



Legislation Passed March 24, 2020

The Tacoma City Council, at its regular City Council meeting of March 24, 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. 40576

A resolution setting Tuesday, April 7, 2020, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the proposed amendments to the 2019-2020 Annual Action Plan for Housing and Community Development projects.

[Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40577

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with ADG MLK, LLC, for the development of 283 multi-family market-rate rental housing units and six live/work units, located at 1011 Martin Luther King Jr. Way, in the Downtown Regional Growth Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Ordinance No. 28655

An ordinance vacating a portion of North Visscher Street, lying between North Park Way and North Park Avenue, to facilitate private improvements and landscaping.

(Claire and Gabriel Van Guse; File No. 124.1400)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28663

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 the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit.

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

Ordinance No. 28664

(First and Final Reading) An ordinance suspending enforcement of Second Substitute Ordinance No. 28367 and Section 12.09.215 of the Municipal Code, entitled "Bring Your Own Bag"; and declaring an emergency, making necessary the passage of this ordinance, and it's taking effect immediately.

[Mayor Woodards]



RESOLUTION NO. 40576

1 A RESOLUTION setting Tuesday, April 7, 2020, upon completion of Regular
2 Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing on
3 amendments to the City of Tacoma's 2019-2020 Annual Action Plan for
4 Housing and Community Development projects.

4 WHEREAS, each year, the City submits an Annual Action Plan ("Plan") to
5 the U.S. Department of Housing and Urban Development ("HUD") in order to fulfill
6 the requirements associated with receipt of grant funding, to ensure that the City
7 receives federal funds to manage its housing, community and economic
8 development, neighborhood improvement, homeless assistance and social service
9 programs, and
10

11 WHEREAS the Plan outlines the City's use of Community Development
12 Block Grant ("CDBG"), HOME Investment Partnership ("HOME"), and Emergency
13 Solutions Grant ("ESG") funds, and
14

15 WHEREAS, periodically, changes to submitted Plans are necessary, and
16 depending on the significance of the changes, the City must implement a
17 "substantial amendment" process outlined in the City's Citizen Participation Plan
18 ("CPP"), and a 30-day public comment period to include acceptance of public
19 comment at a regularly scheduled City Council meeting is necessary, and
20

21 WHEREAS on April 14, 2020, the City Council will receive a request to
22 approve amendments to the City's 2019-2020 Plan, and the proposed changes will
23 reprogram unused CDBG dollars from the prior year to housing and community
24 development projects, which is a necessary step for submittal of the substantial
25 amendments to HUD, and
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS prior to the City Council considering the amendments, the City has provided a 30-day public comment period in accordance with the CPP, which includes an opportunity to comment on the proposed amendments at a public hearing to be held April 7, 2020, before the City Council, and

WHEREAS the draft amendments to the Plan were made available for public review for a period of 30 days, beginning on March 13, 2020, and ending on April 13, 2020; Now, Therefore,

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

Section 1. That Tuesday, April 7, 2020, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, as the place when and where a public hearing shall be held on amendments of the Community and Economic Development Department for the City's proposed 2019-2020 Annual Action Plan for Housing and Community Development projects.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40577

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
3 Property Tax Exemption Agreement with ADG MLK, LLC, for the
4 development of 283 multi-family market-rate rental housing units and six
live/work units to be located at 1011 Martin Luther King Jr. Way, in the
Downtown Regional Growth Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
6 Washington, designated several Residential Target Areas for the allowance of a
7 limited property tax exemption for new multi-family residential housing, and
8

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
10 whereby property owners in Residential Target Areas may qualify for a Final
11 Certificate of Tax Exemption which certifies to the Pierce County
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
13 exemption, and
14

15 WHEREAS ADG MLK, LLC is proposing to develop 283 market-rate rental
16 units to consist of 172 studio units, with an average size of 397-646 square feet and
17 renting for approximately \$1,035-\$1,680 per month; 102 one-bedroom, one-bath
18 units with an average size of 567-1,053 square feet and renting for approximately
19 \$1,300-\$2,400 per month; and nine two-bedroom, two-bath units with an average
20 size of 1,007-1,102 square feet and renting for approximately \$2,100-\$2,400 per
21 month, as well as six live/work units, 189 on-site residential parking stalls, 59 on-site
22 non-residential parking stalls, and 18,000 square feet of commercial space, and
23

24 WHEREAS the Director of Community and Economic Development has
25 reviewed the proposed property tax exemption and recommends that a
26



1 conditional property tax exemption be awarded for the property located at
 2 1011 Martin Luther King Jr. Way, in the Downtown Regional Growth Center,
 3 as more particularly described in the attached Exhibit "A"; Now, Therefore,

4
 5 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

6 Section 1. That the City Council does hereby approve and authorize a
 7 conditional property tax exemption, for a period of eight years, to ADG MLK, LLC,
 8 for the property located at 1011 Martin Luther King Jr. Way, in the Downtown
 9 Regional Growth Center, as more particularly described in the attached Exhibit "A."

10 Section 2. That the proper officers of the City are authorized to execute a
 11 Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with
 12 ADG MLK, LLC, said document to be substantially in the form of the proposed
 13 agreement on file in the office of the City Clerk.

14
 15 Adopted _____

16
 17 _____
 18 Mayor

19 Attest:
 20 _____
 21 City Clerk

22 Approved as to form:
 23 _____
 24 Deputy City Attorney

25 Legal description approved:
 26 _____
 Chief Surveyor
 Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Tax Parcel: 201020-0071

Legal Description:

Lots 5 through 12, inclusive, Blocks 1020 and 1021, Map of New Tacoma, Washington Territory, according to the plat filed for record February 3, 1875 in the Office of the County Auditor, in Pierce County, Washington; Together with that portion of vacated alley abutting thereon and attached thereto by operation of law as vacated by City of Tacoma Ordinance No. 2130; Also together with that portion of the alley abutting Lots 5 through 12, vacated by Ordinance No. 28351 and recorded under Pierce County recording number 201703140979 and attached thereto by operation of law; Except the East 65 feet of Lot 11 of said Block 1020; Also except the East 61 1/2 feet of Lot 12 of said Block 1020;

All situate in the Southwest Quarter of the Northeast Quarter of Section 05, Township 20 North, Range 03 East of the W.M., City of Tacoma, Pierce County, Washington.



ORDINANCE NO. 28655

1
2
3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of North Visscher Street, lying between North Park Way and North Park
5 Avenue, to facilitate private improvements and landscaping; and
6 adopting the Hearing Examiner's Findings, Conclusions, and
7 Recommendations related thereto.

8 WHEREAS all steps and proceedings required by law and by
9 resolution of the City Council to vacate the portion of the right-of-way
10 hereinafter described have been duly taken and performed; Now, Therefore,

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's
13 Findings, Conclusions, and Recommendations as contained in the Hearing
14 Examiner's Report and Recommendation to the City Council bearing File
15 No. 124.1400 and dated January 14, 2020, which Report is on file in the office
16 of the City Clerk.
17
18
19



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That the easternmost five feet of the overall seventy-foot width of North Visscher Street, running for a north-south length of one hundred thirty-six feet along the front of Petitioners' residential real property at 5918 North Park Avenue, legally described as follows:

A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M. DESCRIBED AS FOLLOWS: COMMENCING AT A BRASS SURFACE MONUMENT AT THE NORTH QUARTER CORNER OF SAID SECTION 23; THENCE ALONG THE NORTH LINE OF SAID SECTION, NORTH 88°36'20" WEST, 287.62 FEET TO ITS INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST LINE OF LOT 3 OF BLOCK 2 OF REPLAT OF POINT DEFIANCE PARK ADDITION TO TACOMA, WASHINGTON, VOLUME 10 OF PLATS, PAGE 78, RECORDS OF PIERCE COUNTY AUDITOR'S OFFICE; THENCE ALONG SAID WEST LINE EXTENDED, SOUTH 01°54'00" WEST, 35.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 3 AND THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01°54'00" WEST, 135.80 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3, THENCE ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3, SOUTH 58°00'39" WEST, 6.02 FEET; THENCE PARALLEL WITH SAID WEST LINE, NORTH 01°54'00" EAST, 139.11 FEET TO THE INTERSECTION WITH WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3; THENCE ALONG SAID WESTERLY EXTENSION SOUTH 88°36'20" EAST, 5.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 687 SQ. FT. (0.0158 ACRES), MORE OR LESS.

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that private third party easements remain to be negotiated between the Petitioner and a neighboring property owner for private water facilities that are in the Vacation Area. Negotiation of the easement(s) should be concluded prior to second reading of the



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

ordinance. Second reading of the ordinance should be delayed until
Petitioner has completed negotiation and provided such private easement(s).

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: A portion of North Visscher Street, lying between North Park Way
and North Park Avenue.
Petitioner: Claire and Gabriel Van Guse
Vacation Req. No. 124.1400



ORDINANCE NO. 28663

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 the International Brotherhood of Electrical
 4 Workers, Local 483, Water Pollution Control Unit; and declaring the effective
 5 dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

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

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	<u>34.46</u>	<u>36.18</u>	<u>38.00</u>	<u>39.89</u>	<u>41.88</u>
0629		Environmental Systems Technician	<u>29.06</u>	<u>30.51</u>	<u>32.02</u>	<u>33.63</u>	<u>35.32</u>
5036		Landfill Gas Systems Operator	<u>33.40</u>	<u>35.07</u>	<u>36.82</u>	<u>38.68</u>	<u>40.60</u>
5096		WWTP Electrician/Instrumentation Technician	<u>35.58</u>	<u>37.35</u>	<u>39.22</u>	<u>41.18</u>	<u>43.24</u>
5101		WWTP Operator	<u>31.86</u>	<u>33.45</u>	<u>35.12</u>	<u>36.88</u>	
5103		WWTP Operator, Senior	<u>38.66</u>	<u>40.58</u>			
5094		WWTP Operator-in-Training	<u>27.08</u>	<u>28.67</u>	<u>30.27</u>		

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	<u>35.49</u>	<u>37.27</u>	<u>39.14</u>	<u>41.09</u>	<u>43.14</u>
0629		Environmental Systems Technician	<u>29.93</u>	<u>31.43</u>	<u>32.98</u>	<u>34.64</u>	<u>36.38</u>
5036		Landfill Gas Systems Operator	<u>34.40</u>	<u>36.12</u>	<u>37.92</u>	<u>39.84</u>	<u>41.82</u>
5096		WWTP Electrician/Instrumentation Technician	<u>36.65</u>	<u>38.47</u>	<u>40.40</u>	<u>42.42</u>	<u>44.54</u>
5101		WWTP Operator	<u>32.82</u>	<u>34.45</u>	<u>36.17</u>	<u>37.99</u>	
5103		WWTP Operator, Senior	<u>39.82</u>	<u>41.80</u>			
5094		WWTP Operator-in-Training	<u>27.90</u>	<u>29.54</u>	<u>31.18</u>		



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective January 1, 2021.

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	<u>35.49</u>	<u>37.27</u>	<u>39.14</u>	<u>41.09</u>	<u>43.14</u>
0629		Environmental Systems Technician	<u>29.93</u>	<u>31.43</u>	<u>32.98</u>	<u>34.64</u>	<u>36.38</u>
5036		Landfill Gas Systems Operator	<u>34.40</u>	<u>36.12</u>	<u>37.92</u>	<u>39.84</u>	<u>41.82</u>
5096		WWTP Electrician/Instrumentation Technician	<u>36.65</u>	<u>38.47</u>	<u>40.40</u>	<u>42.42</u>	<u>44.54</u>
5101		WWTP Operator	<u>32.82</u>	<u>34.45</u>	<u>36.17</u>	<u>37.99</u>	
5103		WWTP Operator, Senior	<u>39.82</u>	<u>41.80</u>			
5094		WWTP Operator-in-Training	<u>27.90</u>	<u>29.54</u>	<u>31.18</u>		

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	<u>36.38</u>	<u>38.20</u>	<u>40.12</u>	<u>42.12</u>	<u>44.22</u>
0629		Environmental Systems Technician	<u>30.68</u>	<u>32.22</u>	<u>33.80</u>	<u>35.51</u>	<u>37.29</u>
5036		Landfill Gas Systems Operator	<u>35.26</u>	<u>37.02</u>	<u>38.87</u>	<u>40.84</u>	<u>42.87</u>
5096		WWTP Electrician/Instrumentation Technician	<u>37.57</u>	<u>39.43</u>	<u>41.41</u>	<u>43.48</u>	<u>45.65</u>
5101		WWTP Operator	<u>33.64</u>	<u>35.31</u>	<u>37.07</u>	<u>38.94</u>	
5103		WWTP Operator, Senior	<u>40.82</u>	<u>42.85</u>			
5094		WWTP Operator-in-Training	<u>28.59</u>	<u>30.28</u>	<u>31.96</u>		

Section 3. That Section 1.12.355 of the Tacoma Municipal Code is hereby amended, effective January 1, 2022.

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	<u>36.38</u>	<u>38.20</u>	<u>40.12</u>	<u>42.12</u>	<u>44.22</u>
0629		Environmental Systems Technician	<u>30.68</u>	<u>32.22</u>	<u>33.80</u>	<u>35.51</u>	<u>37.29</u>
5036		Landfill Gas Systems Operator	<u>35.26</u>	<u>37.02</u>	<u>38.87</u>	<u>40.84</u>	<u>42.87</u>
5096		WWTP Electrician/Instrumentation Technician	<u>37.57</u>	<u>39.43</u>	<u>41.41</u>	<u>43.48</u>	<u>45.65</u>
5101		WWTP Operator	<u>33.64</u>	<u>35.31</u>	<u>37.07</u>	<u>38.94</u>	
5103		WWTP Operator, Senior	<u>40.82</u>	<u>42.85</u>			
5094		WWTP Operator-in-Training	<u>28.59</u>	<u>30.28</u>	<u>31.96</u>		



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Code	A	Job Title	1	2	3	4	5
5100		Biosolids Coordinator	37.20	39.06	41.02	43.07	45.21
0629		Environmental Systems Technician	31.37	32.94	34.56	36.31	38.13
5036		Landfill Gas Systems Operator	36.05	37.85	39.74	41.76	43.83
5096		WWTP Electrician/Instrumentation Technician	38.42	40.32	42.34	44.46	46.68
5101		WWTP Operator	34.40	36.10	37.90	39.82	
5103		WWTP Operator, Senior	41.74	43.81			
5094		WWTP Operator-in-Training	29.24	30.96	32.68		

Section 4. That Section 1.12.640 of the Tacoma Municipal Code is hereby amended, effective as provided by law.

1.12.640 Application of additional rates.

* * *

5096 An employee in the classification of WWTP Electrician/Instrumentation Technician, with a minimum of three (3) years of employment in the Operations and Maintenance Division, when designated as a Lead, shall receive an additional 5 percent over their base rate of pay for all hours worked when specific criteria is met.

5096 An employee in the classification of WWTP Electrician/Instrumentation Technician who holds a Crane Operators Certification as of the date of ratification of the 2020-2022 collective bargaining agreement shall continue to receive the 2 percent premium as long as they maintain their certification. The premium is not available to any other current and/or future employees.

* * *

5100 An employee in the classification of Biosolids Coordinator (CSC 5100) that receives the Master Gardener Certification and/or the Washington Organic Recycling Compost Certification shall receive certification pay of 2.5 percent for each certification.

* * *

L 483 WPC An employee in a classification represented by the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit, working any straight time hours during the "B" Shift shall receive an additional 5 percent over their base rate of pay for such hours worked.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 5. That Section 1 shall become effective retroactive to
January 1, 2020. That Section 2 shall become effective January 1, 2021. That
Section 3 shall become effective January 1, 2022. That Section 4 shall
become effective as provided by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28664

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS BEALE
2 AND THOMS

3 AN ORDINANCE suspending enforcement of Second Substitute Ordinance
4 No. 28367 and Tacoma Municipal Code 12.09.215, entitled "Bring Your
5 Own Bag," passed July 12, 2016, during the declared state of emergency
6 due to the novel coronavirus COVID-19; and declaring an emergency,
7 making necessary the passage of this ordinance effective immediately.

8 WHEREAS the City Council approved Second Substitute Ordinance
9 No. 28367 ("Ordinance") on July 12, 2016, which amended Chapter 12.09 of the
10 Tacoma Municipal Code by adding thereto a new Section 12.09.215, entitled
11 "Bring Your Own Bag," which prohibited the use of carryout bags except reusable
12 carryout bags and recycled paper carryout bags, and

13 WHEREAS the Washington State Legislature recently passed SB 5323,
14 calling for a statewide plastic bag ban at retail establishments and preempting local
15 laws, including the City's Ordinance, with an effective date of January 1, 2021, and

16 WHEREAS, on March 17, 2020, the City Council confirmed the state of
17 emergency declared in the Mayor's March 12, 2020, proclamation of emergency
18 due to the novel coronavirus COVID-19, and

19 WHEREAS, due to the state of emergency, City of Tacoma grocery stores,
20 and labor representatives of grocery workers, have requested immediate relief
21 from the City's Ordinance, and

22 WHEREAS, in order to protect the health and safety of their workers, who
23 are a critical part of the food supply chain, during this global pandemic, and
24

25 WHEREAS the City affirms its long-term objectives to change
26 manufacturing and purchasing practices, as well as waste generation behaviors, in



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

order to forward the City’s environment and sustainability goal, including the enactment of statewide “Bring Your Own Bag” legislation; however, temporary suspension of the City’s Ordinance is currently in the best interests of the residents of Tacoma and the critical workers in the grocery industry; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That enforcement of Second Substitute Ordinance No. 28367, as codified under Tacoma Municipal Code 12.09.215, entitled “Bring Your Own Bag,” is suspended for the duration of the City of Tacoma’s declared state of emergency, declared in the Mayor’s March 12, 2020, proclamation of emergency and confirmed by the City Council on March 17, 2020, due to the novel coronavirus COVID-19.

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 at least six members of the City Council.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney