



Legislation Passed May 11, 2021

The Tacoma City Council, at its regular City Council meeting of May 11, 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. 40779

A resolution setting Tuesday, May 25, 2021, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the proposed Six-Year Comprehensive Transportation Improvement Program amended for the years 2021 and 2022-2027.

[Jennifer Kammerzell, Principal Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40780

A resolution authorizing the execution of a non-exclusive perpetual easement to Metropolitan Park District of Tacoma, for the Melanie Jan LaPlant Dressel Park on the Thea Foss Waterway, to install, construct, operate, inspect, maintain, remove, repair, and replace park and sewer system improvements.

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

Resolution No. 40781

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Tacoma Trax LLC, for the development of 115 multi-family market-rate and affordable rental housing units, located at 415 East 25th Street, in the Downtown Regional Growth Center.

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

Resolution No. 40782

A resolution authorizing the submittal of the 2021-2022 Annual Action Plan to the U.S. Department of Housing and Urban Development; authorizing the execution of two agreements with the Tacoma Community Redevelopment Authority (TCRA) for housing development programs; and authorizing a Subrecipient Agreement under the HOME Program with the City of Lakewood and TCRA to administer the HOME Consortium.

[Jeff Robinson, Director, Community and Economic Development; Linda Stewart, Director, Neighborhood and Community Services]

Resolution No. 40783

A resolution directing the City Manager to bring recommendations to the Economic Development Committee for allowing reasonable permanent outdoor dining options in addition to sidewalk cafes, including parklets, and streateries in the City, prior to the expiration of the Curbside Café and Market Pilot Program on September 6, 2021, or four months after the City's emergency declaration is lifted.

[Council Member Thoms]



RESOLUTION NO. 40779

1 A RESOLUTION setting Tuesday, May 25, 2021, upon completion of Regular
2 Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by
3 the City Council on the proposed Six-Year Comprehensive Transportation
Improvement Program amended for the years 2021 and 2022-2027.

4 WHEREAS Section 35.77.010 of the Revised Code of Washington (“RCW”)
5 provides that the legislative body of each city and town prepare and adopt a
6 comprehensive transportation program for the ensuing six calendar years and
7 annually thereafter, and pursuant to one or more public hearings, adopt a revised
8 and extended comprehensive transportation program, and
9

10 WHEREAS, in December 2015, the City adopted the Transportation Master
11 Plan (“TMP”) which includes a prioritized list of transportation projects, and
12

13 WHEREAS adoption of the TMP included extensive Citywide community
14 outreach, including attendance at neighborhood festivals and cleanups and two
15 public hearings, and

16 WHEREAS the proposed list of projects to be added to the draft Six-Year
17 Comprehensive Transportation Improvement Program supports the goals, policies,
18 and network priorities outlined in the TMP, and

19 WHEREAS staff presented the proposed list of projects to the Transportation
20 Commission on February 17 and April 21, 2021, and to the Infrastructure, Planning,
21 and Sustainability Committee on April 14 and April 28, 2021, and
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23 WHEREAS the City desires to fix a time and date for public hearing for the
24 purpose of considering the proposed Six-Year Comprehensive Transportation
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Improvement Program amended for the years 2021 and 2022-2027; Now,

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Therefore,

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

Section 1. That Tuesday, May 25, 2021, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., is hereby fixed as the time, and the City Council Chambers on the First Floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, or alternatively, a call-in option will be provided until the end of the COVID-19 emergency, as the place when and where a public hearing shall be held by the City Council on the proposed Six-Year Comprehensive Transportation Improvement Program amended for the years 2021 and 2022-2027.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40780

1 A RESOLUTION relating to the Metropolitan Park District of Tacoma; authorizing
2 the execution of a non-exclusive perpetual easement to the Metropolitan
3 Park District of Tacoma for the Melanie Jan LaPlant Dressel Park on the
4 Thea Foss Waterway, to install, construct, operate, inspect, maintain,
5 remove, repair, and replace park and sewer system improvements.

6 WHEREAS, in 2020, the Metropolitan Park District of Tacoma (“Metro
7 Parks”) acquired property on the Thea Foss Waterway for the development of
8 Melanie Jan LaPlant Dressel Park (“Park”), and

9 WHEREAS, in order to make planned Park improvements, two easements
10 are needed from the City, and

11 WHEREAS the two easements are contained within City of Tacoma
12 Easement No. E-4526 (“Easement”), which provides for a non-exclusive perpetual
13 easement to install, construct, operate, inspect, maintain, remove, repair, and
14 replace park and sewer system improvements, and

15 WHEREAS this work will minimally impact the City’s property, and Metro
16 Parks will be responsible for any maintenance or project costs related to the
17 Easement, and

18 WHEREAS, on February 22, 2021, Metro Parks’ Board of Park
19 Commissioners approved the proposed Easement pursuant to Metro Parks
20 Resolution No. R18-21; Now, Therefore,

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

22 That the proper officers of the City are hereby authorized to execute a
23 non-exclusive perpetual easement to the Metropolitan Park District of Tacoma for
24 the Melanie Jan LaPlant Dressel Park on the Thea Foss Waterway, to install,
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construct, operate, inspect, maintain, remove, repair, and replace park and sewer system improvements, all as more particularly set forth in City of Tacoma Easement No. E-4526 on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40781

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited
 3 Property Tax Exemption Agreement with Tacoma Trax LLC, for the
 4 development of 115 multi-family market-rate and affordable rental housing
 units to be located at 415 East 25th Street in the Downtown Regional
 Growth Center.

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

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

15 WHEREAS Tacoma Trax LLC is proposing to develop 115 new market-rate
 16 and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
76	One bedroom, one bath	600 Square Feet	\$1,700
16	Two bedroom, two bath	1,100 Square Feet	\$2,500
Affordable Rate			
19	One bedroom, one bath	600 Square Feet	\$1,454, including utilities
4	Two bedroom, two bath	1,100 Square Feet	\$1,635, including utilities

21 as well as 53 on-site residential parking stalls, and
 22

23 WHEREAS the Director of Community and Economic Development has
 24 reviewed the proposed property tax exemption and recommends that a conditional
 25 property tax exemption be awarded for the property located at 415 East 25th Street
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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 Tacoma Trax LLC, for the property located at 415 East 25th Street 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 Tacoma Trax 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:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2075210034

Legal Description:

That portion of the Northwest Quarter of the Northeast Quarter of Section 09, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 6 through 12, inclusive, Block 7521, The Tacoma Land Company's First Addition to Tacoma, Washington Territory, according to Plat filed for record July 7, 1884, records of the Pierce County Auditor;

Together with that portion of the west half of East "E" Street adjoining and abutting said Lot 12 on the east, as vacated by Ordinance No. 26418 of the City of Tacoma, recorded under Auditor's No. 200010030311, which attached thereto by operation of law.

Situate in the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 40782

1 A RESOLUTION relating to community, economic development, neighborhood,
2 and community services; authorizing the submittal of the 2021-2022 Annual
3 Action Plan to the U.S. Department of Housing and Urban
4 Development (“HUD”); authorizing the execution of two agreements with
5 the Tacoma Community Redevelopment Authority (“TCRA”) for housing
6 development programs; and authorizing a Subrecipient Agreement under
7 the HOME Program with the City of Lakewood and the TCRA to administer
8 the HOME Consortium.

9 WHEREAS submittal of the 2021-2022 Annual Action Plan will ensure that
10 the City receives federal funds to manage its housing, community and economic
11 development, neighborhood improvement, homeless assistance, and social
12 service programs, and

13 WHEREAS the Annual Action Plan outlines the City’s use of Community
14 Development Block Grant (“CDBG”), HOME Investment Partnerships
15 Program (“HOME”), and Emergency Solutions Grant (“ESG”) funds, and

16 WHEREAS the Annual Action Plan is due to U.S. Department of Housing
17 and Urban Development (“HUD”) on or before the deadline of May 17, 2021, and

18 WHEREAS HUD notified staff of the City’s 2021-2022 funding award, and
19 the City will receive entitlement grant allocations as follows: (1) CDBG, in the
20 amount of \$2,460,177; (2) HOME, in the amount of \$1,410,150; and (3) ESG, in
21 the amount of \$215,615, and

22 WHEREAS, because the City of Lakewood (“Lakewood”) does not qualify to
23 apply for HOME funds independently, the City and Lakewood formed a consortium
24 in 1999 for the HOME Program, and

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1 WHEREAS the City's share of the HOME program grant funds is estimated
2 to be \$1,087,266, and Lakewood's share is estimated to be \$322,924, and

3 WHEREAS, because of the uncertainty of final contract award amounts,
4 staff would like the administrative authority to increase or decrease the funding of
5 contracts upon receiving final PY 2021-2022 funding award amounts and
6 participating consortium members annual percentage breakdown from HUD, and

7 WHEREAS the Tacoma Community Redevelopment Authority ("TCRA") and
8 Human Services Commission reviewed applications for funding and prepared
9 funding recommendations based thereon, and
10

11 WHEREAS funding recommendations were presented to the City Council at
12 the Study Session of April 13, 2021, and

13 WHEREAS a public hearing on the recommendations was held on April 20,
14 2021, and the draft Annual Action Plan was available for public review for a period
15 of 30 days, beginning on March 30, 2021, and ending on April 29, 2021, and
16

17 WHEREAS the City Council is now requested to make its final funding
18 decisions for submittal to HUD, and to authorize the execution of two agreements
19 with the TCRA, and

20 WHEREAS one agreement is for HOME funds in the amount of \$1,087,226,
21 for the purpose of funding programs in support of permanent, affordable rental
22 housing, affordable homeownership housing, and down payment assistance; and
23 the second is for the allocation of CDBG funds to the TCRA Affordable Housing
24 Fund in the total amount of \$1,791,150, with \$1,299,115 recommended for housing
25 assistance projects and \$492,035 for administrative costs, and
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1 WHEREAS the City Council is also requested to authorize a Subrecipient
2 Agreement under the HOME program with the City of Tacoma, City of Lakewood,
3 and the TCRA to administer and carry out HOME activities under the Tacoma-
4 Lakewood Consortium in the amount of \$400,816, which includes \$77,892 in
5 HOME funds program income; Now, Therefore,

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

7 Section 1. That the proper officers of the City are hereby authorized to
8 submit, on or before the deadline of May 17, 2021, the 2021-2022 Annual Action
9 Plan to the U.S. Department of Housing and Urban Development ("HUD") for
10 funding for various agencies, said plan to be substantially in the form of the
11 document on file in the office of the City Clerk.
12

13 Section 2. That the proper officers of the City are hereby authorized to
14 execute the following agreements with the Tacoma Community Redevelopment
15 Authority: (1) an agreement for the CDBG Program; and (2) an agreement for the
16 HOME Program, for the purpose of funding housing development programs
17 allocated under the City's Annual Action Plan, said agreements to be substantially
18 in the form of the documents on file in the office of the City Clerk.
19

20 Section 3. That the proper officers of the City are hereby authorized to
21 execute the HOME Consortium Subrecipient Agreement with the city of Lakewood
22 and the Tacoma Community Redevelopment Authority for the purpose of funding
23 housing development programs allocated under the Annual Action Plan, said
24 agreement to be substantially in the form of the document on file in the office of the
25 City Clerk.
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Section 4. That the proper officers are hereby authorized to amend the draft contracts as necessary to conform to the final Program Year 2021-2022 contract award amounts and participating members annual percentage breakdown from HUD.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40783

1 BY REQUEST OF COUNCIL MEMBERS McCARTHY, THOMS, AND WALKER

2 A RESOLUTION directing the City Manager to bring recommendations to the
3 Economic Development Committee for allowing reasonable permanent
4 outdoor dining options in addition to sidewalk cafes, including parklets, and
5 streateries in the City of Tacoma, prior to the expiration of the Curbside
6 Café and Market Pilot Program on September 6, 2021, or four months after
7 the City's emergency declaration is lifted.

8 WHEREAS, during the early phases of the COVID-19 pandemic, the
9 Planning and Development Services ("PDS") and Public Works ("PW")
10 Departments undertook several initiatives to assist the business community in
11 addressing the impacts caused by the pandemic, and

12 WHEREAS, in Phase 1 of the state's Stay Home, Stay Safe order, the City
13 introduced temporary Food Loading Zones and ADA parking stalls, and in Phase 2
14 of the state's Safe Start phased reopening plan, the City promoted the temporary
15 Curbside Café and Market Program and existing temporary Sidewalk Café Program,
16 and

17 WHEREAS the Community and Economic Development Department and
18 Downtown Tacoma Partnership also partnered on the 8th Street Eatery that opened
19 a street to pedestrians and customers, and

20 WHEREAS curbside café/markets, also known as streateries or parklets,
21 are similar to sidewalk cafés but are located in a parking space in the right-of-way,
22 and function as an extension to an existing restaurant's seating area or retail store,
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WHEREAS curbside cafes/markets are permitted to be used only during the regular operating business hours of the host establishment; private use of the public right-of-way typically requires entering into a formal agreement with the City, and

WHEREAS, as a pilot program, this requirement was waived in an effort to support local businesses affected by closures related to the COVID-19 pandemic, and

WHEREAS a permit for the Curbside Café and Market Pilot and Sidewalk Café programs can accommodate temporary structures such as tables, chairs, planters, merchant displays, and shade coverings, and

WHEREAS the intent of these pilot programs are to increase the capacity for businesses to comply with the requirements of Governor Inslee’s Safe Start phased reopening plan, and

WHEREAS the City has historically invested in the public right-of-way in ways that support additional outdoor commerce; while outdoor dining options have proven to be successful economic drivers that activate outdoor spaces across the City, a number of problems have been identified:

- Current permanent outdoor dining options have more barriers and higher costs than the temporary pilot options rolled out during the COVID-19 emergency;
- The temporary nature of the current pilot disincentives businesses from investing funds in outdoor dining infrastructure;
- While businesses speak highly of the City’s permit staff, they have described barriers to finding the right permit information and have requested a smoother entry point; and



- Spaces right outdoors of restaurants are sometimes ineligible for outdoor dining options due to minimal sidewalk space, slope of sidewalk, or other characteristics; and

WHEREAS all outdoor dining options across the City should be reviewed, including sidewalk cafes, parklets, streateries, and other options allowed during the COVID-19 pandemic, to identify how to reduce barriers to outdoor dining, including (1) creating one point of entry for City permitting for all outdoor dining options; (2) reviewing restrictions based on size of sidewalk available outside of restaurants and proposing potential alternatives to remove barriers for these restaurants; and (3) consideration of how to reduce any other startup costs for restaurants, and

WHEREAS, when forming recommendations, outreach to a broad group of stakeholders, including the Downtown Tacoma Partnership, the Cross District Association of Tacoma, the Commission on Disabilities, and the Transportation Commission, should be included, and the stakeholders should participate in the review of future program considerations identified at the Economic Development Committee meeting of April 27, 2021, including parklet locations; program and design approach; race and social justice; community support; parklet operation and maintenance; accessibility; parking demands; cost to construct; competing City priorities; and staffing, and

WHEREAS all residents and visitors to the City rely on the public right-of-way to travel the City, and individuals with a mobility disability rely on unobstructed sidewalks for access, and

WHEREAS the Americans with Disabilities Act set standards for accessible design; while considering how to lower barriers on business to create outdoor



dining spaces, the City Manager shall include the City of Tacoma's Commission on
1 Disabilities in outreach efforts, to ensure the City is accessible to all; Now,

2 Therefore,

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

4 Section 1. That the City Manager is directed to bring recommendations to the
5 Economic Development Committee for allowing reasonable permanent outdoor
6 dining options in addition to sidewalk cafes, including parklets, and streateries in the
7 City of Tacoma. The Economic Development Committee shall review the proposed
8 recommendations and recommend final changes for City Council consideration
9 prior to expiration of the Curbside Café and Market Pilot Program on September 6,
10 2021, or four months after the City's emergency declaration is lifted.
11

12 Section 2. That the City Manager is directed to review all outdoor dining
13 options across the City, including sidewalk cafes, parklets, streateries, and other
14 options allowed during the COVID-19 pandemic, and consider how to reduce
15 barriers to outdoor dining, including (1) creating one point of entry for City
16 permitting for all outdoor dining options; (2) reviewing restrictions based on size of
17 sidewalk available outside of restaurants and proposing potential alternatives to
18 remove barriers for these restaurants; and (3) considering how to reduce any other
19 startup costs for restaurants.
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22 Section 3. That, when forming recommendations, the City Manager shall
23 include outreach to a broad group of stakeholders, including the Downtown
24 Tacoma Partnership, the Cross District Association of Tacoma, the Commission on
25 Disabilities, and the Transportation Commission, and these stakeholders should
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participate in the review of future program considerations identified at the
Economic Development Committee meeting of April 27, 2021.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney