



Legislation Passed March 30, 2021

The Tacoma City Council, at its regular City Council meeting of March 30, 2021, 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. 40764

A resolution declaring surplus and authorizing the sale of approximately 4,225 square feet of Tacoma Power property, together with certain landscaping improvements, located in the Graham vicinity of unincorporated Pierce County, to Pierce County, for the amount of \$17,450.

[Greg Muller, Real Estate Officer; Chris Robinson, Power Superintendent]

Resolution No. 40765

A resolution continuing the Downtown Tacoma Partnership (DTP), formerly known as the Business Improvement Area, for the 34th year, providing for levy assessments and other income, in the amount of \$1,492,780; and approving the renewed DTP annual work plan and budget, and assessment of rates from May 1, 2021, through April 30, 2022.

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

Resolution No. 40766

A resolution authorizing the execution of an agreement with the Local Development Council of Tacoma, d.b.a. the Downtown Tacoma Partnership (DTP), formerly known as the Business Improvement Area, in the amount of \$1,492,780, budgeted from the Downtown Business Improvement Area Fund, to provide administration services for DTP operations, as set forth in the 2021-2022 DTP annual work plan and budget.

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

Substitute Ordinance No. 28747

An ordinance amending Chapter 6A.70 of the Municipal Code, relating to Local Option Taxes, by adding Section 6A.70.041 entitled "Additional sales or use tax for housing and related services-Imposition" and Section 6A.70.042 entitled "Additional sales or use tax for housing and related services - Rate," and amending Section 6A.70.120 relating to "Administration and collection of taxes" to authorize the maximum capacity of the tax authorized under the provisions of House Bill 1590 for housing and related services.

[Jeff Robinson, Director, Community and Economic Development]

Ordinance No. 28748

An ordinance amending Chapter 11.05 of the Municipal Code, relating to Model Traffic Ordinance, by adding a new Section 11.05.132, entitled “Unlawful exhibition of speed prohibited” relating to illegal speed exhibition activities within the City limits; and directing the City Manager to collect data on the enforcement of this ordinance and to present findings and recommendations to the City Council on the efficacy of this ordinance, with a focus on racial equity, no later than six months after implementation by the Tacoma Police Department.
[Council Member Hunter]

Ordinance No. 28749

(First and Final Reading) An ordinance providing for the formation of Local Improvement District No. 8663, establishing upgraded permanent street pavement with a structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, on the following streets: North 43rd Street, from Frace Avenue to Lexington Street, also Lexington Street, from North 43rd Street to North 45th Street; Mullen Street, from North 48th Street north to the dead end; Mullen Street, from North 47th Street to North 48th Street; and the alley between Mullen Street and Ferdinand Street, from North 36th Street to North 37th Street.
[Ralph Rodriguez, LID Administrator; Jeff H. Capell, Hearing Examiner]



RESOLUTION NO. 40764

1 A RESOLUTION relating to surplus property; declaring certain real property
2 owned by the Department of Public Utilities, Light Division (d.b.a. "Tacoma
3 Power"), consisting of approximately 4,225 square feet of land, together
4 with certain landscaping improvements, located in the Graham vicinity of
5 unincorporated Pierce County, surplus to the needs of the City; and
6 authorizing the negotiated sale and conveyance of said property to Pierce
7 County for the amount of \$17,450.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Light Division
9 (d.b.a. "Tacoma Power"), owns approximately 4,225 square feet of land, together
10 with certain landscaping improvements ("Property"), identified as a portion of
11 Pierce County Assessor Tax Parcel Number 0418162058, located in the Graham
12 vicinity of unincorporated Pierce County and improved with Tacoma Power's
13 Graham Substation, as more fully described in the documents on file in the office
14 of the City Clerk, and

15 WHEREAS, as part of its County Road Project No. 5819, Pierce County is
16 improving and widening 224th Street East, the frontage road along Tacoma
17 Power's property, and

18 WHEREAS this right-of-way project will require the fee acquisition of the
19 front 10 feet of Tacoma Power's property, approximately 4,225 square feet of land,
20 together with certain landscaping improvements, and

21 WHEREAS the Department of Public Works, Real Property Services, has
22 negotiated the price of \$17,450, comprised of \$8,450 for approximately
23 4,225 square feet of land in fee and \$9,000 for landscaping classified as
24 improvements, which is believed to represent Fair Market Value, and
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1 WHEREAS Tacoma Power has determined that the approximately
2 4,225 square feet of land, together with certain landscaping improvements,
3 comprising the Tacoma Power property is no longer essential for continued
4 effective utility service, and

5 WHEREAS, on February 24, 2021, by adoption of Public Utility Board
6 Resolution No. U-11241, the approximately 4,225 square feet of land, together with
7 certain landscaping improvements, comprising the Tacoma Power property was
8 declared surplus to the needs of Tacoma Power and Tacoma Public Utilities and
9 approved for sale, pending confirmation from the City Council, and
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11 WHEREAS, on March 23, 2021, pursuant to RCW 35.94.040 and
12 TMC 1.06.280, the City Council conducted a public hearing on the proposed sale
13 of said Property, and

14 WHEREAS, there being no foreseeable need for continued City ownership
15 of the Property, the sale of said Property appears to be in the best interests of the
16 City, pending final approval from the City Council; Now, Therefore,

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

19 Section 1. That the City Council does hereby find and concur with the
20 Tacoma Public Utility Board's determination and declaration, pursuant to Public
21 Utility Board Resolution No. U-11241, that approximately 4,225 square feet of
22 land, together with certain landscaping improvements ("Property"), identified as a
23 portion of Pierce County Assessor Tax Parcel Number 0418162058, located in
24 the Graham vicinity of unincorporated Pierce County, owned by the City of
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Tacoma, through its Department of Public Utilities, Light Division, is surplus to the needs of Tacoma Power and Tacoma Public Utilities.

Section 2. That, consistent with RCW 35.94.040, RCW 35.22.020, and Article I, Section 1.2 and Article IX, Section 9.1 of the City Charter, the City Council does hereby find and determine that the Property is not required for, and is not essential to, continued public utility service or continued effective utility service and, pursuant to applicable law, is properly declared surplus property and excess to the needs of Tacoma Power, Tacoma Public Utilities, and the City.

Section 3. That the request of Tacoma Public Utilities, to sell the Property to Pierce County for the amount of \$17,450, is hereby approved.

Section 4. That the proper officers of the City are hereby authorized to execute all necessary documents to convey the Property to Pierce County for the amount of \$17,450, said documents to be substantially in the form of those on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11241



RESOLUTION NO. 40765

1 A RESOLUTION relating to the Downtown Tacoma Business Improvement Area;
2 continuing the Downtown Tacoma Partnership, formerly known as the
3 Business Improvement Area, for the 34th year; providing for levy
4 assessments and other income in the amount of \$1,492,780; and
5 approving the renewed Downtown Tacoma Partnership annual Work Plan
6 and annual budget and assessment of rates from May 1, 2021, through
7 April 30, 2022.

8 WHEREAS the Downtown Tacoma Partnership (“DTP”), formerly known as
9 the Business Improvement Area, at their annual meeting on February 25, 2021,
10 approved their annual budget, work program, and assessment rates, and

11 WHEREAS this resolution will authorize the levy of the 34th year of the
12 renewed DTP annual assessment upon buildings and other real estate within the
13 DTP boundaries for the period of May 1, 2021, through April 30, 2022, and

14 WHEREAS the DTP assesses each ratepayer for two categories, a Use
15 Rate and a Land Rate, with the Use Rate split into High Intensity Use Rate and
16 Low Intensity Use Rate, and

17 WHEREAS the High Intensity Use Rate is assessed to improved property,
18 and the Low Intensity Use Rate to undeveloped and surface area parking lots, with
19 the Land Rate applying to all parcels, and

20 WHEREAS the assessment rates for the 34th year of the DTP will remain
21 the same as last year’s rates: \$0.12 per square foot for the High Intensity Use
22 Rate, \$0.06 for the Low Intensity Use Rate, and \$0.05 for the Land Rate, and

23 WHEREAS the income collected is projected to be 8 percent higher than the
24 previous year due to new development within the DTP boundary, and
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WHEREAS total expenditures are projected to increase by 13 percent, to \$1,492,780; the difference between expenses and income will be funded through the DPT Reserve Fund; 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 continue the Downtown Tacoma Partnership, formerly known as the Business Improvement Area, for the 34th year, providing for the levy assessments and other income, in the amount of \$1,492,780; and approving the renewed Downtown Tacoma Partnership annual Work Plan and annual budget and assessment of rates from May 1, 2021, through April 30, 2022.

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:

Deputy City Attorney



RESOLUTION NO. 40766

1 A RESOLUTION relating to the Downtown Tacoma Business Improvement Area;
2 authorizing the execution of an agreement with the Local Development
3 Council of Tacoma, d.b.a. the Downtown Tacoma Partnership, formerly
4 known as the Business Improvement Area, in the amount of \$1,492,780,
5 budgeted from the Downtown Business Improvement Area Fund, to provide
6 administration services for operations as set forth in the 2021-2022
7 Downtown Tacoma Partnership annual Work Plan and annual budget.

8 WHEREAS, on April 5, 1988, upon presentation of a petition from downtown
9 property owners representing 50 percent or more of the property assessments, the
10 City Council, with the Local Development Council of Tacoma, established a
11 Downtown Tacoma Business Improvement Area ("BIA"), currently d.b.a. the
12 Downtown Tacoma Partnership ("DTP"), for a period of ten years, and

13 WHEREAS the DTP was renewed for additional ten-year periods in 1998,
14 pursuant to Ordinance No. 26205; in 2008, pursuant to Ordinance No. 27696; and
15 in 2018, pursuant to Ordinance No. 28496, and

16 WHEREAS, pursuant to Ordinance No. 28496, special assessments shall
17 be collected by the City on an annual or semiannual basis and deposited in the
18 Downtown Business Improvement Area Fund, and expenditures from the fund are
19 used exclusively for the purposes specified in the DTP, and

20 WHEREAS it is necessary to enter into an agreement with the Local
21 Development Council of Tacoma, d.b.a. DTP, in the amount of \$1,492,780,
22 budgeted from the Downtown Business Improvement Area Fund, for the purpose
23 of providing administration services for operations as set forth in the 2021-2022
24 DTP annual Work Plan and annual budget; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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That the proper officers of the City are hereby authorized to enter into an agreement with the Local Development Council of Tacoma, d.b.a. the Downtown Tacoma Partnership (“DTP”), formerly known as the Business Improvement Area (“BIA”), in the amount of \$1,492,780, budgeted from the Downtown Business Improvement Area Fund, to provide administration services for operations as set forth in the 2021-2022 DTP annual Work Plan and annual budget, said agreement to be substantially in the form of the document on file in the Office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



**SUBSTITUTE
ORDINANCE NO. 28747**

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR BLOCKER, AND
2 COUNCIL MEMBERS BEALE, HINES, HUNTER, McCARTHY, THOMS, USHKA,
AND WALKER

3 AN ORDINANCE relating to local sales or use taxes; authorizing the maximum
4 capacity of the tax authorized under the provisions of House Bill 1590
5 for housing and related services; amending Chapter 6A.70 of the Tacoma
6 Municipal Code by the addition of two new sections, to be known and
7 designated as Section 6A.70.041, "Additional sales or use tax for housing
8 and related services—Imposition," and Section 6A.70.042, "Additional sales
9 or use tax for housing and related services – Rate"; and by amending
10 Section 6A.70.120, regarding administration and collection of the tax.

11 WHEREAS the City lacks affordable, high-quality homes for all of its
12 residents, and

13 WHEREAS today a minimum of 33,000 households, or 40 percent of renter
14 households in Tacoma, pay at least 30 percent of their income on housing costs
15 each month, reducing their ability to meet other needs like transportation,
16 childcare, or healthcare, and

17 WHEREAS 16 percent of these cost-burdened households pay more than
18 50 percent of their income on housing costs, and

19 WHEREAS, for every 100 very low-income households in Tacoma, there
20 are only 45 affordable units, and

21 WHEREAS significant numbers of individuals and families continue to enter
22 homelessness due to factors related to job loss, stagnant and declining wages,
23 family crisis and domestic violence, substance abuse, mental health issues, loss of
24 housing, and lack of affordable housing, and

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WHEREAS the City needs to stay affordable to help maintain the quality of life that Tacoma is known for, and to ensure housing costs do not worsen as the City grows over time, and

WHEREAS, in the 2020 Regular Session, the Washington State Legislature approved, and the Governor signed, House Bill 1590, which became Chapter 222, Laws of Washington 2020 (“the Act”), and

WHEREAS the Act authorizes the governing body of a city to impose a local sales and use tax, by councilmanic vote, for affordable housing, housing-related services; operations and maintenance costs of affordable housing and facilities where housing related programs are provided; behavioral health-related facilities; newly constructed evaluation and treatment centers; and operation, delivery or evaluation of behavioral health treatment programs and services, and

WHEREAS the maximum amount authorized to be collected under the Act is one-tenth of 1 percent, and

WHEREAS the Act allows the City to authorize and collect a local sales or use tax, estimated to be between \$4.5 million and \$5.5 million annually, for housing and related services, and

WHEREAS at least 60 percent of the proceeds from this tax funding must be used for the following purposes: (i) constructing affordable housing, which may include new units of affordable housing within an existing structure, and facilities providing housing-related services; (ii) constructing mental and behavioral health-related facilities; or (iii) funding the operations and maintenance costs of new units



of affordable housing and facilities where housing-related programs are provided,
1 or newly constructed evaluation and treatment centers, and

2 WHEREAS the affordable housing and facilities providing housing-related
3 programs may only be provided to persons within any of the following population
4 groups whose income is at or below 60 percent of the median income of the county
5 imposing the tax: (i) persons with behavioral health disabilities; (ii) veterans;
6 (iii) senior citizens; (iv) homeless, or at-risk of being homeless, families with
7 children; (v) unaccompanied homeless youth or young adults; (vi) persons with
8 disabilities; or (vii) domestic violence survivors, and

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11 WHEREAS the remainder of the moneys collected under the Act must be
12 used for the operation, delivery, or evaluation of mental and behavioral health
13 treatment programs and services or housing-related services, and

14 WHEREAS the Act also authorizes the City to issue general obligation or
15 revenue bonds, and is authorized to pledge, up to 50 percent of the moneys
16 collected under the Act for repayment of such bonds in order to finance the
17 provision or construction of affordable housing, facilities where housing-related
18 programs are provided, or for evaluation and treatment centers as described in the
19 Act, and

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21 WHEREAS, before expending these funds, the City will meet with
22 stakeholders and work with a committee of the City Council to determine how best
23 to use the moneys from the Act, and present a strategic spending plan outlining
24 how the moneys from the Act will be spent to the City Council for approval, and
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WHEREAS the strategic spending plan will establish benchmarks and goals for the use of the moneys, and

WHEREAS the strategic spending plan and benchmarks, and any revisions thereto, will align with City Resolution No. 40622 on anti-racism and systems transformation, and analysis against the City’s Equity Index will be integral to staff, stakeholder, and councilmanic review processes, and

WHEREAS City staff will engage stakeholders and solicit feedback to review the spending plan, updating as indicated, and review the use of the funds with stakeholders and with the City Council committee and provide a written report on at least a biennial basis, make any necessary revisions to meet the currently identified needs of the community, and present those proposals to the City Council for approval, and

WHEREAS, in an effort to develop relationships with the local community and promote the local work force and subcontracting businesses, recipients undertaking development projects using these funds will be required to comply with state and federal requirements regarding labor and contracting, and to use their best efforts to comply with the City of Tacoma’s Local Employment and Apprenticeship Training Program and Equity in Contracting program by working with and encouraging developers and contractors performing work on the project to make good faith efforts to comply with those programs, and

WHEREAS the City is proposing to amend Chapter 6A.70 of the Tacoma Municipal Code by adding a new Section 6A.70.041, “Additional sales or use tax for housing and related services – Imposition,” and a new Section 6A.70.042,



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“Additional sales or use tax for housing and related services – Rate,” to authorize this one-tenth of 1 percent tax; and by amending Section 6A.70.120, regarding administration and collection of the tax, and

WHEREAS, pursuant to RCW 82.14.055(1), the Washington State Department of Revenue will begin collecting this tax on July 1, 2021; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 6A.70 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit “A.”

Section 2. That City staff will present a strategic spending plan, in conformance with City Resolution No. 40622, and using information in the City’s Equity Index, outlining how the moneys from the Act will be spent, to the City Council for approval.

Section 3. That City staff will review the spending plan with stakeholders, in conformance with City Resolution No. 40622, use information in the City’s Equity Index, and provide written report on the use of these funds with stakeholders and with a City Council committee on at least a biennial basis, make any necessary



1 revisions to meet the currently identified needs of the community, and present
2 those proposed revisions to the City Council for approval.

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4 Passed _____

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Mayor

7 Attest:

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City Clerk

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Approved as to form:

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Deputy City Attorney

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EXHIBIT "A"

**Chapter 6A.70
LOCAL OPTION TAXES**

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Sections:

- 6A.70.010 Sales or use tax – Imposition.
- 6A.70.020 Sales or use tax – Rate.
- 6A.70.030 Additional sales or use tax – Imposition.
- 6A.70.040 Additional sales or use tax – Rate.
- 6A.70.041 Additional sales or use tax for housing and related services– Imposition.
- 6A.70.042 Additional sales or use tax for housing and related services– Rate.
- 6A.70.045 Additional sales or use tax for mental health treatment – Imposition.
- 6A.70.046 Additional sales or use tax for mental health treatment – Rate.
- 6A.70.047 Credit against state’s share of tax – sales use tax for affordable housing – Imposition.
- 6A.70.048 Credit against state’s share of tax – sales use tax for affordable housing – Rate.
- 6A.70.050 Leasehold excise tax – Imposition.
- 6A.70.060 Leasehold excise tax – Rate.
- 6A.70.070 Leasehold excise tax – Exemptions.
- 6A.70.080 Real estate excise tax – Imposition.
- 6A.70.090 Real estate excise tax – Rate.
- 6A.70.100 Additional real estate excise tax – Imposition.
- 6A.70.110 Additional real estate excise tax – Rate.
- 6A.70.120 Administration and collection of taxes.
- 6A.70.130 Inspection of records.
- 6A.70.140 Contract with the state authorized.

* * *

6A.70.041 Additional sales or use tax for housing and related services– Imposition.

There is hereby imposed an additional sales or use tax, as the case may be, separate and apart from the tax referred to in Sections 6A.70.010, 6A.70.020, 6A.70.030, 6A.70.040, and 6A.70.045, as authorized by RCW 82.14.530, upon every taxable event, as defined in RCW 82.14.020, occurring within the City. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to RCW 82.08 and 82.12. Moneys collected under this subchapter must be used solely, as required by RCW 82.14.530 and as hereinafter amended, for the purpose of providing for housing and related services.

6A.70.042 Additional sales or use tax for housing and related services– Rate.

The rate of the tax imposed by Section 6A.70.041 of this chapter shall be one-tenth of one percent of the selling price or value of the article used, as the case may be.

* * *

6A.70.120 Administration and collection of taxes.

The administration and collection of any and all sales or use taxes imposed by Sections 6A.70.010 and 6A.70.030 and 6A.70.041 of this chapter shall be in accordance with the provisions of RCW 82.14.050. The administration and collection of the sales or use tax imposed by Section 6A.70.047 of this chapter shall be in accordance with the provision of RCW 82.14.540. The administration and collection of any leasehold excise tax imposed by Section 6A.70.050 of this chapter shall be in accordance with the provisions of RCW 82.29A. The administration and collection of any real estate excise taxes imposed by Sections 6A.70.080 and 6A.70.100 of this chapter shall be in accordance with the provisions of RCW 82.46.

* * *



ORDINANCE NO. 28748

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS HUNTER,
2 McCARTHY, AND THOMS

3 AN ORDINANCE relating to the Model Traffic Ordinance; amending Chapter 11.05
4 of the Tacoma Municipal Code, the Model Traffic Ordinance, by adding
5 thereto a new Section 11.05.132, to be known and designated as “Unlawful
6 exhibition of speed prohibited,” relating to illegal speed exhibition activities
7 within City of Tacoma limits; and directing the City Manager to collect data
8 on the enforcement of this ordinance and to present findings and
9 recommendations to the City Council on the efficacy of this ordinance, with a
10 focus on racial equity, no later than six months after implementation by the
11 Tacoma Police Department.

12 WHEREAS the City currently has laws in place and enforcement tools that
13 the Tacoma Police Department (“TPD”) uses to respond to street racing and street
14 exhibitions, but it does not have specific code provisions related directly to unlawful
15 exhibitions of speed, and

16 WHEREAS current laws used by TPD to address speed exhibitions include
17 “reckless endangerment,” “failure to disperse,” “obedience to police officers,” and
18 “interference with free use of streets prohibited,” and

19 WHEREAS many residents have reached out to the City and elected officials
20 to voice concerns about the public safety hazard that exhibitions of speed activities
21 pose; these residents are concerned not only about the threat of injury or loss of life
22 to people in the vicinity of these activities, but also of the individuals directly
23 involved, and

24 WHEREAS many of Tacoma’s neighboring cities have adopted ordinances
25 specific to street racing; recently, the City of Fife adopted an emergency ordinance
26 to include specific language addressing exhibitions of speed, which adds activities



such as burnouts, donuts, weaving, drifting, and leaving tire marks on the pavement
1 to the definition of unlawful race activity, and

2 WHEREAS the Pierce County Executive has convened meetings to discuss
3 policy options and a regional approach to increased street racing and speed
4 exhibition events, and City Manager Elizabeth Pauli, Mayor Victoria Woodards, and
5 Council Member Lillian Hunter have attended these meetings alongside
6 representatives from Fife, Puyallup, Sumner, Lakewood, University Place, DuPont,
7 Bonney Lake, Gig Harbor, Edgewood, Orting, and Steilacoom, and

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9 WHEREAS the City is awaiting the results of the Pierce County Force
10 Investigation Team investigation and the Pierce County Prosecuting Attorney's
11 Office review into the events of January 23, 2021, and will take all appropriate
12 actions after the findings are released, and

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14 WHEREAS the City desires to enact law which addresses illegal exhibitions
15 of speed, making it clear that these dangerous activities are not welcome in
16 Tacoma, and

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18 WHEREAS having laws in place that address the specific activity that the
19 City seeks to deter will provide TPD officers with the enforcement tools necessary
20 to promote public safety related to unlawful exhibitions of speed, and

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22 WHEREAS the City Council will direct the City Manager to collect data,
23 including the city of residence of all individuals receiving a citation, on the
24 enforcement of this ordinance in alignment with best practices currently under
25 development as prescribed in Amended Resolution No. 40685, and to provide
26 findings and recommendations to the City Council on the efficacy of this ordinance



1 to reduce illegal exhibitions of speed activities in Tacoma, with a focus on racial
2 equity, no later than six months after implementation; Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4 Section 1. That the City Council hereby adopts the Recitals of this
5 Ordinance as its formal legislative findings.

6 Section 2. That Chapter 11.05 of the Tacoma Municipal Code, the Model
7 Traffic Ordinance, is hereby amended by the addition thereto of a new
8 Section 11.05.132, to be known and designated as "Unlawful exhibition of speed
9 prohibited," as set forth in the attached Exhibit "A."
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11 Section 3. That the City Manager is hereby directed to collect data, including
12 the city of residence of all individuals receiving a citation, on the enforcement of this
13 ordinance in alignment with best practices currently under development as
14 prescribed in Amended Resolution No. 40685; and the City Manager is further
15 directed to provide findings and recommendations on the efficacy of this ordinance
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1 to reduce illegal exhibitions of speed activities in Tacoma, with a focus on racial
2 equity, no later than six months after implementation by the Tacoma Police
3 Department.
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5 Passed _____
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8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 Deputy City Attorney

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EXHIBIT "A"

**CHAPTER 11.05
MODEL TRAFFIC ORDINANCE**

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Sections:

- 11.05.010 Model Traffic Ordinance adopted.
- 11.05.020 Sections not adopted.
- 11.05.030 Statutes not adopted.
- 11.05.035 *Repealed.*
- 11.05.040 Amendment of WAC 308-330-555.
- 11.05.050 Additional statutes adopted.
- 11.05.060 Scope and construction of terms.
- 11.05.070 Curb defined.
- 11.05.080 Driveway defined.
- 11.05.090 Driveway return defined.
- 11.05.100 Fire line defined.
- 11.05.110 Fire zone defined.
- 11.05.120 Leaving minors unattended.
- 11.05.130 Driving while eating or drinking.
- 11.05.131 Automotive Sound Systems – Excessive Noise Prohibition.

11.05.132 Unlawful exhibition of speed prohibited.

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11.05.132 Unlawful exhibition of speed prohibited.

A. "Unlawful exhibition of speed" means the operation of a motor vehicle to present a display of speed, maneuverability, or power. "Speed exhibition" includes, but is not limited to, squealing the tires of a motor vehicle while it is stationary or in motion, rapid acceleration, rapid swerving or weaving, drifting, producing smoke from tire slippage, or leaving visible tire acceleration marks on the surface of the highway or ground.

B. Any person who operates a motor vehicle in or during an unlawful exhibition of speed is guilty of a misdemeanor, which is punishable by up to 90 days in jail, up to a \$1,000 fine, or by both such imprisonment and fine. Actions taken pursuant to a lawfully issued City permit are not a violation of this section.

* * *



ORDINANCE NO. 28749

L.I.D. No. 8663

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AN ORDINANCE providing for the construction of upgraded permanent pavement with structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, on the following streets: North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street; Mullen Street from North 48th Street north to the dead end; Mullen Street from North 47th Street to North 48th Street; and the alley between Mullen Street and Ferdinand Street, from North 36th Street to North 37th Street, creating Local Improvement District No. 8663; providing for a special fund for the payment of the improvement by special assessment upon the property within the district benefited thereby, for the issuance of warrants, installment notes, bond anticipation notes, or other short-term obligations to pay that part of the cost and expense of the improvement assessed against the property in the district, and for the payment of the remainder of the cost thereof.

WHEREAS all of the preliminary proceedings for the establishment of Local Improvement District (“L.I.D.”) No. 8663 have been taken as provided by law, and

WHEREAS the Hearing Examiner of the City, after public hearing duly held, has recommended to the City Council the formation of L.I.D. No. 8663; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That there shall be constructed upgraded permanent pavement with structural section, together with the installation of concrete curbs, gutters, surface water mains, and surface water catch basins, on the following streets: North 43rd Street from Frace Avenue to Lexington Street, also Lexington Street from North 43rd Street to North 45th Street; Mullen Street from North 48th Street north to the dead end; Mullen Street from North 47th Street to North 48th Street; and the alley between Mullen Street and Ferdinand Street, from North 36th Street



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to North 37th Street, together with all other work necessary to complete the project in accordance with the maps, plans, and specifications prepared and now on file in the office of the Director of the Department of Public Works, which maps, plans, and specifications are hereby adopted.

Section 2. That there is hereby created a local improvement district, to be known as L.I.D. No. 8663, which shall embrace as nearly as practicable all the property specially benefited by the improvements described above, which property is described as follows:

**North 43rd Street from Frace Avenue to Lexington Street, also
Lexington Street from North 43rd Street to North 45th Street**

Those portions of the Southwest Quarter of the Southwest Quarter of Section 23, Township 21 North, Range 02 East, W.M., described as follows:

The South 35 feet of Lot 5, all of Lots 6 through 9, inclusive, Lots 11 and 12, Block 1; The West 90 feet of Lots 1 through 7, Block 3; The East 191.4 feet of the North 120 feet of Block 'A'; all in **Wiborg's Narrows View Addition to Tacoma**, Washington, according to the plat thereof recorded in Volume 12, Page 47, filed April 8, 1942, records of Pierce County Auditor.

Together with the East 140 feet of Parcel 'B', City of Tacoma Boundary Line Adjustment, recorded under Recording Number 9906035005, records of Pierce County Auditor.

All situate in the City of Tacoma, County of Pierce, State of Washington.

Mullen Street from North 48th Street north approximately 240 feet

Those portions of the Northwest Quarter of the Southwest Quarter of Section 24, Township 21 North, Range 02 East, W.M., described as follows:



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Lots 11 through 16, Block 1, and Lots 2 through 8, Block 2, **West Tacoma, W.T.**, according to the plat recorded in Volume 1, Page 24, filed September 13, 1871, records of Pierce County Auditor;

Together with the Northerly 20 feet of North 48th Street vacated per City of Tacoma Ordinance No. 17056, recorded under Recording Number 1853653, records of Pierce County Auditor, abutting said Lot 16, Block 1;

EXCEPT those portions of said Lots 11 through 14, lying North of the following described line; Beginning on the West line of Lot 11, 26.5 feet North of the Southwest corner of said Lot 11, thence Southeasterly to a point on the South line of Lot 11, 15.6 feet East of said Southwest corner, thence Southeasterly to a point on the South line of Lot 12, 39 feet East of the Southwest corner of said Lot 12, thence Southeasterly to a point on the South line of Lot 13, 95 feet East of the Southwest corner of said Lot 13, thence Southeasterly to the Southeast corner of Lot 14, and the terminus of herein described line in Block 1;

Also EXCEPT that portion of said Lot 2, lying Northerly of the following described line; Beginning at a point on the West line of said Lot 2, 38 feet South the Northwest corner of said lot, thence East parallel to the South line of said Lot 2, 55 feet, thence Northeasterly to a point on the North line of said Lot 2 70 feet East of the Northwest Corner of said lot, thence Southeasterly to a point on the East line of said Lot 2 30 feet South of the Northeast corner said lot, and the terminus of herein described line in Block 2;

All situate in the City of Tacoma, County of Pierce, State of Washington.

Mullen Street from North 47th Street to North 48th Street

Those portions of the Northwest Quarter of the Southwest Quarter of Section 24, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 8, Block 7 and Lots 9 through 16, Block 8, **West Tacoma, W.T.** according to the plat recorded in Volume 1, Page 24, filed September 13, 1871, records of Pierce County Auditor;



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Together with the Southerly 10 feet of North 48th Street vacated per City of Tacoma Ordinance No. 17056, abutting said Lot 9, Block 8;

And together with the Northerly 10 feet of North 47th Street vacated per City of Tacoma Ordinance No. 16173, abutting said Lot 16, Block 8;

All situate in the City of Tacoma, County of Pierce, State of Washington.

Alley between Mullen Street and Ferdinand Street from North 36th Street to North 37th Street

Those portions of the Southwest Quarter of the Northwest Quarter of Section 25, Township 21 North, Range 02 East, W.M., described as follows:

Lots 1 through 18, Blocks 11 and 12, **Glen's First Addition to Tacoma, W.T.**, according to the plat recorded in Volume 4, Page 2, filed October 12, 1889, records of Pierce County Auditor;

EXCEPT the West 80 feet of said Lots 1 and 2, Block 12.

All situate in the City of Tacoma, County of Pierce, State of Washington.

Section 3. That the estimated cost and expense of the improvement is \$2,487,958.60; that \$1,837,581 of the cost thereof shall be contributed by the L.I.D. Streets Initiative and Surface Water Funds; and that the balance of \$650,377.60 shall be borne and assessed against the property included in the L.I.D.

The assessments levied against the property described above shall become due and payable at the option of the property owners in cash, without interest, within 30 days after publication of the notice of assessment, or in 20 equal annual



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installments with interest on deferred payments at a rate to be hereafter fixed, but in no event greater than .05 percent above the rate of interest fixed upon sale of bond for the district; and each year one of such installments, together with interest due thereon and on all installments thereafter to become due, shall be collected in the manner provided by law.

Section 4. That a special fund is hereby created, to be called Local Improvement Fund, District No. 8663, which shall consist in the aggregate of the several amounts assessed, levied, and collected upon the several lots and parcels of land in the local improvement district for the purpose of defraying the cost and expense of the improvement to be borne by the property within the district, and into which fund shall be deposited the proceeds of the sale of warrants, installment notes, bond anticipation notes, or other short-term obligations drawn against the fund which may be sold by the City. Out of the fund shall be paid the warrants, installment notes, bond anticipation notes, or other short-term obligations, interest thereon, and the cost of the improvement to be borne by the property included in the district.

Section 5. The Director of the Department of Public Works is hereby ordered to call for bids for said improvements, and to proceed and complete the improvements and to make out and certify to the City Council an assessment roll, all as provided by law.

In case no bid is accepted, the Director of Public Works is hereby authorized to proceed and complete the improvement by the method of day labor or force account and by use of materials, supplies, and equipment, as authorized



1 by the City Charter and ordinances of the City. The Director of Public Works shall
2 keep a separate account of the expenditures as made and the exact cost of the
3 improvements separately computed. Upon certification by the Director of Public
4 Works that any sums are due to any person for labor or materials for the
5 improvements, the proper officers shall issue a warrant therefor drawn upon the
6 L.I.D. Fund, District No. 8663. The Director of Public Works shall certify to the City
7 Council the assessment roll on the property as provided by law.

8 Section 6. Under the provisions of the laws of the state of Washington,
9 amendments thereto, and this ordinance, there shall be issued warrants,
10 installment notes, bond anticipation notes, or other short-term obligations, issued
11 pursuant to Ordinance No. 23412, as it may be amended, in payment of the cost
12 and expense of the district, payable out of the Local Improvement District Fund.
13 Such warrants, installment notes, bond anticipation notes, or other short-term
14 obligations shall bear interest from the date of their issuance at a rate to be
15 hereafter fixed by the Director of the Department of Finance in accordance with the
16 Ordinance No. 23412, and shall be redeemed from the Local Improvement District
17 Fund or by other warrants, installment notes, bond anticipation notes, or other
18 short-term obligations, or from the proceeds of local improvement bonds hereafter
19 issued.

20 Section 7. Pursuant to the provisions of the laws of the state of
21 Washington, the City Council hereby directs that the improvements be paid for by
22 the City in cash and that the warrants, installment notes, bond anticipation notes,
23 or other short-term obligations authorized to be issued under the provisions of this
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ordinance be sold by the proper officers of the City in accordance with Ordinance No. 23412, as it may be amended, and that the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department