



Legislation Passed July 12, 2022

The Tacoma City Council, at its regular City Council meeting of July 12, 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. 40996

A resolution setting Thursday, August 18, 2022, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the alley between North "L" Street and North "M" Street, lying northwest of North 10th Street, to cure a garage encroachment.

(Carla Moreno Montgomery and Ana Yesenia Celestino-Valdovinos;
File No. 124.1433)

[Troy Stevens, Senior Real Estate Specialist; Josh Diekmann, P.E. PTOE,
Interim Director, Public Works]

Resolution No. 40997

A resolution appointing Andrea Reay to the Greater Tacoma Regional Convention Center Public Facilities District Board of Directors to fill an unexpired term, effective July 21, 2022, to expire December 31, 2026, and until a successor is appointed.

[Mayor Woodards]

Resolution No. 40998

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Encompass Property Management, LLC, for the development of 80 multi-family market-rate rental housing units, located at 605 St. Helens Avenue, in the Downtown Regional Growth Center.

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

Resolution No. 40999

A resolution authorizing the execution of a Collective Bargaining Agreement with the Tacoma Municipal Court and the International Brotherhood of Electrical Workers, Local 483, Court Clerks Unit, consisting of 18 budgeted full-time equivalent positions, retroactive to January 1, 2022, through December 31, 2025.

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

Resolution No. 41000

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$6,500, to sponsor the Mayors Innovation Project summer conference in Tacoma.

[Mayor Woodards]

Substitute Ordinance No. 28807

An ordinance vacating a portion of an alley right-of-way abutting and lying south of East 30th Street, between East "K" Street to the west, and Valley View Terrace to the east, to allow for expanded residential yard use.

(Aaron Beckord; File No. 124.1425)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28822

(First and Final Reading) An ordinance amending Chapter 8.105 of the Municipal Code, relating to Domestic Violence, by repealing the adoption of Chapter 26.50 Revised Code of Washington therein, and adopting by reference Chapter 7.105 Revised Code of Washington; and declaring an emergency, and making necessary the passage of this ordinance, and its taking effect immediately.

[Bill Fosbre, City Attorney]



RESOLUTION NO. 40996

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
2 August 18, 2022, at 9:00 a.m., as the date for a hearing before the Hearing
3 Examiner on the petition of Carla Moreno Montgomery and Ana Yesenia
4 Celestino-Valdovinos, to vacate a portion of the alley between North "L"
5 Street and North "M" Street, lying northwesterly of North 10th Street, to cure
6 a garage encroachment.

7 WHEREAS Carla Moreno Montgomery and Ana Yesenia Celestino-
8 Valdovinos, having received the consent of the owners of more than two-thirds
9 of the properties abutting a portion of the alley between North "L" Street and
10 North "M" Street, lying northwesterly of North 10th Street, to cure a garage
11 encroachment, have petitioned for the vacation of the following legally
12 described right-of-way area:

13 A portion of the Northeast Quarter of the Southeast Quarter of
14 Section 31, Township 21 North, Range 3 East, Willamette Meridian,
15 Pierce County, Washington, more particularly described as follows;

16 The Northeasterly 10 feet of alley abutting Lots 7 and 8, Block 4024,
17 Map of New Tacoma, Washington Territory, according to the Plat
18 filed for record February 3, 1875 in the Office of the County Auditor;

19 Situate in the City of Tacoma, County of Pierce, State of
20 Washington;

21 Now, Therefore,

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

23 Section 1. That Thursday, August 18, 2022, at 9:00 a.m., is hereby fixed
24 as the date and time, and the Council Chambers on the first floor of the Tacoma
25 Municipal Building, 747 Market Street, in the City of Tacoma, Washington, or
26 alternatively, a call-in option will be provided, as the place when and where the



1 request of Carla Moreno Montgomery and Ana Yesenia Celestino-Valdovinos to
 2 vacate a portion of the alley between North "L" Street and North "M" Street,
 3 lying northwesterly on North 10th Street, to cure a garage encroachment, will be
 4 heard by the Hearing Examiner and his recommendations thereafter transmitted
 5 to the Council of the City of Tacoma.
 6

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

9 Adopted _____

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 11 _____
 12 Attest: Mayor

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 14 _____
 15 City Clerk

16 Approved as to form: Property description approved:

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 18 _____
 19 Deputy City Attorney Chief Surveyor
 Public Works Department

20 Location: A portion of the alley between North "L" Street and North "M" Street,
 21 lying northwesterly of North 10th Street.
 22 Petitioners: Carla Moreno Montgomery and Ana Yesenia Celestino-Valdovinos
 File No.: 124.1433

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RESOLUTION NO. 40997

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to committees, boards, and commissions; appointing
3 Andrea Reay to the Greater Tacoma Regional Convention Center Public
4 Facilities District Board of Directors.

5 WHEREAS a vacancy exists on the Greater Tacoma Regional Convention
6 Center Public Facilities District Board of Directors, and

7 WHEREAS, under Tacoma City Charter Section 2.4, appointments may be
8 made by a majority vote of the City Council from names presented in writing to the
9 City Council by the Mayor, and

10 WHEREAS the Mayor has nominated Andrea Reay to serve on the Greater
11 Tacoma Regional Convention Center Public Facilities District Board of Directors to
12 fill an unexpired term, effective July 21, 2022, to expire December 31, 2026, and
13 until a successor is appointed; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That Andrea Reay is hereby appointed to serve on the Greater Tacoma Regional Convention Center Public Facilities District Board of Directors to fill an unexpired term, effective July 21, 2022, to expire December 31, 2026, and until a successor is appointed.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40998

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing Eight-Year Limited
 3 Property Tax Exemption Agreement with Encompass Property Management,
 4 LLC, for the development of 80 multi-family market-rate rental housing units
 to be located at 605 St. Helens Avenue 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 Encompass Property Management, LLC, is proposing to develop
 16 80 new market-rate rental housing units to consist of:

Number of Units	Type of Unit	Average Size
Market Rate		
20	Studio	602 Square Feet
20	One bedroom, one bath	460 Square Feet
40	Two bedroom, one bath	850 Square Feet

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 20 as well as 4,000 square feet of commercial space and 73 on-site residential parking
 21 stalls, and
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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 605 St. Helens
 26



1 Avenue in the Downtown Regional Growth Center, as more particularly described in
2 the attached Exhibit "A"; Now, Therefore,

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

4 Section 1. That the City Council does hereby approve and authorize a
5 conditional property tax exemption, for a period of eight years, to Encompass
6 Property Management, LLC, for the property located at 605 St. Helens Avenue in
7 the Downtown Regional Growth Center, as more particularly described in the
8 attached Exhibit "A."
9

10 Section 2. That the proper officers of the City are authorized to execute a
11 Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with
12 Encompass Property Management, LLC, said document to be substantially in the
13 form of the proposed agreement on file in the office of the City Clerk.
14

15 Adopted _____
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18 _____
19 Mayor

20 Attest:
21 _____
22 City Clerk

23 Approved as to form:
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25 Deputy City Attorney

26 Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcels: 200607-0020 and -0030

Legal Description:

A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 21 NORTH, RANGE 03 EAST, W. M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 3 THROUGH 7, INCLUSIVE, BLOCK 607, MAP OF NEW TACOMA, W.T., ACCORDING TO THE PLAT FILED FOR RECORD FEBRUARY 3, 1875, IN PIERCE COUNTY, WASHINGTON.

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



RESOLUTION NO. 40999

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 four-year Collective Bargaining Agreement between the City, the Tacoma
3 Municipal Court, and the International Brotherhood of Electrical Workers,
4 Local 483, Court Clerks Unit, consisting of 18 budgeted full-time equivalent
5 positions, effective retroactive to January 1, 2022, through December 31,
6 2025.

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

10 WHEREAS this resolution allows for the execution of a four-year Collective
11 Bargaining Agreement (“CBA”) between the City, the Tacoma Municipal Court, and
12 the International Brotherhood of Electrical Workers, Local 483, Court Clerks Unit
13 (“Union”), on behalf of the employees represented by said Union, and

14 WHEREAS the bargaining unit consists of approximately 18 budgeted,
15 full-time equivalent (“FTE”) positions, and provides for wage increases in each year
16 of the agreement, and

17 WHEREAS the CBA will provide for a general wage increase and a market-
18 based adjustment to the classification of Court Clerk, retroactive to January 1, 2022,
19 and

20 WHEREAS other changes include: (1) Adding a new classification of Court
21 Financial Clerk to the bargaining unit effective retroactive to January 1, 2022;
22 (2) Changing language in Article 2 – Union Recognition to reflect the legal
23 requirements of the *Janus v. AFSCME Council 31* court case; (3) Adding language
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1 in Section 15.11 allowing teleworking pursuant to Policy 3.17; and (4) Adding
 2 language in Appendix A to provide an application of rate for time spent working as a
 3 Bailiff, or acting as a foreign language interpreter, for all employees covered by the
 4 agreement, and

5
 6 WHEREAS it appears in the best interests of the City that the CBA
 7 negotiated by said Union, the Tacoma Municipal Court, and the City be approved;
 8 Now, Therefore,

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

10 That the proper officers of the City are hereby authorized to execute the
 11 four-year Collective Bargaining Agreement between the City, the Tacoma Municipal
 12 Court, and International Brotherhood of Electrical Workers, Local 483, Court Clerks
 13 Unit, effective retroactive to January 1, 2022, through December 31, 2025, said
 14 document to be substantially in the form of the agreement on file in the office of the
 15 City Clerk.
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17 Adopted _____

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 20 _____
 Mayor

21 Attest:
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 23 _____
 City Clerk

24 Approved as to form:
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 26 _____
 Deputy City Attorney



RESOLUTION NO. 41000

1 BY REQUEST OF MAYOR WOODARDS, AND COUNCIL MEMBERS BLOCKER
2 AND BUSHNELL

3 A RESOLUTION authorizing the use of funds in the amount of \$6,500, budgeted
4 from the Council Contingency Fund, to sponsor the Mayors Innovation
5 Project summer conference in Tacoma.

6 WHEREAS the Mayors Innovation Project (“MIP”) is a national learning
7 network for mayors committed to shared prosperity, environmental sustainability,
8 and efficient democratic government, and

9 WHEREAS MIP supports mayors by providing cutting-edge thinking and
10 concrete examples that mayors can implement, as well as clear, useful information
11 on policies and programs for mayors, and creates high-quality peer learning
12 experiences for local leaders, and

13 WHEREAS the MIP summer conference (“Conference”) will be held August 4
14 through August 6, 2022, and mayors, local leaders, and their trusted advisors are
15 invited to join the Conference to connect with peers and learn from experts on
16 topics such as transformational leadership, anchor institutions, missing middle
17 housing, operationalizing equity, and showcasing innovative solutions to common
18 issues, and

19 WHEREAS the Conference is an opportunity to learn from other cities, and
20 to showcase the things our City is doing well on a national stage, and

21 WHEREAS the Conference will bring approximately 100 mayors and their
22 advisors to the City, which will also result in more visitors staying in hotels, eating in
23 restaurants, and supporting other local businesses, and
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WHEREAS City staff will negotiate and execute an agreement for services for the \$6,500, and

WHEREAS RCW 35.34.250 and 35.34.260 authorize a withdrawal from the Council Contingency Fund for any municipal expense, the necessity or extent of which could not have been foreseen or reasonably evaluated at the time of adopting the budget, and

WHEREAS Ordinance No. 22569 requires an affirmative vote of not less than six members of the Council in order to withdraw moneys from this fund; Now, Therefore,

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

Section 1. That one-time funding in the amount of \$6,500, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the Mayors Innovation Project summer conference in Tacoma.



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Section 2. That the proper officers of the City are hereby authorized to negotiate an agreement for the purposes hereinabove enumerated, and document as appropriate.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



SUBSTITUTE

ORDINANCE NO. 28807

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3 AN ORDINANCE related to the vacation of City right-of-way; vacating a portion
4 of an alley right-of-way abutting and lying south of East 30th Street,
5 between East "K" Street to the west, and Valley View Terrace to the
6 east, to allow for expanded residential yard use; and adopting the
7 Hearing Examiner's Findings, Conclusions, and Recommendations
8 related 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. 124.1425 and dated February 16, 2022, which Report is on file in the
17 office of the City Clerk.
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Section 2. That the portion of an alley right-of-way abutting and lying south of East 30th Street, between East "K" Street to the west, and Valley View Terrace to the east, legally described as follows:

A portion of the Southwest Quarter of the Northwest Quarter of Section 10, Township 20 North, Range 3 East of the Willamette Meridian granted to the City of Tacoma by that certain deed recorded under Auditor's File No. 356238, records of Pierce County, Washington, being more particularly described as follows:

The Easterly 10 feet of Lot 5 and the Westerly 10 feet of Lot 6, Block 8036, Tacoma Land Company's First Addition to Tacoma, W.T., according to Plat filed for record July 7, 1884 recorded under Auditor's File No. 170, records of Pierce County, State Of Washington;

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

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



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hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that a City utility easement be retained by the City over the Vacation Area to support maintenance and access to



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Tacoma Power facilities which are adjacent to the Vacation Area as follows:

An easement is reserved in favor of the City to allow for continued existence, maintenance, repair and replacement of City utility facilities within the Vacation area, and for access to the adjacent Tacoma Power facilities to support maintenance.

Passed _____

Mayor

Attest: _____

City Clerk

Approved as to form: _____

Property description approved: _____

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A portion of an alley right-of-way abutting and lying south of East 30th Street, between East "K" Street to the west, and Valley View Terrace to the east

Petitioner: Aaron Beckord
Vacation Req. No. 124.1425



ORDINANCE NO. 28822

1 AN ORDINANCE relating to public safety; amending Chapter 8.105 of the Tacoma
2 Municipal Code by repealing the adoption of Chapter 26.50 of the Revised
3 Code of Washington (“RCW”) therein, and adopting by reference
4 Chapter 7.105 RCW; declaring an emergency, making this ordinance
5 effective upon passage; and providing for severability.

6 WHEREAS in the 2021 Legislative Session, the Washington State
7 Legislature passed Engrossed Substitute House Bill (“ESHB”) 1320, with a
8 pertinent effective date of July 1, 2022, and

9 WHEREAS ESHB 1320 repeals in part and recodifies in part Revised
10 Code of Washington (“RCW”) Chapter 26.50 relating to domestic violence
11 protection orders, and adopts new Chapter 7.105 RCW relating to domestic
12 violence protection orders, and

13 WHEREAS, as of July 1, 2022, violations of domestic violence and related
14 protection orders can no longer be prosecuted under Chapter 26.50 RCW and
15 must be prosecuted under Chapter 7.105 RCW, and

16 WHEREAS Chapter 8.105 of the Tacoma Municipal Code (“TMC”) currently
17 adopts by reference former Chapter 26.50 RCW as the basis for the City’s
18 authority to prosecute violations of domestic violence protection orders, and

19 WHEREAS it is now necessary to amend TMC Chapter 8.105 to adopt by
20 reference Chapter 7.105 RCW on an emergency basis to facilitate the continuity
21 of prosecution of violations of domestic violence, protection orders, and to permit
22 municipal prosecution of anti-harassment and extreme risk protection order
23 violations, and
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1 WHEREAS the City was not previously aware of the impact of this change
2 in state law to its enforcement authority and the need to amend the TMC; Now,
3 Therefore,

4 BE IT ORDAINED BY THE CITY OF TACOMA:

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

7 Section 2. That Chapter 8.105 of the Tacoma Municipal Code is hereby
8 amended by repealing the previous adoption of Chapter 26.50 Revised Code of
9 Washington ("RCW") and adopting by reference Chapter 7.105 RCW, as set forth
10 in the attached Exhibit "A."
11

12 Section 3. That, based upon the facts and conclusions as specified
13 herein, a public emergency exists, making this ordinance effective upon passage
14 by an affirmative vote of a least six members of the City Council.

15 Section 4. If any section, subsection, sentence, clause, or phrase of this
16 ordinance is for any reason held to be invalid or unconstitutional by a decision of
17 any court of competent jurisdiction, such decision shall not affect the validity of the
18 remaining portions of this ordinance. The City Council hereby declares that it
19 would have passed this ordinance and each and every section, subsection,
20 sentence, clause, or phrase not declared invalid or unconstitutional without regard
21 to whether any portion of the ordinance would be subsequently declared invalid or
22 unconstitutional.
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24 Section 5. That the City Clerk, in consultation with the City Attorney, is
25 authorized to make necessary corrections to this ordinance, including, but not
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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:

Assistant City Attorney



EXHIBIT "A"
CHAPTER 8.105
DOMESTIC VIOLENCE

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Sections:

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8.105.010 Domestic Violence.

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* * *

8.105.010 Domestic Violence.

Chapters 10. 99 and ~~7.10526.50~~ RCW, as now enacted or hereinafter amended, are hereby adopted by reference as if fully set forth herein, including penalties.

* * *