



Legislation Passed September 22, 2020

The Tacoma City Council, at its regular City Council meeting of September 22, 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. 40653

A resolution setting Tuesday, October 6, 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 declaration of surplus and sale of approximately 31.5 acres of Tacoma Power property, located at 16515 16525 Canyon Road East, in the Frederickson vicinity of unincorporated Pierce County, to Exeter Canyon Land, LLC, for the amount of \$10,600,000.

[Dylan Harrison, Senior Real Estate Officer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40654

A resolution setting Thursday, October 22, 2020, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate portions of Commerce Street, South 7th Street, and Pacific Avenue, to cure existing building encroachments. (City of Tacoma (Old City Hall); File No. 124.1410)

[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40655

A resolution authorizing the execution of an Interlocal Agreement with the Port of Tacoma, for mutual cooperation and support regarding agency stormwater management.

[Merita Trohimovich, P.E., Principal Engineer; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40656

A resolution appointing and reappointing individuals to the Human Rights Commission.

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

Ordinance No. 28691

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 Professional and Technical Employees Union, Local 17, and the City of Tacoma Washington, City and Pierce County Employees Local Number 120 of the Washington State Council of County and City Employees, AFSCME, AFL-CIO, and changes in classification to reflect the organizational structure.

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



RESOLUTION NO. 40653

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,
2 October 6, 2020, upon completion of Regular Agenda Items, no earlier
3 than 5:15 p.m., as the date for a public hearing on the sale of
4 approximately 31.5 acres of property, located at 16515-16525 Canyon
5 Road East, in the Frederickson vicinity of unincorporated Pierce County,
6 owned by the City of Tacoma, through its Department of Public Utilities,
7 Light Division (d.b.a. "Tacoma Power"), and now surplus to its needs, to
8 Exeter Canyon Land, LLC for the sum of \$10,600,000.

9 WHEREAS the City of Tacoma, through its Department of Public Utilities,
10 Light Division (d.b.a. "Tacoma Power"), owns approximately 31.5 acres of
11 unimproved real property located at 16515-16525 Canyon Road East, in the
12 Frederickson vicinity of unincorporated Pierce County, Washington ("Property"),
13 and

14 WHEREAS the Property was declared surplus in November of 2018 by the
15 Director of Utilities, and at the conclusion of marketing efforts, a purchase and sale
16 agreement with Exeter Canyon Land, LLC ("Exeter") was entered into in February
17 of 2020, and

18 WHEREAS Tacoma Power has determined that the Property is not essential
19 for continued effective utility service, and

20 WHEREAS Exeter offered to purchase the Property for \$10,600,000, which
21 was deemed acceptable by Tacoma Power, and

22 WHEREAS Tacoma Power has agreed to credit to Exeter \$235,000 toward
23 the purchase price which was received as consideration from the Tacoma
24 Sportsmen's Club for an easement on the Property, resulting in a net consideration
25 to be received from Exeter of \$10,365,000, and
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WHEREAS the Department of Public Works proceeded with the negotiated disposition process pursuant to Tacoma Municipal Code (“TMC”) 1.06.280.F, and

WHEREAS, on September 9, 2020, by adoption of Public Utility Board Resolution No. U-11195, the Property was declared surplus to Tacoma Power’s needs and approved for sale, pending confirmation from the City Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council shall conduct a public hearing on the proposed sale of City-owned real property; Now, Therefore,

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

Section 1. That a public hearing on the sale of 31.5 acres of surplus property located at 16515-16525 Canyon Road East, in the Frederickson vicinity of unincorporated Pierce County, owned by the City of Tacoma, through its Department of Public Utilities, Light Division (d.b.a. “Tacoma Power”) and now surplus to its needs, to Exeter Canyon Land, LLC for the amount of \$10,600,000, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, unless the Governor's proclamation limiting in-person meetings is still in effect and then a call in option will be provided, on Tuesday, October 6, 2020, upon completion of Regular Agenda Items, no earlier than 5:15 p.m. or as soon thereafter as the same may be heard.



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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:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11195



RESOLUTION NO. 40654

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
 2 October 22, 2020, at 9:00 a.m., as the date for a hearing before the City of
 3 Tacoma Hearing Examiner on the petition of City of Tacoma (Old City Hall),
 4 to vacate portions of Commerce Street, South 7th Street, and Pacific
 Avenue, to cure existing building encroachments.

5 WHEREAS the City of Tacoma (Old City Hall), having received the
 6 consent of the owners of more than two-thirds of the properties abutting the
 7 portions of Commerce Street, South 7th Street, and Pacific Avenue, has
 8 petitioned for the vacation of the following legally described right-of-way area:

9 A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST
 10 QUARTER OF SECTION 04, TOWNSHIP 20 NORTH, RANGE 03 EAST
 11 OF THE WILLAMETTE MERIDIAN, PIERCE COUNTY, MORE
 12 PARTICULARLY DESCRIBED AS;

13 THE SOUTHERLY 127 FEET OF THE EASTERLY 1.0 FEET OF THE
 14 EASTERLY 40 FEET OF COMMERCE STREET RIGHT OF WAY
 NORTH OF SOUTH 7TH STREET;

15 TOGETHER WITH THE NORTHERLY 2.0 FEET OF THE NORTHERLY
 16 38.4 FEET OF THE EASTERLY 16.0 FEET OF THE EASTERLY 63.5
 17 FEET OF SOUTH 7TH STREET RIGHT OF WAY, ABUTTING THAT
 18 PORTION VACATED BY ORDINANCE NO. 19882 OF THE CITY OF
 TACOMA, RECORDED UNDER AUDITOR'S FEE NO. 2529850;

19 AND TOGETHER WITH THAT PORTION COMMENCING AT THE
 20 SURFACE BRASS DISK MARKING THE INTERSECTION OF SOUTH
 21 7TH STREET AND PACIFIC AVENUE, THENCE NORTH ALONG THE
 22 CENTERLINE OF PACIFIC AVENUE EXTENDED NORTHERLY
 23 NORTH 7°25'20" WEST A DISTANCE OF 40.00 FEET;
 24 THENCE SOUTH 82°37'08" WEST A DISTANCE OF 49.87 FEET TO
 THE SOUTHWEST CORNER OF CITY OF TACOMA VACATION
 25 ORDINANCE NO. 19982;
 26 THENCE NORTH 67°04'40" EAST A DISTANCE OF 1.00 FEET TO THE
 SOUTHEAST CORNER OF SAID VACATION ORDINANCE
 HEREINAFTER REFERRED TO AS 'POINT A';



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THENCE ALONG THE EASTERLY LIMIT OF SAID VACATION NORTH 22°55'20" WEST A DISTANCE OF 6.37 FEET TO THE **TRUE POINT** OF BEGINNING;
THENCE CONTINUING NORTH 22°55'20" WEST ALONG SAID WESTERLY LIMIT A DISTANCE OF 35.16 FEET MORE OR LESS TO THE SOUTHERLY LIMIT OF CITY OF TACOMA VACATION ORDINANCE NO. 20255;
THENCE NORTH 66°53'25" EAST ALONG SAID SOUTHERLY LIMIT A DISTANCE OF 12.00 FEET;
THENCE SOUTH 22°55'20" EAST A DISTANCE OF 35.16 FEET;
THENCE SOUTH 66°53'25" WEST A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING;

AND TOGETHER WITH THAT PORTION BEGINNING AT 'POINT A', THENCE NORTH 22°55'20" WEST ALONG THE EASTERLY LIMIT OF SAID CITY OF TACOMA VACATION ORDINANCE NO. 19982 A DISTANCE OF 6.37 FEET;
THENCE NORTH 66°53'25" EAST A DISTANCE OF 1.00 FEET;
THENCE SOUTH 22°55'20" EAST A DISTANCE OF 6.37 FEET;
THENCE SOUTH 66°53'25" WEST A DISTANCE OF 1.00 FEET TO THE POINT OF BEGINNING;

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

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

Section 1. That Thursday, October 22, 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, unless the Governor's proclamation limiting in-person meetings is still in effect and then a call in option will be provided, as the place when and where 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: Portions of Commerce Street, South 7th Street, and Pacific Avenue.

Petitioner: City of Tacoma (Old City Hall)

File No.: 124.1410



RESOLUTION NO. 40655

1 A RESOLUTION relating to stormwater systems; authorizing the execution of an
2 Interlocal Agreement with the Port of Tacoma for mutual cooperation and
support regarding agency stormwater management.

3 WHEREAS, on September 10, 2013, pursuant to Resolution No. 38724, the
4 City entered into an Interlocal Agreement (“ILA”) with the Port of Tacoma (“Port”) for
5 the purpose of providing a cooperative framework for coordinating certain
6 stormwater management activities, and
7

8 WHEREAS the ILA has been extended twice, on July 31, 2018, pursuant to
9 Resolution No. 40073; and on September 24, 2019, pursuant to Resolution
10 No. 40430, and
11

12 WHEREAS the most recent amendment will expire in September 2020, and
13 the City’s Environmental Services Department (“ES”) and the Port have updated the
14 ILA, as appropriate, to reflect changes related to the 2019 NPDES Phase I
15 Municipal Permit and current practices, and
16

17 WHEREAS continued and enhanced cooperation between the City and the
18 Port will increase efficiency of operations, and the proposed ILA will help
19 businesses on Port-owned properties operate with fewer inspection disruptions
20 from regulatory staff; will build an enhanced partnership for stormwater
21 management between the City and the Port; and will allow for easier construction
22 permit issuance for businesses on Port-owned property, and
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24 WHEREAS the proposed ILA includes a form for a Maintenance Covenant
25 and Access Agreement for Port-owned properties, which is required for new and
26 redevelopment projects that install or improve their stormwater facilities, and



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WHEREAS the proposed ILA requires City and Port administrators to meet annually to ensure that actions outlined in the ILA are occurring, and

WHEREAS ES staff is recommending approval of the proposed ILA with the Port for mutual cooperation and support regarding agency stormwater management; 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 Interlocal Agreement with the Port of Tacoma for mutual cooperation and support regarding agency stormwater management, said Interlocal Agreement 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:

Chief Deputy City Attorney



RESOLUTION NO. 40656

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 Human Rights Commission.

5 WHEREAS vacancies exist on the Human Rights Commission, and

6 WHEREAS, at its meeting of September 10, 2020, the Community Vitality
7 and Safety Committee conducted interviews and recommended the appointment
8 and reappointment of individuals to said commission, and

9 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,
10 Regulations, and Procedures of the City Council, the persons named on Exhibit "A"
11 have been nominated to serve on the Human Rights Commission; Now, Therefore,

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

13 That those nominees to the Human Rights Commission, listed on
14 Exhibit "A," are hereby confirmed and appointed or reappointed as members of
15 such commission, for such terms as are set forth on the attached Exhibit "A."
16

17 Adopted _____
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19 _____
20 Mayor

21 Attest:
22 _____
23 City Clerk

24 Approved as to form:
25 _____
26 City Attorney



EXHIBIT "A"

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HUMAN RIGHTS COMMISSION

Appointing Amanda Westbrooke to fill an unexpired term to expire February 28, 2022.

Appointing Norman Brickhouse to fill an unexpired term to expire February 28, 2023.

Appointing Andre Jimenez to fill an unexpired term to expire February 28, 2023.

Appointing C. Ivan Johnson to fill an unexpired term to expire February 28, 2023.

Appointing Verda Washington to fill an unexpired term to expire February 28, 2023.

Appointing Keshreeyaji Oswal to fill an unexpired term to expire February 28, 2021, followed by a three-year term to expire February 29, 2024.

Reappointing Michealea Lemons to fill an unexpired term to expire February 28, 2023.



ORDINANCE NO. 28691

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 Professional and Technical Employees
 4 Union, Local 17 and City of Tacoma Washington, City and Pierce County
 5 Employees Local Number 120 of the Washington State Council of County
 and City Employees, AFSCME, AFL-CIO, and to implement changes to
 reflect the organizational structure; and declaring the effective dates thereof.

6 BE IT ORDAINED BY THE CITY OF TACOMA:

7 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 8 amended, effective as provided by law, to read as follows:

Code	A	Job Title	1	2	3	4	5
2020		<u>Engineering Instrumentation Technician, Senior</u>	<u>38.65</u>	<u>40.58</u>	<u>42.61</u>	<u>44.74</u>	<u>46.98</u>

12 Section 2. That Section 1.12.355 of the Tacoma Municipal Code is hereby
 13 amended, effective as provided by law, to read as follows:

Code	A	Job Title	1	2	3	4	5
0614		Utility Services <u>Representative</u> Supervisor	38.31	40.22	42.23	44.34	46.56

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

Code	A	Job Title	1	2	3	4	5
0307		Buyer, Senior	36.17	37.98	39.88	41.87	

Code	A	Job Title	1	2	3	4	5
0307		Buyer, Senior	<u>36.41</u>	<u>38.23</u>	<u>40.05</u>	41.87	

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

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney