



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]



RESOLUTION NO. 40615

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
2 July 23, 2020, at 9:00 a.m., as the date for a hearing before the City of
3 Tacoma Hearing Examiner on the petition of YWCA Home at Last LLC, to
4 vacate a portion of South 4th Street, lying between Broadway and Court C,
5 to facilitate an affordable family housing project.

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

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

21 Now, Therefore,

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

23 Section 1. That Thursday, July 23, 2020, at 9:00 a.m., is hereby fixed as
24 the date and time, and the Council Chambers on the first floor of the Tacoma
25 Municipal Building, 747 Market Street, in the City of Tacoma, as the place when
26 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.



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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
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

1 A RESOLUTION relating to stormwater systems; authorizing the execution of an
2 amendment to the Interlocal Agreement with the University of Washington
3 Tacoma, to continue temporary parking during construction of the hotel
4 adjacent to the Greater Tacoma Convention Center, through December 31,
5 2020.

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

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

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

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

22 WHEREAS, UWT has identified parking scarcity to be an issue for UWT
23 students and local residents, and the ILA allows for construction parking to occur
24 on a private site so that demand for on-street parking does not exceed supply, and
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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



RESOLUTION NO. 40617

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with Tac Build LLC, for the development of 17
 4 multi-family market-rate and affordable rental housing units to be located at
 5 810 Yakima Avenue in the Downtown Regional Growth Center.

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

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

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
8	Studio	450 Square Feet	\$1,255
5	One bedroom, one bath	600 Square Feet	\$1,450
Affordable Rate			
3	Studio	450 Square Feet	\$1,124 *including utilities
1	One bedroom, one bath	600 Square Feet	\$1,444 *including utilities

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

17 WHEREAS, although at this time, the expected market-rate rents and the
 18 affordable rents are nearly the same and are deemed "affordable," over the 12-year
 19 exemption period, as the market-rate rents increase, the four affordable units will
 20 continue to comply with the allowable and affordable rates, and
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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:

City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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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

1 BY REQUEST OF MAYOR WOODARDS

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

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

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

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

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

21 WHEREAS the Equity and Empowerment framework, adopted by the City
22 Council in 2014, makes equity a consistent guiding principle across the entire
23 Council in 2014, makes equity a consistent guiding principle across the entire
24 Council in 2014, makes equity a consistent guiding principle across the entire
25 Council in 2014, makes equity a consistent guiding principle across the entire
26 Council in 2014, makes equity a consistent guiding principle across the entire



organization and calls out specific goals to guide operational and policy decisions,
1 including a commitment to equity in policy-making, and

2 WHEREAS, in 2015, Project PEACE was generated in response to
3 community concerns about nationwide police-related conflicts to build trust,
4 relationships, and understanding between community members and law
5 enforcement officers in the Tacoma area, and
6

7 WHEREAS, through the work of Project Peace, more than 800 community
8 members, police officers, and City staff took part in six community-wide
9 conversations, resulting in a 2016 report which identified recommendations under
10 11 categories, including implementation of body worn cameras, and
11

12 WHEREAS RCW 42.56.240(14)-.240(160), related to body worn cameras
13 and personal privacy, was passed by the Washington State Legislature in 2016
14 and amended 2019, and TPD tested multiple brands of body worn cameras on a
15 number of criteria the same year, and
16

17 WHEREAS worldwide demonstrations on systemic racism and brutality in
18 policing renewed after the May 25, 2020, killing of George Floyd, a 46-year old
19 Black man, in Minneapolis Minnesota Police custody, and
20

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

24 WHEREAS Manuel Ellis, a resident of Tacoma and an African-American
25 man, died in Tacoma Police custody on March 3, 2020, and on June 3, 2020, the
26 Tacoma News Tribune published Pierce County Medical Examiner findings ruling



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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

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

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

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That the City Council hereby adopts the Hearing Examiner's
15 Findings, Conclusions, and Recommendations as contained in the Hearing
16 Examiner's Report and Recommendation to the City Council bearing File
17 No. 124.1395 and dated May 16, 2019, which Report is on file in the office of
18 the City Clerk.
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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:



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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 _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

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



ORDINANCE NO. 28676

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of
 2 the Tacoma Municipal Code to implement rates of pay and
 3 compensation for employees represented by the Brotherhood of
 4 Locomotive Engineers and Trainmen; and declaring the effective date
 5 thereof.

6 WHEREAS the 2012-2017 Brotherhood of Locomotive Engineers and
 7 Trainmen collective bargaining agreement provides that until revised by the
 8 parties pursuant to the Railway Labor Act, a cost of living increase to the basic
 9 daily rate of pay for locomotive engineers shall be applied, in an amount equal to
 10 100% of the Consumer Price Index for Urban Wage Earners and Clerical
 11 Workers (CPI-W), Seattle area all items, measured from June of 2015 to June of
 12 2016, with a minimum increase of two percent and a maximum increase of four
 13 percent, and

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

18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. That Section 1.12.355 of the Tacoma Municipal Code, is
 20 hereby amended, effective July 1, 2020, to read as follows:
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Code	A	Job Title	1
7111		Locomotive Engineer	40.47

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Code	A	Job Title	1
7111		Locomotive Engineer	<u>41.28</u>

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney