



Legislation Passed April 26, 2022

The Tacoma City Council, at its regular City Council meeting of April 26, 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. 40953

A resolution setting Tuesday, May 10, 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 2.74 acres of Tacoma Power property, located in the Vader vicinity of unincorporated Cowlitz County, to the BNSF Railway Company, for the amount of \$81,200.

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

Resolution No. 40954

A resolution appointing Thomas Brewster to the Citizen Commission on Elected Salaries to fill an unexpired term for Council District No. 5, to expire September 30, 2024.

[Kari L. Louie, Assistant Director; Shelby Fritz, Director, Human Resources]

Resolution No. 40956

A resolution authorizing the execution of an amendment to the original Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Broadway I LLC through Broadway V LLC, for the development of 53 multi-family market-rate rental housing units, located at 23 North Broadway, in the Downtown Regional Growth Center, to include the neighboring parcel.

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

Resolution No. 40957

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with JHOP LLC, for the development of 11 multi-family market-rate and affordable rental housing units, located at 1009 South 14th Street, in the Downtown Regional Growth Center.

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

Resolution No. 40958

A resolution authorizing the execution of a Letter of Agreement with the City of Tacoma, Washington, City and Pierce County Employees Local Number 120 of the Washington State Council of County and City Employees, AFSCME, AFL-CIO, to provide for a general wage increase, retroactive to January 1, 2022.

[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40959

A resolution authorizing the execution of a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, to provide for a general wage increase, retroactive to January 1, 2022.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40960

A resolution authorizing the execution of a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Customer and Field Services Unit, related to compensation and classification updates to reflect changes to the organizational structure.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40961

A resolution authorizing the execution of a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Tacoma Power and Supervisors' Units, regarding a signal and streetlight maintenance employee retention incentive.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Ordinance No. 28812

An ordinance amending Chapter 12.01 of the Municipal Code, relating to Utility Charges, by amending Section 12.01.010, entitled "Utility services establishment", to establish a temporary, two-year waiver of certain disconnection and reconnection fees, effective through May 31, 2024.
[John Hoffman, Assistant Customer Services Manager; Steve Hatcher, Customer Services Manager, Tacoma Public Utilities]



RESOLUTION NO. 40953

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,
2 May 10, 2022, upon completion of Regular Agenda Items, no earlier than
3 5:15 p.m., as the date for a public hearing by the City Council on the sale of
4 approximately 2.74 acres of unimproved property, located in the Vader
5 vicinity of unincorporated Cowlitz County, Washington, owned by the City of
6 Tacoma, Department of Public Utilities, Light Division (d.b.a. "Tacoma
7 Power"), and now surplus to its needs, to BNSF Railway Company for the
8 amount of \$81,200.

9 WHEREAS the City of Tacoma, Department of Public Utilities, Light
10 Division (d.b.a. "Tacoma Power"), owns approximately 2.74 acres of unimproved
11 property ("Property") located in a rural location in unincorporated Cowlitz County,
12 Washington, near the town of Vader, identified under Cowlitz County Assessor
13 Tax Parcel No. WK1601006, and

14 WHEREAS the Property was originally acquired by Tacoma Power in 2013
15 for the amount of \$11,362, utilizing Fish Habitat Funds targeted for fish habitat
16 protection, restoration, and enhancement consistent with the Cowlitz Hydroelectric
17 Project obligations under FERC License No. 2016, and

18 WHEREAS, given its land-locked status and small size, together with its
19 location adjacent to an operating rail line, there is limited opportunity to improve
20 habitat functions and values on the Property, and

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

23 WHEREAS BNSF Railway Company ("BNSF"), which operates the adjacent
24 rail line, would like to acquire the Property for a bridge replacement project across
25 the Cowlitz River, and has offered to purchase the Property for \$81,200, which is
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1 deemed to represent fair market value and deemed acceptable by Tacoma Power,
2 and

3 WHEREAS the net sale proceeds will be returned to the Fish Habitat Fund
4 to be reinvested for fish habitat purposes, consistent with the guidelines of the
5 Habitat Advisory Group ("HAG") oversight committee established by the FERC
6 License Settlement Agreement, Article 11, and

7 WHEREAS Real Property Services has worked with Tacoma Power's
8 Natural Resources Division on this request, and the HAG committee has given its
9 approval, and

10 WHEREAS, on April 13, 2022, by adoption of Public Utility Board Resolution
11 No. U-11315, the Property was declared surplus to the needs of Tacoma Power and
12 Tacoma Public Utilities and approved for sale, pending confirmation from the City
13 Council, and

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

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

18 Section 1. That a public hearing on the sale of approximately 2.74 acres of
19 unimproved property, identified under Cowlitz County Assessor Tax Parcel
20 No. WK1601006, located in the Vader vicinity of unincorporated Cowlitz County,
21 Washington, owned by the City of Tacoma, Department of Public Utilities, Light
22 Division (d.b.a. "Tacoma Power") and now surplus to its needs, to BNSF Railway
23 Company for the amount of \$81,200, shall be held before the City Council in the
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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, on Tuesday, May 10, 2022, upon completion of Regular Agenda Items, no earlier than 5:15 p.m. or as soon thereafter as the same may be heard.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11315



RESOLUTION NO. 40954

1 A RESOLUTION relating to committees, boards, and commissions; appointing
2 Thomas J. Brewster to the Citizen Commission on Elected Salaries to fill an
unexpired term for Council District No. 5, to expire September 30, 2024.

3 WHEREAS the Citizen Commission on Elected Salaries (“Commission”)
4 shall consist of seven members appointed as follows: five members, one from each
5 City Council district, selected by lot by the Pierce County Auditor from registered
6 City of Tacoma voters eligible to vote at the time of selection; and two members
7 who are residents of the City of Tacoma, to be appointed by the Mayor and
8 confirmed by the City Council, one with experience in human resource management
9 and the other with experience in the legal profession, and
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11

12 WHEREAS a vacancy exists on the Commission, and

13 WHEREAS, pursuant to City Charter Section 2.3, Thomas J. Brewster has
14 been selected by the Auditor to serve on the Commission; Now, Therefore,

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

16 That Thomas J. Brewster is hereby confirmed and appointed as a member of
17 the Citizen Commission on Elected Salaries, for the Council District No. 5 position,
18 which expired as of September 30, 2021, with a term to expire September 30, 2024.
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20 Adopted _____

21 _____
Mayor

22 Attest:
23 _____

24 City Clerk

25 Approved as to form:
26 _____

City Attorney



RESOLUTION NO. 40956

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of an amendment to the original Multi-Family
3 Housing Eight-Year Limited Property Tax Exemption Agreement with
4 Broadway I LLC through Broadway V LLC, for the development of 53 multi-
5 family market-rate rental housing units to be located at 23 North Broadway
6 in the Downtown Regional Growth Center, to include the neighboring
7 parcel number 2030100050.

8 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
9 Washington, designated several Residential Target Areas for the allowance of a
10 limited property tax exemption for new multi-family residential housing, and
11

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

17 WHEREAS, pursuant to Resolution No. 40916, adopted on February 15,
18 2022, Broadway I LLC through Broadway V LLC executed an Eight-Year Limited
19 Property Tax Exemption Agreement for the development of 53 multi-family
20 market-rate rental housing units, and

21 WHEREAS during the application process, the second parcel number
22 2030100050 was omitted in error in the Accela application file, and the plans as
23 presented for Broadway I LLC through Broadway V LLC to build the 53 new market-
24 rate rental units always included the use of the second parcel, and

25 WHEREAS the Director of Community and Economic Development has
26 reviewed the proposed property tax exemption and recommends that a conditional



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property tax exemption be awarded for the property located at 23 North Broadway 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 eight years, to Broadway I LLC through Broadway V LLC, for the property located at 23 North Broadway 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 an amendment to the original Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Broadway I LLC through Broadway V 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:

Deputy City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcels: 2030100031 and 2030100050

Legal Description:

That portion of the Northwest Quarter of the Southeast Quarter of Section 32, Township 21 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 8, 9, 10, 11 and 12, Block 3010, Map of New Tacoma, Washington Territory, according to the Plat filed for record February 3, 1875, in the Office of the County Auditor, Pierce County, Washington.

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



RESOLUTION NO. 40957

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 JHOP LLC, for the development of
 4 11 multi-family market-rate and affordable rental housing units to be located
 5 at 1009 South 14th Street in the Downtown Regional Growth Center.

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

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 WHEREAS JHOP LLC, is proposing to develop 11 new market-rate and
 15 affordable rental housing units to consist of:

| Number of Units | Type of Unit | Average Size |
|-----------------|--------------|-----------------|
| Market Rate | | |
| 8 | Studio | 415 Square Feet |
| Affordable Rate | | |
| 3 | Studio | 415 Square Feet |

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 20 WHEREAS the affordable units will be rented to households whose income
 21 is at or below 80 percent of Pierce County Area Median Income, adjusted for
 22 household size, as determined by the Department of Housing and Urban
 23 Development on an annual basis, and rent will be capped at 30 percent of those
 24 income levels, adjusted annually, and
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1 WHEREAS the project will also include one on-site residential parking stall,
2 and

3 WHEREAS the Director of Community and Economic Development has
4 reviewed the proposed property tax exemption and recommends that a conditional
5 property tax exemption be awarded for the property located at 1009 South 14th
6 Street in the Downtown Regional Growth Center, as more particularly described in
7 the attached Exhibit "A"; Now, Therefore,

8
9 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

10 Section 1. That the City Council does hereby approve and authorize a
11 conditional property tax exemption, for a period of 12 years, to JHOP LLC, for the
12 property located at 1009 South 14th Street in the Downtown Regional Growth
13 Center, as more particularly described in the attached Exhibit "A."
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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 JHOP 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:

Deputy City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 2013200100

Legal Description:

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 05, TOWNSHIP 20 NORTH, RANGE 03 EAST, W. M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

WEST 44 FEET OF THE SOUTH 15 FEET OF LOT 11, AND THE WEST 44 OF LOT 12, BLOCK 1320, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT RECORDED FEBRUARY 13, 1875, RECORDS OF PIERCE COUNTY, WASHINGTON;

TOGETHER WITH THAT PART OF VACATED ALLEY ABUTTING WHICH ATTACHED BY OPERATION OF LAW PER CITY OF TACOMA ORDINANCE NO. 1967;

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF WASHINGTON.



RESOLUTION NO. 40958

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the City of
3 Tacoma, Washington, City and Pierce County Employees Local Number 120
4 of the Washington State Council of County and City Employees, AFSCME,
AFL-CIO, to provide for a general wage increase retroactive to January 1,
2022.

5 WHEREAS the City has, for years, adopted the policy of collective
6 bargaining between the various labor organizations representing employees and
7 the administration, and

8
9 WHEREAS Resolution No. 40717, adopted December 15, 2020, authorized
10 the execution of the two-year Collective Bargaining Agreement (“CBA”) between the
11 City of Tacoma and the City of Tacoma, Washington, City and Pierce County
12 Employees Local Number 120 of the Washington State Council of County and City
13 Employees, AFSCME, AFL-CIO, (“Union”), on behalf of the employees represented
14 by said Union, and

15
16 WHEREAS the City and Union have negotiated a Letter of Agreement
17 (“LOA”) to the CBA which provides for a 2.25 percent general wage increase
18 retroactive to January 1, 2022, for all classifications in the Union, which shall take
19 into account the 1 percent wage increase already provided to bargaining unit
20 members on January 1, 2022, and which shall cancel a 1 percent wage increase
21 scheduled to be effective July 1, 2022, and

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23 WHEREAS it appears in the best interest of the City that the LOA negotiated
24 by said Union and the City be approved; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute the Letter of Agreement negotiated between the City of Tacoma and the City of Tacoma, Washington, City and Pierce County Employees Local Number 120 of the Washington State Council of County and City Employees, AFSCME, AFL-CIO, to provide for a change in the across-the-board general wage increases scheduled for 2022, retroactive to January 1, 2022, said document 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



RESOLUTION NO. 40959

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
3 International Brotherhood of Electrical Workers, Local 483, Human
4 Resources Unit, to provide for a general wage increase retroactive to
5 January 1, 2022.

6 WHEREAS the City has, for years, adopted the policy of collective
7 bargaining between the various labor organizations representing employees and
8 the administration, and

9 WHEREAS Resolution No. 40739, adopted January 26, 2021, authorized the
10 execution of the two-year Collective Bargaining Agreement (“CBA”) between the
11 City of Tacoma and the International Brotherhood of Electrical Workers, Local 483,
12 Human Resources Unit, (“Union”), on behalf of the employees represented by said
13 Union, and

14 WHEREAS the City and Union have negotiated a Letter of Agreement
15 (“LOA”) to the CBA which provides for a 2.25 percent general wage increase
16 retroactive to January 1, 2022, for all classifications in the Union, which shall take
17 into account the 1 percent increase already provided to bargaining unit members on
18 January 1, 2022, and which shall cancel the 1 percent wage increase scheduled to
19 be effective July 1, 2022, and

20 WHEREAS it appears in the best interest of the City that the LOA negotiated
21 by said Union and the City be approved; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to execute the Letter of Agreement negotiated between the City of Tacoma and the International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, said document 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



RESOLUTION NO. 40960

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
3 International Brotherhood of Electrical Workers, Local 483, Customer and
4 Field Services Unit, related to compensation and classification updates to
5 reflect changes to the organizational structure.

6 WHEREAS the City has, for years, adopted the policy of collective
7 bargaining between the various labor organizations representing employees and
8 the administration, and

9 WHEREAS Resolution No. 40470, adopted November 12, 2019, authorized
10 the execution of the three-year Collective Bargaining Agreement ("CBA") between
11 the City of Tacoma and the International Brotherhood of Electrical Workers,
12 Local 483, Customer and Field Services Unit ("Union"), on behalf of the employees
13 represented by said Union, and

14 WHEREAS the City and Union have negotiated a Letter of Agreement
15 ("LOA") to the CBA which provides for the following: (1) recognition of updates and
16 a title change for Utilities Field Investigator classification to Advanced Meter Field
17 Investigator, which will also receive a wage adjustment of approximately 5 percent,
18 and the salary range will increase from one step to three steps, retroactive to
19 January 1, 2022, (2) recognition of a new classified title of Advanced Meter Field
20 Investigator, Lead, which will be classified, hourly, overtime category A, and
21 represented by the Union, as well as a salary range to include four steps, set
22 approximately 15 percent over the salary range for Advanced Meter Field
23 Investigator, (3) plans for the transition of permanent employees in the Meter
24 Reader classification, that are listed in the Agreement, to the Advanced Meter Field
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1 Investigator classification, and (4) elimination of applications of rate for Meter
2 Reader and Utilities Field Investigator employees when assigned as Lead, and

3 WHEREAS it appears in the best interest of the City that the LOA negotiated
4 by said Union and the City be approved; Now, Therefore,

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

7 That the proper officers of the City are hereby authorized to execute the
8 Letter of Agreement negotiated between the City of Tacoma and the International
9 Brotherhood of Electrical Workers, Local 483, Customer and Field Services Unit,
10 said document to be substantially in the form of the document on file in the office of
11 the City Clerk.
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13 Adopted _____
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15 _____
16 Mayor

17 Attest:
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19 City Clerk

20 Approved as to form:
21 _____
22 Deputy City Attorney

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RESOLUTION NO. 40961

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
3 International Brotherhood of Electrical Workers, Local 483, Tacoma Power
4 and Supervisors' Units, regarding a signal and streetlight maintenance
5 employee retention incentive.

6 WHEREAS the City has, for years, adopted the policy of collective
7 bargaining between the various labor organizations representing employees and
8 the administration, and

9 WHEREAS Resolution No. 40842, adopted September 21, 2021, authorized
10 the execution of the four-year Collective Bargaining Agreement ("CBA") between
11 the City of Tacoma and the International Brotherhood of Electrical Workers, Local
12 483, Tacoma Power Unit ("Union"), on behalf of the employees represented by said
13 Union, and

14 WHEREAS Resolution No. 40758, adopted March 9, 2021, authorized the
15 execution of a one-year Collective Bargaining Agreement between the City of
16 Tacoma and the International Brotherhood of Electrical Workers, Local 483,
17 Supervisors' Unit, on behalf of the employees represented by said Union, and

18 WHEREAS the City and Union have negotiated a Letter of Agreement
19 ("LOA") to the CBAs which provides for a retention incentive program for eligible
20 employees in the Traffic Signal and Streetlight Section of Public Works who are
21 currently, or will become, retirement eligible during the term of the LOA, and whose
22 employment is considered essential for the continued operations of the City's signal
23 and streetlight infrastructure, consisting of a first retention payment of \$7,500 for the
24 period from the effective date of the agreement through July 31, 2024, and a
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1 second payment of \$15,000 for the period from the effective date of the agreement
2 through July 31, 2025, and

3 WHEREAS it appears in the best interest of the City that the LOA negotiated
4 by said Union and the City be approved; Now, Therefore,

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

6 That the proper officers of the City are hereby authorized to execute the
7 Letter of Agreement negotiated between the City of Tacoma and the International
8 Brotherhood of Electrical Workers, Local 483, Tacoma Power and Supervisors'
9 Units, said document to be substantially in the form of the document on file in the
10 office of the City Clerk.
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13 Adopted _____
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15 _____
16 Mayor

17 Attest:
18 _____
19 City Clerk

20 Approved as to form:
21 _____
22 Deputy City Attorney

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ORDINANCE NO. 28812

1 AN ORDINANCE relating to utility service; amending Chapter 12.01 of the
2 Tacoma Municipal Code by amending Section 12.01.010, "Utility services
3 establishment," to establish a temporary, two-year waiver of certain
4 disconnection and reconnection fees, to be effective through May 31, 2024.

5 WHEREAS Mayor Woodards established Emergency Rule No. 2, effective
6 March 16, 2020, which postponed utility shutoffs for nonpayment, and

7 WHEREAS Emergency Rule No. 2 was later amended on September 28,
8 2021, to ensure that late fees were not charged on balances incurred by utility
9 customers during the period of the emergency, and

10 WHEREAS Emergency Rule No. 2 was rescinded as of March 31, 2022,
11 and customers with delinquent balances as of March 19, 2022, were automatically
12 placed on 24-month extended payment plans without late fees, and

13 WHEREAS, during this period, Tacoma Public Utilities began installing
14 Advanced Meters, many of which have remote disconnection and reconnection
15 capabilities, and

16 WHEREAS customers with Advanced Meters are not assessed fees on
17 remote disconnections and reconnections, and

18 WHEREAS the City of Tacoma, Department of Public Utilities, has requested
19 proposed changes to Chapter 12.01 of the Tacoma Municipal Code ("TMC"),
20 entitled "Utility Charges," to implement a temporary, two-year waiver of certain
21 disconnection and reconnection services fees listed in TMC Chapter 12.01, and

22 WHEREAS the intent of the proposed TMC amendments is to ensure, for a
23 two-year period, that those customers participating in an extended payment plan to
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1 retire delinquent balances incurred when utility disconnections were postponed are
2 not charged daytime field collection fees associated with those balances, and

3 WHEREAS the proposed TMC amendments would waive the standard field
4 visit fee, daytime reconnections fee, and provide a one-time waiver per customer
5 of an after-hours reconnection fee, if those fees are assessed in the next two years
6 due to non-payment of charges before March 31, 2022, and if the utility customer
7 establishes or reestablishes an extended payment plan related to such non-
8 payment, and

9 WHEREAS the proposed TMC amendments would remain in effect through
10 May 31, 2024, and

11 WHEREAS the Public Utility Board approved the proposed changes on
12 April 13, 2022, pursuant to Public Utility Board Resolution No. U-11314, and

13 WHEREAS revisions to the TMC applicable to Tacoma Public Utilities
14 require approval by the Public Utility Board and the Tacoma City Council; Now,
15
16 Therefore,

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18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. That Section 12.01.010 of the Tacoma Municipal Code, "Utility
20 services establishment," is hereby amended to read as set forth in the attached
21 Exhibit "A."
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23 Section 2. That the temporary, two-year waiver of certain disconnection and
24 reconnection service fees referenced in Section 1 shall remain in effect through
25 May 31, 2024.
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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11314



EXHIBIT "A"

**CHAPTER 12.01
UTILITY CHARGES**

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Sections:

- 12.01.010 Utility services establishment.
- 12.01.020 Utility field collection call.
- 12.01.030 Invoicing and late payment fee.
- 12.01.040 Residential conservation loan program charges – Light Division.
- 12.01.050 Waiver of utility connection and inspection charges during declared emergency.

12.01.010 Utility services establishment.

A utility service establishment charge shall be imposed for each customer's service order for all utilities provided by the City of Tacoma as set forth below:

A. A utility service establishment charge shall be paid by each utility customer at the time of the service request. The charge includes turn-on and turn-off services if required. The establishment charge shall be as indicated in the table below for each service:

| | |
|-----------------|---------|
| Power (metered) | \$10.50 |
| Water (metered) | \$6.10 |
| Solid Waste | \$3.00 |
| Wastewater | \$1.00 |
| Surface Water | \$1.00 |

Such utility service establishment charge will be allocated to, and recorded as revenue for City tax purposes by each utility providing service.

B. Adjustments/Fees.

A service charge shall be paid by each utility customer if a field call is required to adjust service to a new or different type of service or rate, or for turn-off or turn-on of service. For purposes of this chapter, normal City business hours means 8:00 a.m. to 5:00 p.m., Monday through Friday, except City recognized holidays. The service charge shall be the sum of the following applicable fees:

1. \$10.00 for collection or disconnection for nonpayment.
2. \$12.00 for service connection during normal City business hours.
3. \$60.00 for turn-on or turn-off during all other hours.
4. Plus an additional \$35.00 if a pole or vault cut-in or termination is necessary.
5. \$6.00 for failure to appear for utility turn-on.
6. \$20.00 for self cut-in.
7. \$5.00 for verification of meter reading at the customer's request after second reading within 12 consecutive months.
8. \$5.00 for lock-out during a reasonable attempt to read a meter.
9. \$5.00 for service provided to prepare information for collection on accounts closed over 30 days.
10. \$10.00 for service provided to prepare information for bankruptcy administration.

Effective January 1, 2021, a \$15.00 recurring billing cycle fee shall be charged for service provided for Opt Out of Advanced Metering Infrastructure. The low-income senior and/or disabled discount rate percentage, as specified in subsection 12.06.165.C, shall be applied to the Opt-Out fee for qualified eligible customers as determined by subsection 12.06.165.



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There will not be a disconnection or connection fee charged if the action may ordinarily be performed remotely. Such adjustment charges will be allocated to and recorded as revenue for City tax purposes by each utility providing service.

C. Reconnection fees resulting from delinquency cut-offs shall be as follows:

1. \$12.00 during normal City business hours and \$60.00 during all other hours.
2. \$40.00 for a pole reconnection during normal City business hours and \$65.00 for a pole reconnection during all other hours.
3. \$75.00 for a URD reconnection during normal City business hours.
4. No URD reconnection after normal City business hours.

There will not be a reconnection fee charged if the action may ordinarily be performed remotely. Such reconnection fees will be allocated to and recorded as revenue for City tax purposes by each utility providing service.

The disconnection, reconnection, or collection fees set forth in subsections 12.01.010.B.1 and 12.01.010.B.2, subsection 12.01.010.C.1, and subsection 12.01.020 will not be charged if the fees are due to non-payment between March 17, 2020, and May 31, 2024, and the non-payment is connected to an extended payment arrangement for balances incurred by the utility customer prior to March 31, 2022.

The outside of normal business hours disconnection or reconnection fees set forth in subsections 12.01.010.B.3 and 12.01.010.C.1 will be waived one time per customer if the fees are due to non-payment between March 17, 2020, and May 31, 2024, and the non-payment is connected to an extended payment arrangement for balances incurred by the utility customer prior to March 31, 2022.

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