



Legislation Passed October 11, 2022

The Tacoma City Council, at its regular City Council meeting of October 11, 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. 41039

A resolution setting Thursday, November 17, 2022, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South Pine Street public right-of-way, for extended property area and potential extended business use. (LBA LVF VII-COMPANY XXIII, LLC; File No. 124.1438)
[Britany Avila, Senior Real Estate Specialist; Josh Diekmann, P.E. PTOE, Interim Director, Public Works]

Resolution No. 41040

A resolution appointing and reassigning individuals to the City Events and Recognitions Committee.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 41041

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Division Unit, consisting of 135 budgeted full-time equivalent positions, retroactive to January 1, 2022, through December 31, 2024.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 41042

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$5,000, to support the Tacoma Urban League Empowerment Awards and ongoing efforts to create a more livable Tacoma.
[Council Member Blocker]

Second Amended Substitute Ordinance No. 28831

An amended Substitute Ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.19, entitled "Use of Public Property", to establish a ten-block buffer prohibiting camping and the storage of personal belongings on public property around temporary shelters, effective November 14, 2022.
[Council Member Hines]

Ordinance No. 28832

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by Teamsters Local Union No. 117, General Unit, regarding the Pierce County Force Investigation Team for forensic services employees; and to create a new classification entitled Police Community Engagement Program Director. [Kari L. Louie, Assistant Director; Shelby Fritz, Director, Human Resources]



RESOLUTION NO. 41039

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
 2 November 17, 2022, at 9:00 a.m., as the date for a hearing before the
 3 Hearing Examiner on the petition of LBA LVF VII-COMPANY XXIII, LLC, to
 4 vacate a portion of South Pine Street public right-of-way, for extended
 5 property area and potential extended business use.

6 WHEREAS LBA LVF VII-COMPANY XXIII, LLC, having received the
 7 consent of the owners of more than two-thirds of the properties abutting a portion
 8 of South Pine Street public right-of-way, has petitioned for the vacation of the
 9 following legally described right-of-way area:

10 CITY OF TACOMA DEEDS RECORDED UNDER THOSE
 11 PORTIONS OF THAT CERTAIN REAL PROPERTY
 12 DESCRIBED IN RECORDING NO. 1271836 AND
 13 RECORDING NO. 2307652, RECORDS OF PIERCE COUNTY
 14 AUDITOR, WASHINGTON, LOCATED IN THE SOUTHWEST
 15 AND SOUTHEAST QUARTERS OF SECTION 7, TOWNSHIP
 16 20 NORTH, RANGE 3 EAST OF THE W.M., DESCRIBED AS
 17 FOLLOWS:

18 BEGINNING AT A POINT ON THE NORTHEASTERLY
 19 MARGIN OF SOUTH PINE STREET, SAID POINT ALSO
 20 BEING THE SOUTHWESTERLY CORNER OF LOT 1 PER
 21 CITY OF TACOMA SHORT PLAT NO. 77-154, RECORDS OF
 22 PIERCE COUNTY AUDITOR, DENOTED BY A NO. 4 REBAR
 23 AND RED PLASTIC CAP; THENCE SOUTHEASTERLY
 24 ALONG THE PROLONGATION OF A CURVE TO THE RIGHT
 25 WITH A RADIUS OF 1,185.37 FEET, THROUGH A CENTRAL
 26 ANGLE OF 09°06'04", AN ARC DISTANCE OF 188.29 FEET
 (THE LONG CHORD OF WHICH BEARS SOUTH 14°45'36"
 EAST 188.09') TO AN ANGLE POINT; THENCE LEAVING
 SAID CURVE SOUTH 88°38'41" EAST A DISTANCE OF 23.46
 FEET TO THE EAST MARGIN LINE OF SOUTH PINE STREET
 AS LAID OUT BY THE CITY OF TACOMA PER SAID DEED
 RECORDING NO. 1271836, BEING A LINE PARALLEL WITH
 AND 40 FEET EAST OF THE WEST LINE OF THE
 SOUTHEAST QUARTER OF SECTION 7; THENCE NORTH
 01°21'19" EAST A DISTANCE OF 156.89 FEET TO THE



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

NORTHEASTERLY CORNER OF SAID DEED RECORDING NO. 1271836 AND THE SOUTHEASTERLY CORNER OF SAID DEED RECORDING NO. 2307652; THENCE CONTINUING ALONG SAID EAST MARGIN OF SOUTH PINE STREET PER SAID RECORDING NO. 2307652, NORTH 01°21'19" EAST A DISTANCE OF 56.21 FEET TO A POINT OF INTERSECTION OF THE EAST MARGIN OF SOUTH PINE STREET PER SAID RECORDING NO. 2307652 AND THE SOUTHERLY LOT LINE OF SAID LOT 1; THENCE SOUTH 78°12'16" WEST ALONG SAID SOUTHERLY LINE OF SAID LOT 1 A DISTANCE OF 40.92 FEET TO AN ANGLE POINT OF SAID LOT 1 THEREIN, DENOTED BY A 'PK' NAIL WITH WASHER; THENCE SOUTH 58°35'16" WEST A DISTANCE OF 42.70 FEET TO THE POINT OF BEGINNING.

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

Now, Therefore,

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

Section 1. That Thursday, November 17, 2022, at 9:00 a.m., is hereby fixed as the date and time, and the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, in the City of Tacoma, Washington, and may be offered in a hybrid format that includes a remote option, as the place when and where the request of LBA LVF VII-COMPANY XXIII, LLC, to vacate a portion of South Pine Street public right-of-way, for extended property area and potential extended business use, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A portion of South Pine Street public right-of-way
Petitioner: LBA LVF VII-COMPANY XXIII, LLC
File No.: 124.1438



RESOLUTION NO. 41040

1 BY REQUEST OF COUNCIL MEMBERS BUSHNELL, DANIELS, DIAZ, AND
2 RUMBAUGH

3 A RESOLUTION relating to committees, boards, and commissions; appointing and
4 reassigning individuals to the City Events and Recognitions Committee.

5 WHEREAS vacancies exist on the City Events and Recognitions Committee,
6 and

7 WHEREAS, at its meeting of September 27, 2022, the Economic
8 Development Committee conducted interviews and recommended the
9 appointment and reassignment of individuals to said committee, and

10 WHEREAS, pursuant to City Charter Section 2.4, the persons named on
11 Exhibit "A" have been nominated to serve on the City Events and Recognitions
12 Committee; Now, Therefore,

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

14 That those nominees to the City Events and Recognitions Committee, listed
15 on Exhibit "A," are hereby confirmed and appointed or reassigned as members of
16 such committee for such terms as are set forth on the attached Exhibit "A."
17

18 Adopted _____
19

20 _____
21 Mayor

22 Attest:
23

24 _____
25 City Clerk

26 Approved as to form:

City Attorney



EXHIBIT "A"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26

CITY EVENTS AND RECOGNITIONS COMMITTEE

Appointing **Keoni Ho** to the "At-Large No. 1" position to fill an unexpired term to expire June 30, 2023, followed by a three-year term to expire June 30, 2026.

Appointing **Jacob Tice** to the "Council District No. 3" position to fill an unexpired term to expire June 30, 2025.

Appointing **Kirsten Putman** to the "Council District No. 5" position to fill an unexpired term to expire June 30, 2025.

Reassigning **Alex Domine** to the "Council District No. 2" position to fill an unexpired term to expire June 30, 2024.



RESOLUTION NO. 41041

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 three-year Collective Bargaining Agreement between the City and the
3 International Brotherhood of Electrical Workers, Local 483, Water Division
4 Unit, consisting of 135 budgeted full-time equivalent positions, effective
5 retroactive to January 1, 2022, through December 31, 2024.

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 this resolution allows for the execution of a three-year Collective
10 Bargaining Agreement (“CBA”) between the City and the International Brotherhood
11 of Electrical Workers, Local 483, Water Division Unit (“Union”), on behalf of the
12 employees represented by said Union, and

13 WHEREAS the bargaining unit consists of approximately 135 budgeted,
14 full-time equivalent (“FTE”) positions, and

15 WHEREAS the CBA provides for wage increases in each year of the
16 agreement, as follows: effective retroactive to January 1, 2022: (1) a general wage
17 increase of 2.25 percent for all classifications; (2) a market-based wage adjustment
18 of 1.8 percent for Water Quality Specialists, Watershed Inspectors, and Water
19 Service Mechanics; (3) a market-based wage adjustment of 3.0 percent for
20 supervisory classifications; and (4) a market-based wage adjustment of 2.25
21 percent for all other classifications, and

22 WHEREAS, effective January 1, 2023, the CBA provides for a general wage
23 increase of 2.5 percent and a market-based wage adjustment of 2.5 percent for all
24 classifications, and effective January 1, 2024, the CBA provides for a general wage
25 increase of 2.5 percent and a market-based wage adjustment of 2.5 percent for all
26 classifications, and effective January 1, 2024, the CBA provides for a general wage



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

increase of 2.75 percent and a market-based wage adjustment of 1.5 percent for all classifications, and

WHEREAS other changes include: (1) an adjustment to the application of rates for a graduated Water Utility Worker apprentice from 86.75 to 88 percent of the journey level rate; (2) an increase to the allowance for alternate reporting headquarters and travel allowance for remote locations from \$10 to \$14; (3) an increase in the differential pay to night shift workers from 3 percent to 5 percent; (4) modifications to the amounts paid to Water Service Mechanics for specific certifications obtained, up to 10 percent; and (5) clarification of the fatigue time language in Section 12.5, and incorporation of the Juneteenth holiday into the CBA, and

WHEREAS the CBA was considered and approved by the Public Utility Board at its meeting of September 28, 2022, and

WHEREAS it appears in the best interests of the City that the CBA negotiated by said Union and the City be approved; Now, Therefore,



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

That the proper officers of the City are hereby authorized to execute the three-year Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Water Division Unit, effective retroactive to January 1, 2022, through December 31, 2024, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11343



RESOLUTION NO. 41042

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

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$5,000
4 budgeted from the Council Contingency Fund, to support the Tacoma Urban
5 League Empowerment Awards and ongoing efforts to create a more livable
6 Tacoma.

7 WHEREAS, for more than 50 years the Tacoma Urban League ("League"),
8 born out of the civil rights movement, has provided services, training, and advocacy
9 to build social and economic equality among African Americans and other
10 marginalized community members of the South Puget Sound, and

11 WHEREAS the Tacoma Urban League Empowerment Awards ("Awards")
12 are an opportunity to recognize programs and partners that are addressing the
13 needs of the Tacoma community, and

14 WHEREAS these programs help to address the particular needs of our Black
15 and marginalized communities and support the City in our strategic goals, and will
16 support and address the needs identified by members and the community to
17 remove barriers to success, and

18 WHEREAS the Hope level sponsorship supported by this request will allow
19 the League to support its programs year-round, and

20 WHEREAS, at the October 4, 2022, Study Session, Council Member Blocker
21 shared a Council Consideration Request to authorize the one-time use of \$5,000
22 from the Council Contingency Fund, to support the Awards and ongoing efforts to
23 create a more livable Tacoma, and
24
25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's contribution, as well as a financial report provided to the City which shows the source(s) of the funding prior to receiving the \$5,000 contribution, 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 \$5,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the Tacoma Urban League Empowerment Awards and ongoing efforts to create a more livable Tacoma.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



SUBSTITUTE NO. 2 ORDINANCE NO. 28831

1 BY REQUEST OF MAYOR WOODARDS

2 AN ORDINANCE relating to public health and safety; amending Title 8 of the
3 Tacoma Municipal Code by enacting a new Chapter 8.19 thereto, to be
4 known and designated as "Use of Public Property"; providing for an effective
5 date of November 14, 2022, and providing for severability.

6 WHEREAS it is the policy of the City Council that all individuals residing in
7 the City have adequate shelter, and this ordinance is intended to encourage and
8 promote this objective, and

9 WHEREAS it is the City Council's intent that this ordinance will provide for
10 and promote the health, safety, and welfare of the general public and not to create,
11 either expressly or implicitly, or otherwise establish or designate any particular class
12 or group of persons or individuals who will or should be especially protected or
13 benefited or discriminated against by the terms of this ordinance or chapter, and

14 WHEREAS the Tacoma City Charter grants the City Council the authority to
15 exercise the police power of the City established pursuant to Article XI, Section 11
16 of the State Constitution, to preserve the public peace, health, and safety, and to
17 regulate public property within the City, and

18 WHEREAS Revised Code of Washington ("RCW") 35.22.280 empowers
19 first-class cities to regulate and control the use of streets and sidewalks, to declare
20 and abate nuisances, to provide for the punishment of conduct and practices
21 dangerous to public health or safety, and to provide for regulations necessary for
22 the preservation of public morality, health, peace and good order, and
23
24
25
26



1 WHEREAS the 2022 Pierce County homeless Point-in-Time count identified
2 1,851 persons experiencing homelessness in Pierce County, including in the City of
3 Tacoma, and estimates that the total number of individuals experiencing homeless
4 in Pierce County is 4,300, and
5

6 WHEREAS the City supports permitted temporary shelters throughout the
7 City to house unsheltered individuals, and

8 WHEREAS the City is also the primary funder, along with the city of
9 Lakewood, of Aspen Court, a city-permitted emergency and transitional housing
10 facility located at 8620 South Hosmer Street, in Tacoma, and
11

12 WHEREAS Aspen Court is the only permitted emergency and transitional
13 housing located south of South 84th Street and east of Interstate 5, on South
14 Hosmer Street, and

15 WHEREAS, on May 9, 2017, the City Council declared a public health
16 emergency related to homeless encampments, and
17

18 WHEREAS, in order to address the homelessness emergency and to keep
19 the residents of temporary shelters and of Aspen Court safe, in addition to
20 protecting the public health and safety of nearby communities, buffers should be
21 imposed around these locations prohibiting unsanctioned camping, and out of door
22 storage of possessions, and
23

24 WHEREAS, without buffers prohibiting camping around temporary shelters
25 and Aspen Court, the City's ability to keep the community safe and promote public
26 health in these locations will be negatively impacted, and



1 WHEREAS the City is establishing a 10-block buffer around these permitted
2 temporary shelters and Aspen Court in order to provide sufficient space and safety
3 measures to ensure the protection of the community and those staying at these
4 shelters against the adverse impacts of unsanctioned camping, and
5

6 WHEREAS the 10-block buffer around Aspen Court will continue only as
7 long as it is permitted as emergency and transitional housing, and
8

9 WHEREAS unsanctioned encampments have a negative impact on
10 neighborhoods where they are located and can decrease a neighborhood's
11 willingness to host a shelter, and
12

13 WHEREAS prohibiting camping around temporary shelters will foster support
14 from community members to host a temporary shelter in their neighborhood, and
15

16 WHEREAS camping alongside Rivers, Waterways, Creeks, Streams, and
17 the Shorelines of Puget Sound, including but not limited to the Puyallup River, First
18 Creek, Roosevelt Ditch, T Street Gulch, Clear Creek, Swan Creek, Squally Creek,
19 the Thea Foss Waterway, the Middle Waterway, the St. Paul Waterway, the Blair
20 Waterway, Wapato Creek, the Hylebos Waterway, Hylebos Creek, and the
21 shorelines of Commencement Bay (collectively referred to hereinafter as "Protected
22 Waters"), contributes to littering and human waste being found in and around the
23 Protected Waters, and
24

25 WHEREAS many of the Protected Waters are habitat for Endangered
26 Species Act species, and
27



1 WHEREAS upland habitat that supports the life cycle of those species is
2 degraded by the litter and human waste found in and along the Protected Waters,
3 and

4
5 WHEREAS the City's critical areas preservation section of its Shoreline
6 Master Program specifically calls out for concern for "any activity which would
7 destroy the natural vegetation; result in a significant change in critical habitat,
8 water temperature, physical, or chemical characteristics; or alter natural
9 contours and/or substantially alter existing patterns of tidal, sediment, or storm
10 water flow on any land which meets the classification standards for any critical
11 area," and

12
13 WHEREAS camping alongside the Protected Waters affects the Puyallup
14 Tribe's public health and safety, and affects the Tribe's ability to practice its Treaty-
15 protected rights to harvest and consume fish and shellfish, and

16
17 WHEREAS discharge of human waste, garbage/trash and accumulated
18 debris, styrofoam, and other petroleum-based products into the Protected
19 Waters have had an adverse impact to the fish and the Tribal members who eat
20 those fish in those areas, and

21
22 WHEREAS prohibiting camping within 200 feet of the Puyallup River will
23 protect those camping alongside a fast-moving river and decrease the necessity for
24 dangerous water rescues, and

25 WHEREAS prohibiting camping within 200 feet of the Protected Waters will
26 protect the integrity of the Protected Waters, and protect the Tribal members and



1 their fishing rights as well as the local community who enjoy and recreate along
2 these protected waters, and

3 WHEREAS the City can reasonably accommodate individuals experiencing
4 homelessness within a 10-block buffer of temporary shelters and of Aspen Court
5 and within 200 feet of Protected Waters through offerings of shelter beds, and is
6 actively working on expanding capacity, and

8 WHEREAS it is the City Council's intent that camping on public property is a
9 public health and safety concern due to interference with other intended uses, such
10 as daily operations of the City; park recreational activities; pedestrian, bicycle, and
11 vehicular traffic; and other public uses, and

13 WHEREAS it is the City Council's intent that camping without adequate
14 sanitation services, such as sewer, water, and garbage, presents a public health
15 and safety concern due to the increased risk of spread of disease and potential for
16 residents and visitors contracting illness, and

18 WHEREAS camping in such public property areas does not allow the public
19 to use those areas for their intended purposes, and

20 WHEREAS the City Manager or delegee will establish maps documenting
21 the 10-block radius around the current permitted temporary shelters and Aspen
22 Court, and 200 feet from the Protected Waters, post such maps on the City's
23 website, and provide additional outreach to the community, and

25
26



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREAS, for any newly permitted temporary shelters, the City Manager will also update these maps on the website, and conduct additional outreach to the community, and

WHEREAS, pursuant to *Martin v. City of Boise*, 920 F.3d 584 (9th Cir. 2019), the Ninth Circuit Court of Appeals determined that the United States Constitution prohibits the imposition of criminal penalties for sitting, sleeping, or lying outside on all public property within a jurisdiction, on homeless individuals who could not obtain shelter, and

WHEREAS other cities have adopted limited, geographic prohibitions on unauthorized camping, such as the cities of Everett, Washington; Portland, Oregon; and Los Angeles, California, and

WHEREAS the City Council hereby finds that the regulatory requirements established by the proposed ordinance are necessary to preserve the public peace, health, safety, and welfare of both the City’s housed and unhoused community members and

WHEREAS the ordinance language as proposed in Exhibit “A” will go into effect on November 14, 2022; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

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



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Section 2. That Title 8 of the Tacoma Municipal Code is hereby amended by the addition of a new Chapter 8.19 thereto, to be known and designated as "Use of Public Property," to read as set forth in the attached Exhibit "A."

Section 3. That the effective date of this ordinance shall be November 14, 2022.

Section 4. If any provision of this ordinance of its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Section 5. 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.

Section 6. By the end of April 2023, the City Manager shall provide an update to the City Council on progress towards a Mental Health Court and Community Court.

By the end of April 2024, the City Manager shall report and present the following information to City Council:

- (1) Number of people offered services when this ordinance is implemented, and of those, the number of people who accepted services, before and after implementation, and delineated between the prohibited camping areas and non-prohibited camping areas;



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

(2) Number of temporary shelters or safe parking sites in the city, before and after implementation of this ordinance;

(3) Number of safety issues received by South Sound 911 in areas prohibiting camping and storage of personal belongings, before and after implementation of this ordinance;

(4) Number of 311 requests related to homelessness in areas prohibiting camping and storage of personal belongings, before and after implementation of this ordinance;

(5) Staffing levels of the HEAL Team, including number of FTEs on staff, budgeted FTEs, and hours worked, before and after implementation of this ordinance; and

(6) Statistics and data provided by the Tacoma Police Department on the enforcement of the ordinance.

Section 7. That the City Manager shall work with staff to ensure that the least restrictive voluntary enforcement methods possible are used, prior to seeking involuntary compliance of this ordinance.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

**TITLE 8
PUBLIC SAFETY**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

- Chapter 8.01 Penalty Provision
- Chapter 8.02 Abandoned Iceboxes
- Chapter 8.03 Defenses
- Chapter 8.04 Advertising
- Chapter 8.06 Aircraft
- Chapter 8.07 Baby Chicks And Rabbits
- Chapter 8.08 *Repealed*
- Chapter 8.09 *Repealed*
- Chapter 8.10 Deposit Of Trash In Or Around Charitable Donation Boxes
- Chapter 8.11 Arrest Of Persons Subject To Court Order
- Chapter 8.12 Disorderly Conduct
- Chapter 8.13 Obstructing Pedestrians Or Traffic
- Chapter 8.13A Regulation Of Solicitation
- Chapter 8.13B Solicitations To Occupants Of Vehicles On Public Roadways Prohibited
- Chapter 8.14 Display Of Certain Flags Prohibited
- Chapter 8.16 Display Of U.S. Flag Regulations
- Chapter 8.17 False Reports Of Crime
- Chapter 8.18 Impersonating Peace Officer
- Chapter 8.19 Use of Public Property

**Chapter 8.19
USE OF PUBLIC PROPERTY**

Sections:

- 8.19.010 Purposes.
- 8.19.020 Defined Terms.
- 8.19.030 Unauthorized Use Of Public Property.
- 8.19.040 Unauthorized Storage Of Personal Property On Public Property.
- 8.19.050 Penalty For Violations.

8.19.010 Purposes.

A. It is the purpose of this Chapter to promote the public health, safety, general welfare, and economic health and well-being of the City, its residents, and its visitors by making the areas of City of Tacoma Public Property open to the general public readily accessible, and to prevent the uses of Public Property which interfere with the rights of others to use Public Property for which it is intended and to prevent harm to the health, safety, and welfare of the public.

B. It is also the purpose of this Chapter to provide for and promote the health, safety, and welfare of the general public and not to create, either expressly or implicitly, or otherwise establish or designate any particular class or group of persons or individuals who will or should be especially protected or benefited or discriminated against by the terms of this Chapter.



1 C. For purposes of interpreting this Chapter, if any definition, requirement, or provision in this Chapter
2 conflicts with those in a different provision or Chapter of the Tacoma Municipal Code, the definition,
3 requirement, or provision in this Chapter shall apply.

4 **8.19.020 Defined Terms.**

5 As used in this Chapter, the following terms shall have the following definitions:

6 “Aspen Court” means a city permitted emergency and transitional housing facility located at 8620 South
7 Hosmer.

8 “Camp” means to pitch, erect, or occupy Camp Facilities, or to use Camp Paraphernalia, or both, for the
9 purpose of, or in such a way as will facilitate, remaining overnight. The term shall not include overnight use
10 of Public Property by the City or the governmental entity that owns or has a property interest in such Public
11 Property.

12 “Camp Facilities” means, without limitation, tents, huts, and temporary shelters.

13 “Camp Paraphernalia” means, without limitation, blankets, pillows, tarpaulins, cots, beds or bedding, sleeping
14 bags, hammocks, non-City designated cooking facilities, and/or other similar equipment.

15 “City” means the City of Tacoma, Washington, the area within the territorial limits of the City.

16 “Temporary Shelter” means a shelter permitted under Tacoma Municipal Code 13.06.080.

17 “Pier” means any pier, wharf, dock, float, gridiron, or other structure where watercraft may anchor or moor.

18 “Protected Waters” means all public property, within 200 feet of mapped Rivers, Waterways, Creeks,
19 Streams, and the Puget Sound Shorelines, including but not limited to the Puyallup River, First Creek,
20 Roosevelt Ditch, T Street Gulch, Clear Creek, Swan Creek, Squally Creek, the Thea Foss Waterway, the
21 Middle Waterway, the St. Paul Waterway, the Blair Waterway, Wapato Creek, the Hylebos Waterway,
22 Hylebos Creek, and the shorelines of Commencement Bay.

23 “Public Property” means all property in which the City or any other governmental entity has a property
24 interest, including easements. The term includes, without limitation, all parks, Piers, Streets, trails, forests,
25 park museums, pools, beaches, open spaces, public squares, public schools and associated athletic facilities,
26 grounds around City or other publicly owned or leased buildings, including, but not limited to, parking lots,
and any other property in which the City or any other governmental entity has a property interest of any type.

“Store” means to put aside, accumulate, or leave on Public Property for later use, or for safekeeping.

“Street” means, without limitation, any easements, highway, lane, road, street, right-of-way, boulevard, alley,
and all Public Property open as a matter of right to public vehicle travel or parking.

8.19.030 Unauthorized Use Of Public Property.

Unless otherwise permitted by the Tacoma Municipal Code, it shall be unlawful for any person to Camp
within any Public Property that is within 10 blocks of a Temporary Shelter and Aspen Court, as long as
Aspen Court is permitted as emergency and transitional housing, provided that if the 10-block radius bisects a
block or a public parcel, such as a park or a school, that the entire block or parcel shall be included in the
prohibited area for camping; or within 200 feet of Protected Waters.

8.19.040 Unauthorized Storage Of Personal Property On Public Property.

It shall be unlawful for any person to Store personal property, including, without limitation, Camp Facilities
and Camp Paraphernalia, within any Public Property that is within 10 blocks of a Temporary Shelter and
Aspen Court, as long as Aspen Court is permitted as emergency and transitional housing, provided that if the
10-block radius bisects a block or a public parcel, such as a park or a school, that the entire block or parcel
shall be included in the prohibited area for storage of personal property; or within 200 feet of Protected
Waters.



1 **8.19.050 Penalty For Violations.**

2 Violation of Section 8.19.030 or Section 8.19.040 of this Chapter is a misdemeanor offense and shall be
3 punished upon conviction of such violation by a fine of not more than \$250, or by imprisonment not to exceed
4 30 days, or by both such fine and imprisonment, provided that, no less than two weeks prior to issuance of any
5 infraction pursuant to this chapter, notice shall be posted at the location where camping or storage of personal
6 belongings is occurring, so that the Tacoma Pierce County Coalition to End Homelessness can be notified and
7 interested non-governmental organizations and mutual aid groups can offer assistance and resources as needed
8 at this location;

9 Except that no posting of such notice, nor notice to any organization, is required when there is a reasonable
10 belief there is significant risk to life, public health or safety, or property due to the camping or storage of
11 personal belongings at this location as prohibited herein.

12 * * *

13
14
15
16
17
18
19
20
21
22
23
24
25
26



ORDINANCE NO. 28832

1 AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of
 2 the Tacoma Municipal Code to implement rates of pay and compensation
 3 for employees represented by Teamsters Local Union No. 117, General
 4 Unit, regarding the Pierce County Force Investigation Team for forensic
 5 services employees; creating a new classification entitled Police
 6 Community Engagement Program Director; and declaring the effective
 7 dates thereof.

BE IT ORDAINED BY THE CITY OF TACOMA:

8 Section 1. That Section 1.12.355 of the Tacoma Municipal Code (“TMC”)
 9 is hereby amended, effective as provided by law, to read as follows:

Code	A	Job Title	1A	1B	1C	1D	2A	2B	2C	2D	3A	3B	3C
0786	A	Police Community Engagement Program Director	62.70	63.48	64.27	65.07	65.88	66.70	67.53	68.37	69.22	70.09	70.97
			3D	4A	4B	4C	4D	5A	5B	5C	5D	6A	
			71.86	72.76	73.67	74.59	75.52	76.46	77.42	78.39	79.37	80.36	

14 Section 2. That Section 1.12.640 of the TMC is hereby amended, effective
 15 as provided by law, to read as follows:

1.12.640 Application of additional rates.

* * *

18 4208, 4210 A Forensic Specialist (CSC 4208) or Crime Scene Technician (CSC 4210) will receive an
 19 additional 4 percent per hour when assigned by a supervisor and performing the following specific
 20 tasks: (1) training other Forensic Specialists or Crime Scene Technicians, respectively; (2) developing
 21 training plans; and/or (3) participating in the evaluation process for the training provided. Employees
 22 selected must have the necessary skill and training to perform these tasks. Employees on modified
 23 status are not eligible for this premium.

24 4208, 4210 A Forensic Specialist (CSC 4208) or Crime Scene Technician (CSC 4210) who is PCFIT
 25 certified, will receive an additional 5 percent per hour for all hours assigned to and worked when
 26 performing a PCFIT investigation. When a PCFIT Commander has approved a waiver of PCFIT
 certification, a non-certified Forensic Specialist (CSC 4208) or Crime Scene Technician (CSC 4210)
 may be assigned and receive the 5 percent application of rate for time spent working on the
 investigation.

4208, 4210 A Forensic Specialist (CSC 4208) or a Crime Scene Technician (CSC 4210), upon PCFIT
 certification during a calendar year, will receive a lump-sum payment of \$750 dollars for recognition of
 that certification. At the start of a new calendar year, a Forensic Specialist (CSC 4208) or a Crime



Scene Technician (CSC 4210) will receive another certification payment of \$750 if they have remained continuously certified from the previous calendar year's certification payment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

4210 See 4208, 4210.

* * *

Section 3. That Sections 1 and 2 are effective as provided by law.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney