic steps, and progression within the salary range is based on management discretion.



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Section 6. That Sections 1 and 3 are effective retroactive to January 1,
2020. That Sections 2 and 4 are effective April 1, 2020. That Section 5 is effective
as provided by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28659

1 BY REQUEST OF DEPUTY MAYOR BLOCKER AND COUNCIL MEMBER USHKA

2 AN ORDINANCE relating to the Chronic Public Nuisance Code; amending
3 Chapter 8.30A of the Tacoma Municipal Code (“TMC”) to remove “Domestic
4 Violence” as a qualifying nuisance activity from the list set forth in
5 TMC 8.30A.020, to protect victims from being deemed “nuisance” tenants
6 for reporting criminal activity.

7 WHEREAS the Chronic Public Nuisance Code, Tacoma Municipal
8 Code (“TMC”) Chapter 8.30A, was established in 2003 with an intent to protect
9 the health, safety, and welfare of the public, and

10 WHEREAS “Domestic Violence” has been listed as a nuisance activity
11 since 2003, and

12 WHEREAS Policy and Advocacy Committee Members of the Human
13 Rights Commission have expressed concern with having “Domestic Violence”
14 listed as a qualifying nuisance activity in TMC 8.30A, as it may disproportionately
15 impact underprivileged women and punish domestic violence victims for reporting
16 criminal activity to law enforcement, and

17 WHEREAS, in response to these concerns and in an effort to support
18 victims’ rights, the proposed amendment to TMC 8.30A will remove “Domestic
19 Violence, TMC 8.105” from the list of nuisance activities set forth in
20 TMC 8.30A.020; Now, Therefore,

21 BE IT ORDAINED BY THE CITY OF TACOMA:

22 Section 1. That Chapter 8.30A of the Tacoma Municipal Code is hereby
23 amended as set forth in the attached Exhibit “A.”
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Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Assistant City Attorney



EXHIBIT "A"

**Chapter 8.30A
CHRONIC PUBLIC NUISANCE**

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8.30A.020 Definitions.

A. "Abate" means to repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this chapter by such means and in such a manner, and to such an extent, as the applicable City department director or designee determines is necessary in the interest of the general health, safety, and welfare of the community.

B. "Chronic nuisance property" means a property:

1. on which three or more nuisance activities as defined herein exist or have occurred during any 60-day period; or
2. on which four or more nuisance activities as defined herein exist or have occurred during any six-month period; or
3. on which six or more nuisance activities as defined herein exist or have occurred during any 12-month period; or
4. that, upon request for execution of a search warrant, has been the subject of a determination by a court two or more times within a 12-month period that probable cause exists that illegal possession, manufacture, or delivery of a controlled substance or related offenses, as defined in Revised Code of Washington ("RCW") 69.50, has occurred on the property; or
5. that the City can demonstrate by a preponderance of the evidence is the cause of nuisance activities that are occurring on other property adjacent to or in proximity to the property itself, where such nuisance activities occurring on such other property meet the definition of 1, 2, 3, or 4 above.

C. "Correction agreement" means a contract between the City and the owner and, if different than the owner, the person in control of the chronic nuisance property, in which such person(s) agrees to promptly take all reasonable actions, which shall be set forth in the agreement, to abate the nuisance activities within a specified time and according to specified conditions.

D. "Director" means any City of Tacoma Department Director, or designee.

E. "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and, in addition, means any person designated as a representative of the landlord.

F. "Nuisance activity" includes a violation for any of the following:

1. A "most serious offense," as defined in RCW 9.94A;
2. "Alcoholic beverage control violations," as defined in RCW 66.44;
3. "Drive-by shooting," as defined in RCW 9A.36.045;
4. "Drug-related activity," including unlawful manufacture, delivery, sale, storage, possession, or giving away of any controlled substance, as defined in RCW 69.50; illegal drugs, as defined in RCW 69.41; precursor drugs, as defined in RCW 69.43; or imitation controlled substances, as defined in RCW 69.52;
- 5 "Gang-related activity," as defined in RCW 59.18.030;
6. "Reckless endangerment," as defined in RCW 9A.36.050;
7. Animal Control, Tacoma Municipal Code ("TMC") Title 17;



- 8. Assault in the Fourth Degree, TMC 8.76;
- 1 9. Curfew Hours for Minors, TMC 8.109;
- 2 10. Disorderly Conduct, TMC 8.12;
- 3 ~~11. Domestic Violence, TMC 8.105;~~
- 4 ~~12. Drug Paraphernalia, TMC 8.29;~~
- 5 ~~13. Drug-related Loitering, TMC 8.72;~~
- 6 ~~14. Fire Prevention Code, TMC 3.02;~~
- 7 ~~15. Firearms, TMC 8.67;~~
- 8 ~~16. Fireworks, TMC 3.12;~~
- 9 ~~17. Gambling, TMC 8.100;~~
- 10 ~~18. Graffiti, TMC 8.120;~~
- 11 ~~19. Harassment, TMC 8.80;~~
- 12 ~~20. Indecent Acts, TMC 8.32;~~
- 13 ~~21. Minimum Building and Structures Code, TMC 2.01;~~
- 14 ~~22. Narcotics, TMC 8.28;~~
- 15 ~~23. Noise Enforcement, TMC 8.122;~~
- 16 ~~24. Obstructing Pedestrians or Traffic, TMC 8.13;~~
- 17 ~~25. Prostitution, TMC 8.46;~~
- 18 ~~26. Public Nuisances, TMC 8.30;~~
- 19 ~~27. Regulation of Purchase/Sale of Ephedrine, TMC 8.140;~~
- 20 ~~28. Stay Out of Areas of Prostitution (“SOAP”) Orders, TMC 8.170;~~
- 21 ~~29. Stay Out of Drug Areas (“SODA”) Orders, TMC 8.160;~~
- 22 ~~30. Solid Waste, Recycling and Hazardous Waste, TMC 12.09;~~
- 23 ~~31. Tax and License Code, TMC Title 6;~~
- 24 ~~32. Unlawful Assembly, TMC 8.60;~~
- 25 ~~33. Urinating in Public, TMC 8.33;~~
- 26 ~~34. Weapons, TMC 8.66;~~
- 35. Any similar violation of the RCW or the United States Code;
- 36. Any attempt to commit and/or conspiracy to commit any of the above activities, behaviors, or conduct shall also be considered a nuisance activity.

* * *