



Legislation Passed June 29, 2021

The Tacoma City Council, at its regular City Council meeting of June 29, 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. 40807

A resolution authorizing the execution of an Interlocal Agreement with the City of Fircrest to provide access to the Leach Creek Holding Basin for maintenance and operations of the Fircrest outfalls.

[John Burk, P.E., Division Manager, Science & Engineering Division;
Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40808

A resolution rescinding the designation of the Tacoma Totem Pole, located at Firefighters' Park, from the Tacoma Register of Historic Places.

[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]

Ordinance No. 28732

An ordinance vacating that portion of East "K" Street, and an adjoining alley, lying between East 26th Street and East Wiley Avenue and westerly of East "L" Street, for business development and expansion.

(Nielsen Pacific, LTD.; File No. 124.1421)
[Jeff H. Capell, Hearing Examiner]



RESOLUTION NO. 40807

1 A RESOLUTION relating to science and engineering; authorizing the execution of
2 an Interlocal Agreement with the City of Fircrest for the purpose of providing
3 access to the Leach Creek Holding Basin for maintenance and operations of
4 the Fircrest outfalls.

4 WHEREAS the City of Tacoma is the sole owner of the property known as
5 the Leach Creek Holding Basin (LCHB), and

6 WHEREAS the property covers 31.81 acres comprised of forested wetlands,
7 and adjacent buffer that possess natural, open space and ecological values, and

9 WHEREAS the City of Fircrest is located almost entirely in the LCHB and
10 collects stormwater through its separate municipal storm sewer system for
11 discharge to the LCBH, additionally, there are six outfalls between 12 and 24 inches
12 in diameter that discharge a portion of stormwater collected in Fircrest directly to
13 LCHB, and

14 WHEREAS Tacoma and Fircrest desire to enter in this interlocal agreement
15 (ILA) to provide a grant of access to the property for Fircrest's maintenance and
16 operation of the Fircrest Outfalls and to ensure Fircrest's activities on the property
17 are in conformance with the Restrictive Covenant, Fircrest's stormwater National
18 Pollutant Discharge Elimination System (NPDES) permit, and applicable federal,
19 state, and local laws; Now, Therefore,

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

23 Section 1. That the proper officers of the City are hereby authorized to enter
24 into an Interlocal Agreement with the City of Fircrest for the purpose of providing
25 access to the Leach Creek Holding Basin for maintenance and operations of the
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Fircrest outfalls, said document to be substantially in the form of the Interlocal Agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



RESOLUTION NO. 40808

1 SPONSORED BY COUNCIL MEMBER THOMS

2 A RESOLUTION relating to historic preservation; rescinding the designation of
3 the Tacoma Totem Pole, located at Firefighters' Park, from the Tacoma
4 Register of Historic Places.

5 WHEREAS this recommendation is based on the Landmarks Preservation
6 Commission ("Landmarks Commission") findings and recommendations of May 26,
7 2021, regarding the proposed removal of the Tacoma Totem Pole ("Totem Pole"),
8 located at Firefighters' Park, from the Tacoma Register of Historic Places, and the
9 Tacoma Arts Commission's action to deaccession the totem pole from the
10 Municipal Art Collection ("Art Collection"), and related recommendations, and
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12 WHEREAS the Landmarks Commission found that the Totem Pole is
13 inauthentic and an example of cultural appropriation, and its continued status as a
14 City Landmark is harmful to the community and counter to the City's commitment
15 to anti-racism and reconciliation, and

16 WHEREAS the Totem Pole was commissioned by local businesspersons,
17 carved by unknown individuals in 1903, and was likely intended to reflect a Tlingit
18 or Haida aesthetic, however City consultations with art historians and tribal
19 representatives suggest the artists were not native carvers, and
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21 WHEREAS the primary motive for the creation of the Totem Pole was
22 economic competition, particularly with Seattle, and the Totem Pole was intended
23 to symbolize the City's connection with the Alaskan trade, and
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25 WHEREAS the Totem Pole is currently in its third position, and was added
26 to the Tacoma Register of Historic Places in 1975, and



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WHEREAS upon review, the Landmarks Commission found that the original nomination form contained factual inaccuracies, including the assertion that the Totem Pole was carved by native carvers from British Columbia; Tlingit and Haida tribal representatives do not believe the Totem Pole has any authentic ceremonial or clan origins, and claim no association with it, and

WHEREAS during discussions of both deaccessioning from the Art Collection and rescission of the historic status of the Totem Pole, tribal members and representatives of the Puyallup, Tlingit and Haida Tribes have clearly stated that the Totem Pole is harmful, including the fact that the faux Northern style contributes to and perpetuates misinformation about the art and culture of Coast Salish peoples of this region, and

WHEREAS on March 14, 2021, the Landmarks Commission voted to begin consideration of “rescission of landmarks designation” per its process in Tacoma Municipal Code 13.07.055, and

WHEREAS on May 12, 2021, the Landmarks Commission conducted a public hearing and continued to accept comments through May 22, 2021, with the public comments received being largely in favor of delisting the Totem Pole, and

WHEREAS on May 26, 2021, following review of testimony, the Landmarks Commission unanimously voted to recommend removal of the Totem Pole from the Tacoma Register of Historic Places, and

WHEREAS removal of the Totem Pole from the Tacoma Register of Historic Places will remove a barrier to reconciliation and inclusion with the Puyallup Tribe



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and other native and indigenous people, by ending the celebration of an item of cultural appropriation; Now, Therefore,

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

That the designation of the Tacoma Totem Pole to the Tacoma Register of Historic Places is hereby rescinded.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28732

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating that
4 portion of East "K" Street, and an adjoining alley, lying between
5 East 26th Street and East Wiley Avenue and westerly of East "L" Street,
6 for business development and expansion; and adopting the Hearing
7 Examiner's Findings, Conclusions, and Recommendations related
8 thereto.

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

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That the City Council hereby adopts the Hearing Examiner's
14 Findings, Conclusions, and Recommendations as contained in the Hearing
15 Examiner's Report and Recommendation to the City Council bearing File
16 No. 124.1421 and dated December 9, 2020, which Report is on file in the
17 office of the City Clerk.
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Section 2. That that portion of East "K" Street, and an adjoining alley, lying between East 26th Street and East Wiley Avenue and westerly of East "L" Street, legally described as follows:

ALL THAT PORTION OF EAST "K" STREET LYING BETWEEN AND ABUTTING BLOCKS 7634, 7636, 7733 AND 7735, AND THE ALLEY BETWEEN AND ABUTTING BLOCKS 7636 AND 7735, ALL OF TACOMA LAND COMPANY'S FIRST ADDITION TO TACOMA, W.T., ACCORDING TO THE PLAT THEREOF, FILED JULY 7, 1884, RECORDS OF THE PIERCE COUNTY AUDITOR, PIERCE COUNTY, WASHINGTON, LYING SOUTHERLY OF EAST 26TH STREET, WEST OF EAST "L" STREET AND NORTHERLY OF A LINE BEGINNING AT A POINT ON THE WEST LINE OF SAID BLOCK 7735 32 FEET NORTH OF THE SOUTHWEST CORNER THEREOF TO A POINT ON THE EAST LINE SAID BLOCK 7733 15 FEET NORTH OF THE SOUTHEAST CORNER THEREOF.

ALL SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON; WITHIN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 03 EAST OF THE WILLAMETTE MERIDIAN;

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



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reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

Environmental Services

A City utility easement of adequate width should be retained, authorizing the continued placement, use and maintenance (including replacement) of the public sanitary sewer system that runs through the alley portion of the Vacation Area and up the eastern side of the K Street portion to East 26th Street.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Property description approved:

Chief Surveyor
Public Works Department

Location: That portion of East "K" Street, and an adjoining alley, lying between East 26th Street and East Wiley Avenue and westerly of East "L" Street
Petitioner: Nielsen Pacific, LTD.
Vacation Req. No. 124.1421