



Legislation Passed March 8, 2022

The Tacoma City Council, at its regular City Council meeting of March 8, 2022, 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. 40921

A resolution setting Tuesday, March 22, 2022, 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 6,350 square feet of Tacoma Power property, located at 3404 South 45th Street, to Chris and Mitzi Dunayski, for the amount of \$250,000.

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

Resolution No. 40922

A resolution authorizing the execution of a grant agreement and any associated term extensions with the Washington State Department of Ecology, in the amount of \$408,941.00; accepting and depositing said sum into the Surface Water Fund; and authorizing the expenditure of matching funds in the amount of \$136,313.67, budgeted from the Surface Water Fund, for a projected total of \$545,254.67, for the Titlow Park Regional Stormwater Treatment Design project.

[Mary Henley, Senior Engineer; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40923

A resolution appointing Dennis Ball as Judge to Tacoma Municipal Court, Department No. 3, effective March 9, 2022, and until a successor is elected and qualified under the 2022 State of Washington General Election.

[Mayor Woodards]

Resolution No. 40924

A resolution appointing and reappointing individuals to the Tacoma Community Redevelopment Authority Board.

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

Resolution No. 40925

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$20,000, for expenses related to traffic control devices and services for the 2022 Daffodil Parade.

[Mayor Woodards]



RESOLUTION NO. 40921

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,
2 March 22, 2022, upon completion of Regular Agenda Items, no earlier
3 than 5:15 p.m., as the date for a public hearing by the City Council, on the
4 sale of approximately 6,350 square feet of property, located at 3404 South
5 45th Street, owned by the City of Tacoma, through its Department of
6 Public Utilities, Light Division, and now surplus to its needs, to Chris and
7 Mitzi Dunayski for the amount of \$250,000.

8 WHEREAS the City of Tacoma, through its Department of Public Utilities,
9 Light Division (d.b.a. "Tacoma Power"), owns approximately 6,350 square feet of
10 real property located at 3404 South 45th Street, in Tacoma, Washington, identified
11 as Pierce County Assessor Tax Parcel No. 2890002480 ("Property"), and

12 WHEREAS the Property is in an urban location in the City and was formerly
13 improved with Tacoma Power's Warner Substation, and

14 WHEREAS, as part of a package of decommissioned substation properties,
15 this former substation site was previously declared surplus in 2009 by the Tacoma
16 Public Utilities ("TPU") Board and the City Council, however, it failed to sell through
17 a sealed-bid process, and

18 WHEREAS, this sale follows the process provided in the TPU Surplus Real
19 Property Disposition Policy #121 adopted in 2020, and

20 WHEREAS the Property was identified as potential for Affordable Housing
21 and was included in a request for proposals in 2021, and, as it is an in-City
22 property, it was also offered to the Puyallup Tribe of Indians, and

23 WHEREAS none of these parties expressed an interest in the property, and
24 the property was then marketed to the community at large; this sale is a result of
25 those efforts, and
26



1 WHEREAS the terms and conditions of the Purchase and Sale Agreement
2 were reviewed by the City Attorney’s Office and approved by both Tacoma Power
3 management and Real Property Services, and
4

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

7 WHEREAS Chris and Mitzi Dunayski have offered to purchase the Property
8 for \$250,000, which was determined to represent fair market value and deemed
9 acceptable by Tacoma Power, and
10

11 WHEREAS the negotiated disposition process was completed pursuant to
12 Tacoma Municipal Code (“TMC”) 1.06.280.F, and

13 WHEREAS, on February 23, 2022, by adoption of Public Utility Board
14 Resolution No. U-11308, the Property was declared surplus to the needs of
15 Tacoma Public Utilities and approved for sale, pending confirmation from the City
16 Council, and
17

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

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

22 Section 1. That a public hearing on the sale of approximately 6,350
23 square feet of surplus property located at 3404 South 45th Street, in Tacoma,
24 Pierce County, owned by the City of Tacoma, through its Department of Public
25 Utilities, Light Division (d.b.a. “Tacoma Power”) and now surplus to the needs of
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1 Tacoma Public Utilities, to Chris and Mitzi Dunayski for the amount of \$250,000,
 2 shall be held before the City Council in the Council Chambers on the first floor
 3 of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, or
 4 alternatively, a call-in option will be provided until the end of the COVID-19
 5 emergency, on Tuesday, March 22, 2022, upon completion of Regular Agenda
 6 Items, no earlier than 5:15 p.m. or as soon thereafter as the same may be
 7 heard.
 8

9 Section 2. That the Clerk of the City of Tacoma shall give proper notice of
 10 the time and place of said hearing.
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12 Adopted _____

 Mayor

14 Attest:
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 16 _____
 17 City Clerk

18 Approved as to form:
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 20 _____
 21 Chief Deputy City Attorney

22 Requested by Public Utility Board
 23 Resolution No. U-11308
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RESOLUTION NO. 40922

1 A RESOLUTION relating to stormwater treatment; authorizing the execution of
2 a grant agreement and any associated term extensions with the
3 Washington State Department of Ecology, in the amount of \$408,941.00,
4 accepting and depositing said sum into the Surface Water Fund; and
5 authorizing the expenditure of matching funds in the amount of
6 \$136,313.67, budgeted from the Surface Water Fund, for a projected
7 total of \$545,254.67, for the Titlow Park Regional Stormwater Treatment
8 Design project.

9 WHEREAS there is a need to improve the quality of stormwater
10 discharged to the Puget Sound in the vicinity of Titlow Park, and

11 WHEREAS the Titlow Park Regional Stormwater Treatment Design
12 project ("Project") will treat up to 380 acres of residential runoff by providing
13 basic water quality treatment before discharging through the Titlow Estuary to
14 Puget Sound, and

15 WHEREAS the Project will leverage valuable and timely partnership
16 opportunities and provide water quality benefits for Puget Sound, and

17 WHEREAS this Project will help restore and protect water quality in
18 Titlow Lagoon by reducing stormwater impacts from existing infrastructure and
19 development, and supports the overall Titlow Estuary Restoration Project and
20 Titlow Park Master Plan, and

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WHEREAS the overall goal is to restore the lagoon and ecological processes that support a healthy estuary by reducing the effects of stormwater to improve water quality, and

WHEREAS the City has applied for and been awarded \$408,941.00 in grant funding from Washington State Department of Ecology, and

WHEREAS the grant award requires a City match of \$136,313.67, for a projected total of \$545,254.67, and

WHEREAS, under the grant process guidelines, the City Council must approve acceptance of grant funding; 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 accept grant funding from the Washington State Department of Ecology in the amount of \$408,941.00, for deposit into the Surface Water Fund, together with funding of \$136,313.67 in matching City funds, budgeted from the Surface Water Fund, for a projected total of \$545,254.67, for the purpose of restoring the Titlow Estuary with the Titlow Park Regional Stormwater Treatment Design project.



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Section 2. That the proper officers of the City are hereby authorized to execute a grant agreement and any associated term extensions with the Washington State Department of Ecology for the administration of the funding accepted pursuant to Section 1, said document to be substantially in the form of the proposed grant agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40923

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION selecting Dennis Ball to fill the vacant judicial position in the
3 Tacoma Municipal Court, Department No. 3 until the State of Washington
4 General Election to be held in 2022.

5 WHEREAS Judge Dwayne Christopher vacated his position as judge for
6 the Tacoma Municipal Court (“Municipal Court”), Department No. 3, to accept an
7 appointment to the Pierce County District Court bench, and

8 WHEREAS the Municipal Court anticipates that a large backlog of cases
9 will be filed in the coming months with the lifting of many COVID-19 restrictions,
10 and needs an experienced judicial officer who can manage a heavy case load
11 immediately upon appointment, and
12

13 WHEREAS this vacant judicial position will be up for election in Fall 2022,
14 with the filing deadline for candidates to occur in May 2022, and

15 WHEREAS Dennis Ball served for 29 years with distinction as a Tacoma
16 Municipal Court Commissioner, and recently retired from the Municipal Court in
17 June 2021, where at the time he was the most senior commissioner for all
18 Municipal and District courts in the State, and
19

20 WHEREAS Mr. Ball has indicated his willingness to temporarily serve in
21 this position until the voters can elect a new judge; Now, Therefore,
22

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

24 That Dennis Ball is hereby appointed as judge of the Tacoma Municipal
25 Court, Department No. 3, effective on the 9th day of March, 2022, and until a
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1 successor is elected and qualified under the State of Washington General

2 Election to be held in Fall 2022.

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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RESOLUTION NO. 40924

1 BY REQUEST OF DEPUTY MAYOR USHKA, AND COUNCIL MEMBERS
2 BLOCKER, DANIELS, AND RUMBAUGH

3 A RESOLUTION relating to committees, boards, and commissions; appointing and
4 reappointing individuals to the Tacoma Community Redevelopment
5 Authority Board.

6 WHEREAS vacancies exist on the Tacoma Community Redevelopment
7 Authority Board, and

8 WHEREAS, at its meeting of February 24, 2022, the Community Vitality
9 and Safety Committee conducted interviews and recommended the appointment
10 and reappointment of individuals to said board, and

11 WHEREAS, pursuant to City Charter Section 2.4, the persons named on
12 Exhibit "A" have been nominated to serve on the Tacoma Community
13 Redevelopment Authority Board; Now, Therefore,

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

15 That those nominees to the Tacoma Community Redevelopment Authority
16 Board, listed on Exhibit "A," are hereby confirmed and appointed or reappointed as
17 members of such board for such terms as are set forth on the attached Exhibit "A."
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19 Adopted _____

20 _____
21 Mayor

22 Attest:

23 _____
24 City Clerk

25 Approved as to form:

26 _____
City Attorney



EXHIBIT "A"

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TACOMA COMMUNITY REDEVELOPMENT AUTHORITY BOARD

Appointing **Eric Frank** to the "Contractor Rep." designation to fill an unexpired term, to expire February 28, 2023, followed by a two-year term to expire February 28, 2025.

Appointing **Andrew Kwon** to the "CPA Rep." designation to serve a two-year term, to expire February 29, 2024.

Appointing **Yo Ahzzma** to the "CPA Rep." designation to serve a two-year term, to expire February 29, 2024.

Appointing **Ryan Dutli** to the "Lender Rep." designation to serve a two-year term, to expire February 29, 2024.

Reappointing **Terri Scott** to the "Lender Rep." designation to serve a two-year term, to expire February 29, 2024.

Reappointing **Lacey Barker** to the "Realtor Rep." designation to serve a two-year term, to expire February 29, 2024.

Reappointing **Kimber Starr** to the "Realtor Rep." designation to serve a two-year term, to expire February 29, 2024.



RESOLUTION NO. 40925

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION authorizing the one-time use of funds, budgeted from the Council
3 Contingency Fund in the amount of \$20,000, for expenses related to traffic
4 control devices and traffic control services for the 2022 Daffodil Parade.

5 WHEREAS this year would mark the first return of the Daffodil Parade
6 ("Parade") since the COVID-19 pandemic, and with mandates winding down, our
7 business community and the public are ready to get back to celebrating community
8 traditions and activating our business districts with events, and

9 WHEREAS in June of 2021, the City changed the funding process for special
10 events and applicants engaged in a competitive process to receive funding for
11 community events, with the City's commitment to equity, diversity, inclusion, and
12 transformation driving the budget and funding decisions, and

13 WHEREAS the City's Events and Recognitions Committee and Office of Arts
14 & Cultural Vitality acted as the review and selection panel, and this competitive
15 process ensures an equitable distribution of funds, with the intention to expand
16 access to diverse communities and cultures throughout the City, and

17 WHEREAS due to this being a new process, and especially during the
18 pandemic, there was a learning curve and adjustments that needed to be made,
19 and while City staff did conduct outreach, missed communications between the City
20 and the Daffodilians resulted in the Parade not submitting an application for event
21 funding this year, and

22 WHEREAS to ensure that the Parade has the ability to move forward with
23 the Tacoma leg of the parade route, a one-time funding of \$20,000 from the Council
24



1 Contingency Fund (“Fund”) will be applied to the cost of the important in-kind
2 services provided by the City, such as public works provided traffic control devices
3 and traffic control services by the Tacoma Police Department, and
4

5 WHEREAS, at the March 1, 2022, Study Session, Mayor Woodards shared a
6 Council Consideration Request to authorize the one-time use of \$20,000 from the
7 Council Contingency Fund for expenses related to traffic control devices and traffic
8 control services for the 2022 Daffodil Parade, and
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10 WHEREAS City staff will negotiate and execute an agreement for services,
11 with terms and deliverables for the City’s contribution, as well as a financial report
12 provided to the City which shows the source(s) of the funding prior to receiving the
13 \$20,000 contribution, and
14

15 WHEREAS RCW 35.34.250 and 35.34.260 authorize a withdrawal from the
16 Council Contingency fund for any municipal expense, the necessity or extent of
17 which could not have been foreseen or reasonably evaluated at the time of
18 adopting the budget, and
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20 WHEREAS Ordinance No. 22569 requires an affirmative vote of not less
21 than six members of the Council in order to withdraw moneys from this fund; Now,
22 Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That one-time funding in the amount of \$20,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of the expenses related to traffic control devices and traffic control services for the 2022 Daffodil Parade.

Section 2. That the proper officers of the City are hereby authorized to confirm deliverables with the 2022 Daffodil Parade for the purposes hereinabove enumerated, and document as appropriate.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney