Legislation Passed June 23, 2020

The Tacoma City Council, at its regular City Council meeting of June 23, 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. 40615**
A resolution setting Thursday, July 23, 2020, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South 4th Street, lying between Broadway and Court C, to facilitate an affordable family housing project. (YWCA Home at Last LLC; File No. 124.1399)
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

**Resolution No. 40616**
A resolution authorizing the execution of an amendment to the Interlocal Agreement with the University of Washington Tacoma, to continue temporary parking during construction of the hotel adjacent to the Greater Tacoma Convention Center, through December 31, 2020.
[Merita Trohimovich, Principal Engineer; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 40617**
A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Tac Build LLC, for the development of 17 multi-family market-rate and affordable rental housing units, located at 810 Yakima Avenue, in the Downtown Regional Growth Center.
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

**Resolution No. 40618**
A resolution requesting the Citizen Police Advisory Committee to review the Tacoma Police Department’s draft body worn camera policy; outline an engagement process for public review and comment; and provide advisory recommendations to the City Manager.
[Mayor Woodards]

**Ordinance No. 28587**
An ordinance vacating an area of alley right-of-way lying between North 15th and North 16th Streets, beginning at a private section of former North Lawrence Street and running in an easterly direction, for development of the area as a gateway to a new Welcome Center for the University of Puget Sound.
(University of Puget Sound; File No. 124.1395)
[Jeff H. Capell, Hearing Examiner]
Ordinance No. 28676
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 Brotherhood of Locomotive Engineers and Trainmen.
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]
A RESOLUTION relating to the vacation of City right-of-way; setting Thursday, July 23, 2020, at 9:00 a.m., as the date for a hearing before the City of Tacoma Hearing Examiner on the petition of YWCA Home at Last LLC, to vacate a portion of South 4th Street, lying between Broadway and Court C, to facilitate an affordable family housing project.

WHEREAS YWCA Home at Last LLC, having received the consent of the owners of more than two-thirds of the properties abutting the portion of South 4th Street, lying between Broadway and Court C, has petitioned for the vacation of the following legally described right-of-way area:

A 3.00 FOOT STRIP OF LAND WITHIN THE RIGHT-OF-WAY FOR SOUTH 4TH STREET, BETWEEN BROADWAY AND COURT C, BEING ADJACENT TO AND NORTHWESTERLY OF THE NORTHERLY LINE OF LOT 1, BLOCK 406, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO PLAT FILED FOR RECORD FEBRUARY 3, 1875 IN THE OFFICE OF THE COUNTY AUDITOR; SAID STRIP BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 03 EAST, WILLAMETTE MERIDIAN, IN TACOMA, PIERCE COUNTY, WASHINGTON;

Now, Therefore,

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

Section 1. That Thursday, July 23, 2020, at 9:00 a.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, as the place when and where, unless the Governor's proclamation limiting in-person meetings is still in effect and then a call in option will be provided, said request will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.
Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted ________________

________________________________________
Mayor

Attest:

________________________________________
City Clerk

Approved as to form: Property description approved:

________________________________________
Deputy City Attorney Chief Surveyor

________________________________________
Property description approved:

________________________________________
Chief Surveyor Public Works Department

Location: A portion of South 4th Street, lying between Broadway and Court C.

Petitioner: YWCA Home at Last LLC

File No.: 124.1399
RESOLUTION NO. 40616

A RESOLUTION relating to stormwater systems; authorizing the execution of an amendment to the Interlocal Agreement with the University of Washington Tacoma, to continue temporary parking during construction of the hotel adjacent to the Greater Tacoma Convention Center, through December 31, 2020.

WHEREAS the City has conveyed property adjacent to the Greater Tacoma Convention Center (“GTCC”) to Yareton Investment & Management, LLC (“Developer”) for construction of a hotel/mixed-use project (“Project”) that will enhance operation of the GTCC, and

WHEREAS, it is anticipated that during construction on-street and off-street parking located in the vicinity of the Project will be utilized by employees of the Developer’s general contractor, subcontractors, and other related parties who will be working on the Project, and

WHEREAS, the University of Washington Tacoma (“UWT”) currently owns the property located between South 19th Street and South 17th Street, and Court E and Tacoma Avenue South, which UWT has made available to the Developer, in whole or in part, for the temporary use by employees of the Developer’s contractors and subcontractors for parking, and

WHEREAS, UWT and the City entered into an Interlocal Agreement (“ILA”) on May 3, 2018, to allow this temporary use to discharge stormwater to the City’s stormwater system, and

WHEREAS, UWT has identified parking scarcity to be an issue for UWT students and local residents, and the ILA allows for construction parking to occur on a private site so that demand for on-street parking does not exceed supply, and
WHEREAS the Project was anticipated to be completed in early 2020, however unanticipated conditions have caused the schedule to be extended, and construction is now expected to be completed before December 31, 2020; 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 an amendment to the Interlocal Agreement with the University of Washington Tacoma, to continue temporary parking during construction of the hotel adjacent to the Greater Tacoma Convention Center, through December 31, 2020.

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:

____________________________________
City Attorney
A RESOLUTION relating to the multi-family property tax exemption program; authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Tac Build LLC, for the development of 17 multi-family market-rate and affordable rental housing units to be located at 810 Yakima Avenue in the Downtown Regional Growth Center.

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

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

WHEREAS Tac Build LLC, is proposing to develop 17 new market-rate and affordable rental housing units to consist of:

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>Type of Unit</th>
<th>Average Size</th>
<th>Expected Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Rate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Studio</td>
<td>450 Square Feet</td>
<td>$1,255</td>
</tr>
<tr>
<td>5</td>
<td>One bedroom, one bath</td>
<td>600 Square Feet</td>
<td>$1,450</td>
</tr>
<tr>
<td>Affordable Rate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Studio</td>
<td>450 Square Feet</td>
<td>$1,124 *including utilities</td>
</tr>
<tr>
<td>1</td>
<td>One bedroom, one bath</td>
<td>600 Square Feet</td>
<td>$1,444 *including utilities</td>
</tr>
</tbody>
</table>

as well as four on-site residential parking stalls, and

WHEREAS, although at this time, the expected market-rate rents and the affordable rents are nearly the same and are deemed “affordable,” over the 12-year exemption period, as the market-rate rents increase, the four affordable units will continue to comply with the allowable and affordable rates, and
WHEREAS the Director of Community and Economic Development has reviewed the proposed property tax exemption and recommends that a conditional property tax exemption be awarded for the property located at 810 Yakima Avenue in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit “A”; Now, Therefore,

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

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Tac Build LLC, for the property located at 810 Yakima Avenue in the Downtown Regional Growth Center, as more particularly described in the attached Exhibit “A.”

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

Adopted ______________________

__________________________________________
Mayor

Attest:

__________________________________________
City Clerk

Approved as to form: Legal description approved:

__________________________________________
City Attorney

Chief Surveyor
Public Works Department
EXHIBIT "A"

LEGAL DESCRIPTION

Tax Parcel: 2008160032

Legal Description:

A portion of the Northwest Quarter of the Northeast Quarter of Section 05, Township 20 North, Range 03 East, Willamette Meridian, Pierce County, Washington, more particularly described as follows:

Lots 5 and 6, Block 816, according to Map of New Tacoma, as per plat recorded February 3, 1875, in the Office of the Pierce County Auditor. Together with the northeasterly 10 feet of alley vacated by Ordinance No. 2542 of the City of Tacoma, abutting thereon and attached thereto;

Situate in the City of Tacoma, County of Pierce, State of Washington.
RESOLUTION NO. 40618

BY REQUEST OF MAYOR WOODARDS

A RESOLUTION requesting the Citizen Police Advisory Committee to review the Tacoma Police Department draft body worn cameras policy; outline an engagement process for public review and comment; and provide advisory recommendations to the City Manager.

WHEREAS, on February 20, 2007, at the recommendation of the City’s Human Rights Commission and pursuant to Ordinance No. 27589, the City Council adopted Tacoma Municipal Code (“TMC”) 1.06.075.B.1, creating and clarifying the role of a Citizen Review Panel, which is currently known as the Citizen Police Advisory Committee (“CPAC”), and

WHEREAS CPAC is a policy-focused board whose role is to ensure transparency and accountability in the way that the City of Tacoma Police Department (“TPD”) operates, and

WHEREAS CPAC’s duties and responsibilities include reviewing police policy at the request of the City Council or City Manager, and providing community outreach and education through public hearings and committee efforts, and

WHEREAS high-profile cases in Tacoma and across the nation have raised questions regarding the impacts of implicit bias and systemic racism in policing, and lead to calls for increased transparency and communications from law enforcement agencies and the government bodies that oversee them, and

WHEREAS the Equity and Empowerment framework, adopted by the City Council in 2014, makes equity a consistent guiding principle across the entire
organization and calls out specific goals to guide operational and policy decisions, including a commitment to equity in policy-making, and

WHEREAS, in 2015, Project PEACE was generated in response to community concerns about nationwide police-related conflicts to build trust, relationships, and understanding between community members and law enforcement officers in the Tacoma area, and

WHEREAS, through the work of Project Peace, more than 800 community members, police officers, and City staff took part in six community-wide conversations, resulting in a 2016 report which identified recommendations under 11 categories, including implementation of body worn cameras, and

WHEREAS RCW 42.56.240(14)-.240(160), related to body worn cameras and personal privacy, was passed by the Washington State Legislature in 2016 and amended 2019, and TPD tested multiple brands of body worn cameras on a number of criteria the same year, and

WHEREAS worldwide demonstrations on systemic racism and brutality in policing renewed after the May 25, 2020, killing of George Floyd, a 46-year old Black man, in Minneapolis Minnesota Police custody, and

WHEREAS, at the June 2, 2020, City Council meeting, Mayor Woodards and members of the City Council expressed renewed desire for implementation of body worn cameras, and

WHEREAS Manuel Ellis, a resident of Tacoma and an African-American man, died in Tacoma Police custody on March 3, 2020, and on June 3, 2020, the Tacoma News Tribune published Pierce County Medical Examiner findings ruling
Mr. Ellis’ death a homicide, indicating that Mr. Ellis died from a lack of oxygen due to physical restraint, raising further demands for body worn cameras, and

WHEREAS the City is committed to both long-term comprehensive reform of systems shaped by systemic racism, including City policing, as well as identifying and taking action on reforms that can be implemented more rapidly;

Now, Therefore,

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

That the City Council hereby requests the Citizen Police Advisory Committee to review the Tacoma Police Department draft body worn cameras policy; outline an engagement process for public review and comment; and provide advisory recommendations to the City Manager.

Adopted ____________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
ORDINANCE NO. 28587

AN ORDINANCE related to the vacation of City right-of-way; vacating an area of alley right-of-way lying between North 15th Street and North 16th Street, beginning at a private section of former North Lawrence Street running in an easterly direction, for facilitation of the development of the area as a gateway to a new Welcome Center for the University of Puget Sound; and adopting the Hearing Examiner’s Findings, Conclusions, and Recommendations related thereto.

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

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner’s Findings, Conclusions, and Recommendations as contained in the Hearing Examiner’s Report and Recommendation to the City Council bearing File No. 124.1395 and dated May 16, 2019, which Report is on file in the office of the City Clerk.
Section 2. That the area of alley right-of-way lying between North 15th Street and North 16th Street, beginning at a private section of former North Lawrence Street running in an easterly direction, legally described as follows:

A portion of land in the Northwest Quarter of the Southwest Quarter of Section 31, Township 21 North, Range 3 East, W.M., in Pierce County, Washington described as follows:

The Westerly prolongation of the alleyway lying between Blocks 8 and 12 within the Plat of Baker's First Addition to Tacoma, W.T., filed for record on February 2, 1889, in Volume 2, at Page 118, records of Pierce County, Washington as vacated by City of Tacoma Ordinance No. 27479 recorded under recording number 200607120955, records of Pierce County, Washington, and lying Easterly of North Lawrence Street as vacated by City of Tacoma Ordinance No. 24336, recorded under recording number 8905080070, records of Pierce County, Washington;

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 there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:
City of Tacoma – Environmental Services

City Environmental Services has requested that, as a condition to approving the petition, the Petitioner be required to take ownership of the wastewater sewer pipe located within the Vacation Area, and the Examiner hereby advances that request as part of this Report and Recommendation. The change in ownership, and attendant rights and responsibilities, should be documented in the City's Vacation Ordinance.

Passed _______________________

Attest: _______________________

Mayor

City Clerk

Approved as to form: _______________________

Property description approved: _______________________

Deputy City Attorney _______________________

Chief Surveyor _______________________

Public Works Department

Location: An area of alley right-of-way lying between North 15th Street and North 16th Street, beginning at a private section of former North Lawrence Street running in an easterly direction.

Petitioner: University of Puget Sound

Vacation Req. No. 124.1395

Req. #19-0544
AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code to implement rates of pay and compensation for employees represented by the Brotherhood of Locomotive Engineers and Trainmen; and declaring the effective date thereof.

WHEREAS the 2012-2017 Brotherhood of Locomotive Engineers and Trainmen collective bargaining agreement provides that until revised by the parties pursuant to the Railway Labor Act, a cost of living increase to the basic daily rate of pay for locomotive engineers shall be applied, in an amount equal to 100% of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), Seattle area all items, measured from June of 2015 to June of 2016, with a minimum increase of two percent and a maximum increase of four percent, and

WHEREAS this ordinance provides for a wage increase of two percent effective July 1, 2020, for employees in the Locomotive Engineer classification represented by the Brotherhood of Locomotive Engineers and Trainmen; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

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

<table>
<thead>
<tr>
<th>Code</th>
<th>A</th>
<th>Job Title</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>7111</td>
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<td>Locomotive Engineer</td>
<td>40.47</td>
</tr>
<tr>
<td>Code</td>
<td>A</td>
<td>Job Title</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>---</td>
<td>-----------------</td>
<td>---</td>
</tr>
<tr>
<td>7111</td>
<td></td>
<td>Locomotive Engineer</td>
<td>41.28</td>
</tr>
</tbody>
</table>

Passed

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Mayor

Attest:

________________________

City Clerk

Approved as to form:

________________________

City Attorney