



Legislation Passed December 20, 2022

The Tacoma City Council, at its regular City Council meeting of December 20, 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. 41093

This is the first reading of a resolution amending various rules of the Rules of Procedure of the Council of the City of Tacoma, to clarify remote participation in meetings; add duties and expectations for members; revise the agenda order of business and Consent Agenda; update public comment and public forum periods; revise the Council Member vacancy appointment process; and provide minor revisions throughout for clarity, consistency, and gender-neutral language.

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

Resolution No. 41095

A resolution awarding a contract to DKS Associates, in the amount of \$1,410,078.19, plus applicable taxes, budgeted from the Transportation Capital Fund, for design assistance on the Puyallup Avenue Transit/Complete Street Improvements project - Specification No. PW22-0018F.

[Charla Kinlow, Project Manager; Josh Diekmann, P.E. PTOE, Interim Director, Public Works]

Resolution No. 41096

A resolution awarding a contract to Rosenbauer America, LLC, in the amount of \$2,764,000, plus applicable taxes, plus a 10 percent contingency, budgeted from the Fleet Equipment Rental Fund, for the purchase of three triple combination pumper fire engines, for an initial contract period of three years - Sourcewell Cooperative Contract No. 113021-RSD.

[Teresa Green, Fire Department Manager; Toryono Green, Fire Chief]

Resolution No. 41097

A resolution awarding a contract to Utegration, LLC, in the amount of \$675,000, plus applicable taxes, budgeted from the Information Systems Fund, for consulting services to assist with the roadmap and planning the City's upgrade/migration from its existing SAP ECC to SAP S/4 HANA, for an initial contract period of nine months - Direct Negotiation.

[Karen Estep, Supervisor; Daniel Key, Director, Information Technology]

Resolution No. 41098

A resolution ratifying the original contract award of \$1,551,887.00, and authorizing an increase to the contract with McKinstry Essention, LLC, in the amount of \$689,772.96, plus applicable taxes, for a cumulative total of \$2,241,659.96, budgeted from the Tacoma Dome Fund, for upgrade of the Tacoma Dome interior and exterior lighting systems - Port of Portland Contract 1158.

[Josh Kropf, Deputy Director; Adam Cook, Director, Tacoma Venues and Events]

Resolution No. 41099

A resolution authorizing an increase to the contract with Pierce County, Department of Assigned Counsel, in the amount of \$1,857,026, plus applicable taxes, for a cumulative total of \$7,965,128, budgeted from the General Fund, for the provision of legal services for individuals who otherwise would not be able to afford them - Contract No. CW2233487.

[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Resolution No. 41100

A resolution declaring surplus and authorizing the sale of approximately 22.07 acres of Tacoma Water property, located in the Federal Way vicinity of unincorporated King County, to King County, for the amount of \$4,000,000.

[Greg Muller, Real Estate Officer; Scott Dewhirst, Water Superintendent]

Resolution No. 41101

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 111X Pacific, LLC, for the development of 63 multi-family market-rate rental housing units, located at 1117, 1119, and 1123 Pacific Avenue, in the Downtown Regional Growth Center.

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

Resolution No. 41102

A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 725 Broadway, LLC, for the development of 129 multi-family market-rate rental housing units, located at 725 Broadway, in the Downtown Regional Growth Center.

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

Resolution No. 41103

A resolution authorizing the execution of an amendment to the agreement with Pierce County, in an amount not to exceed \$2,000,000, budgeted from the General Fund, to extend the jail services agreement for six months, effective January 1, 2023, through July 1, 2023.

[Chris Bacha, Chief Deputy City Attorney; Bill Fosbre, City Attorney]

Resolution No. 41104

A resolution adopting the International Holocaust Remembrance Alliance working definition of “Antisemitism” for the City of Tacoma, to serve as a tool to identify and combat antisemitism.

[Council Member Rumbaugh]

Resolution No. 41105

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$35,000, for the restoration of the street clock on Broadway in Downtown Tacoma.

[Council Member Rumbaugh]

Resolution No. 41106

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$10,000, to provide education and outreach for the Links to Opportunity project during the construction phase.

[Council Member Daniels]

Resolution No. 41107

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$20,000, to support the Tacoma Community House in assisting Ukrainian refugees with direct client specific assistance for essential needs and programs.

[Deputy Mayor Ushka]

Resolution No. 41108

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$10,000, to support the implementation of a faith community audit.

[Mayor Woodards]

Resolution No. 41109

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$20,000, to support the convening of community conversations on homelessness in partnership with the University of Washington Tacoma.

[Mayor Woodards]

Resolution No. 41110

A resolution approving the cancellation of the following six regular City Council meetings in 2023: January 17, March 28, May 30, July 5, September 5, and December 26.

[Mayor Woodards]

Ordinance No. 28864

An ordinance amending Chapter 1.06 of the Municipal Code, relating to Administration, by adding a new Section 1.06.2702, entitled “Compost Procurement”, for organic material management, effective January 2, 2023.

[Kristi Lynett, Sustainability Officer; Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28865

An ordinance amending Ordinance No. 22858, regarding the Low Income Assistance Fund, to allow the fund to be utilized for bill assistance for qualifying customers of all utilities.
[Francine Artis, Interim Customer Service Manager; Jackie Flowers, Director, Tacoma Public Utilities]

Ordinance No. 28866

An ordinance amending various sections in Title 1 of the Municipal Code, relating to Administration and Personnel, to codify the Office of Equity and Human Rights as an office; and adding transformation of the City into an anti-racist institution to the official duties of the City Manager.
[Council Member Blocker]



RESOLUTION NO. 41093

1 A RESOLUTION amending the *Rules of Procedure of the Council of the City of*
2 *Tacoma* to clarify remote participation in meetings; add duties and
3 expectations for members; revise the agenda order of business and
4 Consent Agenda; update public comment and public forum periods; revise
the Council Member vacancy appointment process; and provide minor
revisions throughout for clarity, consistency, and gender-neutral language.

5 WHEREAS the *Rules of Procedure of the Council of the City of Tacoma*
6 (“Rules of Procedure”) were last amended in June 2022, pursuant to Resolution
7 No. 40980, to comply with changes in Washington State law relating to open public
8 meetings, and
9

10 WHEREAS, on August 16, 2022, the City Attorney and City Clerk provided a
11 presentation to the Government Performance and Finance Committee (“GPFC”)
12 for suggested revisions based on feedback from staff, Mayor Woodards, and
13 Chair Hines, and additional suggestions from the GPFC and the Finance Director
14 have also been added, and
15

16 WHEREAS the proposed amendments relate to in-person meeting
17 attendance, current City Council practice and expectations, staff recommendations,
18 a revised Council vacancy appointment process, and improving clarity and
19 consistency, and
20

21 WHEREAS the proposed amendments were presented to the City Council
22 at its Study Session of September 20, 2022, and

23 WHEREAS a summary of the proposed amendments are as follows:

- 24
- 25 • Rule 1.F: Clarify that the City Council prefers and values in-person
26 attendance at meetings, add expectations about in-person
attendance, and note the preference that meetings are chaired by
someone attending in person.



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- Rule 2: Add duties and expectations of the Mayor and Council Members, and note the preference that meetings are chaired by someone attending in person.
- Rule 4.A: Revise the agenda Order of Business to add Agenda Modifications, and update the Consent Agenda to:
 - clarify which items are placed on the Consent Agenda;
 - add approval of requests to quiet title or clear title issues on real property;
 - add approval of payments (expenses, materials, purchases, and payroll);
 - add approval of purchase resolutions (or amendments) for amounts not exceeding \$2,000,000.
- Rule 9: Replace Virtual Forum with an additional Community Forum on the fourth regular business meeting of the month, and update time limits for Community Forum and individual comments, based on current practices.
- Rule 16: Update the vacancy appointment process to:
 - Create an additional stage of presentations if there are more than ten applicants.
 - Final votes on finalists are in random order as determined by the City Clerk.
 - If an applicant does not receive a majority vote, the applicant with the fewest votes is removed from consideration, and another vote taken; repeated until an applicant receives a majority of the votes.
- Minor revisions throughout for clarity, consistency, and gender-neutral language, and

WHEREAS the proposed revisions to the Rules of Procedure will provide clarity and reflect current practice in various sections, including roles, agendas, and comment periods; Now, Therefore,

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

That the *Rules of Procedure of the Council of the City of Tacoma* is hereby amended to clarify remote participation in meetings; add duties and expectations for members; revise the agenda order of business and Consent Agenda; update



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public comment and public forum periods; revise the Council Member vacancy appointment process; and provide minor revisions throughout for clarity, consistency, and gender-neutral language, all as more specifically set forth in the attached Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

EXHIBIT "A"



**Rules of Procedure
of the
Council of the
City of Tacoma**

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RULE 1 – MEETINGS

A. Regular Meetings.

The regular business meeting of the City Council shall be held at 5:00 p.m. on Tuesday of each week, at least forty-six weeks¹ each year, in the Council Chambers, Tacoma Municipal Building, except:

1. If Tuesday of any week is a legal holiday, the regular business meeting of that week shall be held at 5:00 p.m. on the next business day.
2. If Tuesday of any week shall fall on Christmas Eve or New Year's Eve, the regular business meeting of that week shall be held at 5:00 p.m. on the next business day.

The Council, by a majority vote, may by motion continue any regular or special meeting to a time specified in the motion.

B. Study Sessions.

The study sessions of the City Council shall be held at 12:00 noon on Tuesday of each week, in the Council Chambers, Room 16, Tacoma Municipal Building ~~North~~, subject to Rules A.1 and 2.

C. Special Meetings.

Special meetings, or any change in the time or location of a regular business meeting, study session, or committee meeting, shall be called by the City Clerk on the written request of the Mayor or by a majority of the members of the Council by delivering written notice personally, ~~or~~ by mail, by fax, or by email; ~~written notice~~ to each member of the Council.

— 1. Written notice shall be deemed waived in the following circumstances ~~per [SSB 1329 Chap. 115 Laws of 2022, Section 10] RCW 42.30.080:~~

- a) ~~—~~ The Council Member has provided written waiver of notice to the City Clerk at or prior to the time the meeting convenes, by telegram, fax, or email; or
 - b) ~~—~~ The Council Member is actually present at the time the meeting convenes.
2. Notice of a special meeting shall be:
 - a) ~~—~~ Delivered by email to each local newspaper of general circulation and to each local radio or television station that has on file with the City Clerk a written request to be notified of such special meeting or of all special meetings; and
 - b) ~~—~~ Posted on the City website; and

¹ City Charter Section 2.8.

- c). Posted on the Tacoma Municipal Building bulletin board, and at the meeting site if the meeting is held at a different physical location and is not held as a remote meeting.

Such notice must be delivered or posted at least 24 hours before the time of such meeting as specified in the notice.

3. The call and notices required under subsections 1 and 2 of this section shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the Council.
4. Emergencies. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage, or when the required notice cannot be posted or displayed with reasonable safety, including but not limited to declared emergencies in which travel to physically post notice is barred or advised against. ~~(REF. RCW 42.30.080 [as amended by SSB 1329 Chap 115 Laws of 2022, Section 10])~~

D. Quorum.

Five Council Members shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date.² A member participating remotely, in accordance with Rule 1.E, counts towards a quorum in a Council [business](#) meeting, study session, or committee meeting.

E. Location of Meetings.

All City Council meetings, [including regular business meetings](#), study sessions, special meetings, and committee meetings will be held in a physical location where the public can attend, except in specific situations where an emergency has been declared (see Section F.4).

1. City Council meetings and study sessions will be held in the Council Chambers, Tacoma Municipal Building, 747 Market Street, First Floor, Tacoma, WA 98402.
2. Council standing committee meetings will be held in the Tacoma Municipal Building conference rooms, 747 Market Street, Tacoma, WA 98402.

F. Remote Participation in Meetings.

1. Council Members may attend all Council meetings, [including regular business meetings, study sessions, special meetings, and committee meetings](#) remotely (by phone or other electronic means that allows for real-time verbal communication). Council prefers [and values](#) in-person attendance; [Council Members are expected to](#)

² [City Charter Section 2.9.](#)

attend at least one regular business meeting per month in-person ~~when possible~~. It is preferred that the meeting be chaired by a Council Member who is attending in-person (if the Chair attends remotely, the meeting would be run by the Vice Chair or another Council Member).

2. Notice of remote attendance should be provided to the City Clerk's Office not less than twenty-four hours before the scheduled start time for the meeting. The City Clerk or designee shall immediately advise the presiding officer of the remote participation.
3. At any meeting where a Council Member is attending remotely, a device will be used that allows the voice of the Council Member to be heard by everyone present in the meeting and that allows the Council Member to identify themselves before speaking. The Council Member attending remotely shall notify the others if they are about to disconnect from or leave the meeting. A Council Member who is connected remotely to the meeting shall be considered to be actually present at that meeting for the period of time they are so connected, and that presence shall count toward a quorum of the Council or committee for all purposes.
4. If, after a declaration of emergency by the City of Tacoma, Washington State, or by the federal government, the City determines that a meeting of the City Council cannot be held in person with members of the public in attendance (or limited public attendance) with reasonable safety because of the emergency, then the City Council may:
 - a) ~~+~~ Hold a remote meeting of the City Council without a physical location; or
 - b) ~~+~~ Hold a meeting of the City Council at which the physical attendance by some or all members of the public is limited due to a declared emergency.

During a remote meeting or where physical attendance by some or all members of the public is limited due to a declared emergency, members of the governing body may appear or attend by phone or by other electronic means that allows real-time verbal communication without being in the same physical location. For a remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, the City must provide an option for the public to listen to the proceedings telephonically or by using a readily available alternative in real-time that does not require any additional cost for participation. Free readily available options include, but are not limited to, broadcast on TV Tacoma, or other electronic, internet, or other means of remote access that does not require any additional cost for access to the program. The City may also allow other electronic means of remote access.

The City Council will not take action at a remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency if the public agency has not provided an option for the public to listen to proceedings pursuant to this section, except for an executive session as authorized in this chapter.

Notice of a remote meeting without a physical location or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency must be provided in accordance with state law and must include instructions on how the public may listen live to proceedings and on how the public may access any other electronic means of remote access offered by the City.

A remote meeting or a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency that is held under the provisions of this section shall be considered open and public in compliance with the requirements of state law. Nothing in this section alters the ability of public agencies to take action in response to an emergency as provided for in RCW 42.30.070, or to have members of a governing body participate in a meeting remotely with no declared emergency. ~~[as amended by SSB 1329, Chap 115 Laws of 2022, Section 5]~~

RULE 2 - ~~PRESIDING OFFICER~~ – DUTIES

A. Presiding Officer Duties.

1. Conduct of Meeting.

The presiding officer at all meetings of the Council shall be the Mayor, and, in the Mayor’s absence, the Deputy Mayor, who shall conduct the business and deliberations of the Council under these rules. The Deputy Mayor shall be elected by a majority of the Council Members at the start of the first Council meeting following the new year. If both the Mayor and Deputy Mayor are absent and a quorum is present, the Council shall, by motion, appoint one of its members to serve as presiding officer of the Council until the return of the Mayor or Deputy Mayor. If both the Mayor and Deputy Mayor are attending remotely, it is preferred that the Council select a Council member to serve as presiding officer that is attending the meeting in-person.

The presiding officer shall:

- ~~1~~a. Preserve order and decorum in the ~~Council Chambers~~meeting location (both physical and remote);
- ~~2~~b. Observe and enforce all rules adopted by the Council for its government;
- ~~3~~c. Decide all questions on order, in accordance with these rules, subject to appeal by any member to the Council; and
- ~~4~~d. Recognize members of the Council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the Council have had an opportunity to be recognized and be heard.

- 5e. Retain the authority, during Public Comment and Community Forum, to determine whether a speaker's remarks fail to comply with these Rules or exceed the scope of the designated forums, and the presiding officer shall have the authority to suspend such person's right to speak, subject to the Council's right to overrule such decision.

The presiding officer, as a member of the Council, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions, as other Council Members.

B2. Questioning.

Any member of the Council shall have the right to question any individual, including members of the staff, on matters germane to the issue properly before the Council for discussion.

C3. Related Agenda Items.

When matters on the Agenda are placed under more than one classification, as defined by "Order of Business," and are closely related to the same subject matter, the presiding officer may, without the necessity of any vote, call for the related agenda items out of the prescribed "Order of Business."

B. Mayor and Council Member Duties and Expectations.

1. Purpose.

The purpose of this section is to outline the duties and expectations of the Mayor and Council Members.

2. Mandatory Duties.

a. Council Members shall attend:

- (1) City Council meetings, including regular business meetings, study sessions, Committee of the Whole, and special meetings.
- (2) City Council Standing Committee meetings, as assigned.
- (3) Various national, state, regional, and local committees, boards, and commissions, as assigned.

b. Council Members shall:

- (1) Adopt the budget for the City.

- (2) Comply with provisions of Section 6.14 of the City Charter.³
- (3) Adopt the City Compensation Plan.
- (4) Make and confirm appointments to positions where specified in the City Charter.

3. Expectations.

Council Members are expected to perform the following functions:

- a. Devote sufficient time to consider the merits of each idea and then approve, modify, or reject it. In doing so, Council members will analyze community needs, program alternatives and available resources and decide what form the decision should take: ordinance, resolution, rule, regulation, motion, or order.
- b. Provide periodic reports to the City Council on the activities of the various committees, boards, and commissions assigned to the Council member and make recommendations to the other Council members on issues impacting the City.

RULE 3 - REMARKS AND DEBATES

A. Speaking to Motion.

No member of the Council shall speak more than twice on the same motion except by consent of the majority of the Council Members present at the time the motion is before the Council. After the motion is put and before the next item is read, a member shall be able to speak briefly to the previous motion.

B. Interruption.

No member of the Council shall interrupt or argue with any other member while such member has the floor.

C. Courtesy.

Members of the Council, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in contemptuous or disorderly behavior, or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any other member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion.

³ [TMC 1.24.230](#)

D. Transgression.

The Council has power under state law to impose punishment on its members, short of removal of office, for violation of state law or Council rules.

If a member of the Council shall transgress these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. If the presiding officer shall transgress these rules or fail to call such member to order, any other member of the Council may, under a point of order, call the presiding officer or such other member to order, in which case the presiding officer or such member, as the case may be, shall be silent except to explain or continue in order. Additional consequences may include a verbal admonition, written reprimand, censure, expulsion from the meeting at which the conduct is occurring, removal of the Council Member from the Council committee chair positions or committee memberships, or removal of intergovernmental duties. Expulsion for such behavior in the Council’s presence shall require the affirmative vote of a majority of the Council, specifying in the order of expulsion the cause thereof.

E. Challenge to Ruling.

Any member of the Council shall have the right to challenge any action or ruling of the presiding officer, or member, as the case may be, in which case the decision of the majority of the members of the Council present, including the presiding officer, shall govern.

F. City Manager.

The City Manager shall have the right to enter into a discussion of any matter coming before the City Council.

RULE 4 - ORDER OF BUSINESS

A. Order of Business.

The order of business [for regular business meetings of the City Council](#) shall be as follows:

1. Call to order.
2. Roll call.
3. Flag salute.
4. Moment of silence.
5. Items filed in the office of the City Clerk.
6. [Agenda modifications. \(Changes to the published agenda are announced at this time.\)](#)

Consent Agenda:

67. Approval of the Consent Agenda, consisting generally of one or more of the following items:
- a). Approval of minutes.
 - b). First reading of ordinances accepting gifts and donations.
 - c). Adoption of resolutions that are:
 - (1) fixing dates for hearings and appeals,
 - (2) approving final plats,
 - (3) authorizing ~~authorization of~~ Community Development Block Grant program agreements with approved agencies,
 - (4) approving and accepting grants, only when Council approval is required by the grantor, or when the grant includes a match for an expenditure of funds that otherwise requires Council approval;
 - (5) approving requests relating to quieting title or clearing title issues on real property;
 - (6) approving new purchase resolutions, or amendments to prior-approved purchase resolutions, with an amount not exceeding \$2,000,000 (amounts exceeding \$2,000,000 shall be placed under the Regular Agenda); and
 - (7) other similar ~~such~~ actions.
 - d). Communications from the City Council.
 - e). Ordinances and communications from the Hearing Examiner.
 - e.f). Interlocal Agreements, excepting those pertaining to cooperative purchasing.
 - g). Approval of payments per RCW 42.24.180 (for expenses, materials, purchases, and payroll).

Proclamations, Recognitions, Presentations, and Announcements.

Public Comment.

Regular Agenda:

- 7. Appointments.
- 8. Communications.

9. Resolutions.
10. Final reading of ordinances.
11. First reading of ordinances.
12. Appeals. See Rule 12.
13. Public hearings. See Rule 12.
14. Unfinished business.
15. Community Forum. See Rule 9.C.
16. Reports by the City Manager.
17. Comments and committee reports of the City Council.
18. Adjournment.

B. Resolutions and Ordinances under Consent Agenda.

Any Council Member may have a resolution or ordinance removed from the Consent Agenda for separate consideration under Resolutions or Ordinances, as appropriate.

C. Recess.

The Council may recess during any regular or special meeting by a majority vote of Council Members present.

D. Executive Session.

The Council may hold an executive session, upon announcement by the presiding officer, for a stated time and purpose during any regular or special meeting. [See also Rule 13, Confidentiality.](#)

RULE 5 – PARLIAMENTARY PROCEDURES ~~PRECEDENCE OF~~ AND MOTIONS

A. Robert’s Rules of Order.

On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in *Robert’s Rules of Order Newly Revised* shall prevail.

B. Parliamentarian.

The City Attorney shall act as the City’s parliamentarian, and shall advise the Presiding Officer on all questions of interpretations of these rules which may arise.

C. Motions.

1. If a motion does not receive a second, it dies. Matters that do not require a motion (and for which no second is needed) include nominations, withdrawal of motion by the person making the motion, request for a roll call vote, and point of order or privilege.
2. A motion that receives a tie vote fails.
3. Motions shall be stated in the affirmative. For example, “I move to approve” as opposed to “I move to reject.” Councilmembers shall be clear and concise and not include arguments for the motion within the motion.
4. After a motion has been made and seconded, the Councilmembers may discuss their opinions on the issue prior to the vote.

D. Precedence of Motions.

When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:

1. To close or adjourn. (Not debatable.)
2. For a Call of the Council (to compel the attendance of unexcused absent members in order to obtain a quorum.) (Not debatable.)
3. To Remove an Item from the Agenda.
4. To Lay on the Table. (Not debatable.)
5. For the Previous Question. (The “previous question” shall be as follows: “Shall the main question be put?”, and, until such motion has been put and decided, all amendments or debate shall be precluded. The “main question” shall be on the passage of an ordinance, resolution, or motion, but, when amendments are pending, the questions shall be taken first upon such amendments, in their order.) (Requires two-thirds vote.)
6. To Limit Debate. (Requires two-thirds vote.)
7. To Postpone to a Certain Time. (Shall be decided without debate only in those instances where the effect of said motion is to postpone or continue a matter for less than 30 days from the time it first appeared on the Council Agenda.)
8. To Amend. (Amendments are voted on first, and if the amendment receives an affirmative vote, then then the main motion as amended is considered.)
9. To Substitute.
10. To Postpone Indefinitely.

11. Main Motion.
12. To Take from the Table. (Not debatable.) A motion to “take from the table” having been put and lost, shall not, during the same Council meeting, be renewed either by the mover or by any other member of the Council. No matter shall be taken from the table after a period of two years from the date that it was laid on the table.
13. Motion to Reconsider. No motion to reconsider a vote shall be in order except at the following meeting, and by a member who voted with the prevailing side. A motion to reconsider, having been put and lost, shall not be renewed either by the mover or by any other member of the Council. Any member of the Council, including the presiding officer, shall have the right to change his/her vote, in order to be on the prevailing side, at any time before final action is taken on the next ensuing item of business taken up by the Council.

BE. Vote.

The procedural motions above enumerated shall be decided by a majority vote of Council Members present at the meetings, except as otherwise indicated. Ordinances and resolutions require the affirmative vote of at least five Council Members for passage⁴~~City~~; six for emergency.⁵~~(Charter Section 2.12)~~

If any Council Member wishes to abstain or recuse themselves from any vote, they shall so advise the City Council, shall not participate in the deliberations and considerations of the motion, and shall have no further participation in the matter. The Council Member should make this determination before any discussion or participation on the subject matter or as soon thereafter as the Council Member identifies a need to abstain. The Council Member may confer with the City Attorney to determine whether they are required to abstain or recuse themselves.

EF. Debate.

The motions above enumerated are debatable except where designated otherwise.

RULE 6 - SUSPENSION OF RULES

No rule shall be suspended except by a majority vote of Council Members present at the meeting, and a motion to suspend a rule is not debatable. Vote on the motion may be by voice vote of the Council, or by roll call if requested by a member of the Council.

⁴ [City Charter Section 2.10](#)

⁵ [City Charter Section 2.12](#)

RULE 7 - ORDINANCES AND RESOLUTIONS

The name of a Council Member shall not appear as a sponsor on any ordinance or resolution considered by the Council except at the Council Member's request. Sponsorship on any ordinance or resolution shall be limited to four Council Members, except as expanded by request of any Council Member in open session.

No ordinance or resolution shall be read until reviewed as to form and legality by the City Attorney.

Reading of ordinances and resolutions at all Council meetings shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or the purpose of the resolution, and the reading in full of the same shall not be required unless the full reading of any particular ordinance or resolution be requested by any member of the Council, in which event said request shall be complied with if a majority of the Council Members present concur in the request.

RULE 8 - MISCELLANEOUS

A. Agenda.

The City Clerk, under the direction of the City Manager, shall prepare the Agenda for each session of the Council in regular order in accordance with these rules, which order shall not be departed from for any purpose, except as provided for in these rules. Such Agenda shall include all resolutions, ordinances, and matters requested by any Council Member, including the Mayor, or by the City Manager. No item shall be deleted from the Agenda, except by motion approved by the Council.

B. Amendments to Motions, Resolutions, and Ordinances.

It is the policy of the Council to process legislation in a manner that is fair, equitable, transparent, effective, and respectful towards the public, constituent groups, and to the Council itself. Council Members are encouraged to consider the following best practices prior to submission of an amendment that will substantially change the policy scope or policy language, use of City resources, or costs to the City if the original legislation is amended.

1. Prepare the amendment in writing.
2. Include a brief statement or analysis of the effect of the amendment.
3. Distribute the amendment to all members of the Council as soon as possible prior to the meeting in which it will be offered.
4. Distribute the amendment prior to the meeting to obtain input from the public, constituents groups, and/or Committee, Board, or Commission that may have provided comment on the original legislation.

5. Distribute the amendment to the City Manager for purposes of obtaining input from City staff or outside experts, and the City Attorney for legal review.
6. Distribute the amendment to the City Clerk's Office on the Thursday prior to the meeting it will be offered so it can be included in the published agenda to allow for comments by the public during Public Comment.
7. Obtain co-sponsorship of the amendment from other Council Members.

The rule is not intended to limit the public's right to influence the legislative process or to devalue the public's right to comment on and change pending legislation.

~~C. Robert's Rules of Order.~~

~~On all questions of practice or procedure not provided for by these rules, the practice and procedure set forth in Robert's Rules of Order Newly Revised shall prevail.~~

C. Amendments to Rules.

Amendments to these rules shall be made by resolution and shall require two readings.

ED. Public Requests for Proclamations or Recognitions.

It is the policy of the Council to consider requests to proclaim certain events or causes when such proclamations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Tacoma's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of proclamations:

1. The person(s) or organization making the request must submit a completed Application Requesting a City Proclamation and submit a copy of the proposed proclamation.
2. The request should be made at least two weeks in advance of the requested Council meeting.
3. The Mayor, City Manager and/or staff designee will determine if the proposed proclamation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the City Council Committee of the Whole for its guidance.
4. The Council retains the right to limit the number of proclamations at a Council Meeting.
5. The City retains the right to modify, edit, or otherwise amend the proposed proclamation to meet its requirements, needs, or policy determinations.

6. The City retains the right to decide if the proclamation will or will not be issued.
7. Once approved, the proclamation will be included on the appropriate Council agenda.
8. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

FE. Public Requests for Presentations.

It is the policy of the Council to consider requests for presentations of certain events or causes when such presentations pertain to a Tacoma event, person, organization, or cause with local implications. The Council will consider requests that are timely, have potential relevance to a majority of Tacoma's population, and either forward positive messages or call upon the support of the community.

The following guidelines and requirements apply to requests for consideration of presentations:

1. The person(s) or organization making the request to make the presentation must submit a completed Application to Make a City Council Presentation.
2. The request should be made at least two weeks in advance of the requested Council meeting.
3. The Mayor, City Manager and/or staff designee will determine if the proposed presentation meets the intent of this policy. When there is uncertainty in making this determination, the Mayor will consult with the City Council Committee of the Whole for its guidance.
4. The presentation shall not exceed five minutes in length and the Council will not entertain more than two presentations at one Council Meeting.
5. The City retains the right to decide if the presentation will or will not be permitted.
6. Once approved, the presentation will be included on the appropriate Council agenda.
7. If not approved, the applicant will be notified of the decision and the reason(s) for the decision.

RULE 9 - PUBLIC COMMENT/PUBLIC FORUM

A. Public Comment.

The City Council appreciates hearing from community members about items on its agenda, and desires to set aside time at each Council business meeting where final action is taken. Comments on final action will be taken orally at a meeting, or in writing submitted to the City Clerk's Office at least 24 hours prior to the meeting to enable staff to compile and

distribute written comments to the City Council. ~~[SSB 1329, Chap. 115 Laws of 2022, Section 13]~~. Written comments received after this deadline will not be made part of the official record of the meeting.

1. All comments must be limited to items on the agenda. Speakers are asked to identify the specific agenda items they wish to address.
2. To ensure equal opportunity for the public to comment, a speaker's comments shall be limited to up to ~~five~~ two minutes per person, per meeting. Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons' remarks to an equal period of less than ~~five~~ two minutes. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Public Comment portion of the meeting.
3. Comments may be made at or before every meeting at which final action is taken, including on resolutions, first and final readings of ordinances, and motions. Comments made regarding ordinances forwarded to the Council by the Hearing Examiner for which a public hearing has been held shall not be incorporated into the formal record of the decision pursuant to state law.
4. Written public comments must be submitted to the City Clerk's Office at a minimum of 24 hours prior to the meeting to enable staff to compile and distribute to the Council. ~~(SSB 1329, Chap. 115 Laws of 2022, Section 13)~~.

Written comments submitted according to these Rules shall be considered in the same manner as oral comments.

5. Upon the request of any individual who will have difficulty attending a meeting of the City Council by reason of disability, limited mobility, or for any other reason that makes physical attendance at a meeting difficult, the Council shall, when feasible, provide an opportunity for that individual to provide oral comment at the meeting remotely if oral comment from other members of the public will be accepted at the meeting. ~~[SSB 1329, Chap. 115 Laws of 2022, Section 13]~~.
6. In the event that the Council, after taking public comment, suspends its rules to include final action on a new resolution, ordinance, or motion on the agenda, public comment will be taken at the time the Council considers the new resolution, ordinance, or motion. Where legislation has been substantially changed at its final reading, a person may speak to the changes.
7. To request to speak during Public Comment, members of the public must indicate they wish to speak as instructed by the Mayor or City Clerk. Those attending in person will sign in at the designated location in Council Chambers; those attending remotely may be asked to click the 'Raise Hand' button or *9 on their phone. The speaker's name or the last four digits of their phone number will be called out when it is their turn to speak. ~~All remarks will be addressed to the Council as a whole.~~

8. Nothing in these Rules diminishes the City Council’s authority to deal with interruptions, puts limitations on the time available for public comment or on how public comment is accepted, or requires the Council to accept public comment that renders orderly conduct of the meeting unfeasible. ~~[SSB-1329, Chapter 115 Laws of 2022, Section 13].~~

B. Courtesy.

All speakers during Public Comment or Community Forum, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities, or indulge in derogatory remarks or insinuations in respect to any member of the Council, or any member of the staff or the public, but shall at all times confine their remarks to those facts which are germane and relevant, as determined by the presiding officer, to the question or matter under discussion. All remarks will be addressed to the Council as a whole.

C. Community Forum - Second and Fourth Tuesday.

On the second and fourth Tuesday of each month, time shall be reserved during the regular business meeting for community members’ comments. The purpose of this forum is to assist the Council in making policy decisions; therefore, items of discussion shall be limited to matters over which the City Council has jurisdiction. ~~A~~ Community Forum will be limited to sixty minutes, and speaker’s remarks shall be limited to up to 90 seconds per person, per Community Forum. Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons’ remarks to an equal period of less than 90 seconds. If there are not enough speakers to last for one hour, the chair will close Community Forum after the last speaker. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Community Forum portion of any meeting. Comment shall not be made in support of or opposition to any matter on the Council Agenda for which the time for public comment has passed.

D. No Use of Public Comment or Community Forum for Campaigns.

No person may use public comment or Community Forum for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Further, any direct mention of a candidate’s candidacy or a ballot proposition shall constitute grounds for immediate suspension of such person’s right to speak at that Council meeting.

E. No Use of Public Comment or Community Forum for Advertising.

No person addressing the Council may use Public Comment or Community Forum for the purpose of advertising. Advertising is defined as “promoting by making known, proclaiming publicly, drawing attention to, or making conspicuous any item, product, service, or thing, for profit or otherwise.” This does not prevent or preclude any person addressing the Council from expressing ~~his or her~~ their views or opinions on matters over which the Council has jurisdiction. Also, this does not prohibit individuals or organizations

from promoting public events or causes through public requests for proclamations and presentations as provided in Rule 8, Sections D and E.

F. Transgression.

The presiding officer shall retain authority to determine whether a speaker’s remarks fail to comply with these Rules or exceed the scope of the designated forum, and the presiding officer shall have the right to suspend such person’s right to speak, subject to the Council’s right to overrule such decision.

~~G. Virtual Forum.~~

~~On the fourth Tuesday of each month at 6:00 p.m., or in the event the regular meeting of the City Council adjourns after 6:00 p.m., promptly following such adjournment, there shall be held a “Virtual Forum” for community members’ comments. The purpose of the Virtual Forum is to give community members an opportunity to share their thoughts and views to assist the Council in making policy decisions; therefore, items of discussion shall be limited to matters over which the City Council has jurisdiction. No action shall be taken by the City Council during the Virtual Forum.~~

~~Speaker’s comments shall be limited to up to 90 seconds per person, per Virtual Forum. Where necessary, due to the number of persons who want to address the Council, the presiding officer shall retain authority to limit all persons’ remarks to an equal period of less than 90 seconds. To further ensure equal opportunity for the public to comment, each person may address the Council only one time during the Virtual Forum.~~

~~Guidelines set out in Rule 9 – Public Comment/Public Forum, Section B, Courtesy; Section D, No use of Public Comment or Community Forum for Campaigns; Section E, No Use of Public Comment or Community Forum for Advertising; and Section F, Transgression, will apply to Virtual Forum.~~

RULE 10 – COUNCIL CONFERENCE ROOM

During any recess of a regular or special meeting of the Tacoma City Council, the Council Conference Room shall be reserved solely for the use of members of the City Council and selected staff personnel and employees of the City of Tacoma, and no other person or persons shall have access thereto, whether they be members of the press, radio, television, or members of the public at large.

RULE 11 – CITY CLERK – DUTIES

A. Record Votes.

As a part of said permanent proceedings, the Clerk shall record all votes taken. In those instances where a roll call vote is taken pursuant to a requirement or request, the Clerk shall call the name of each and every member of the Council present, including the Mayor,

and shall duly record said member's vote as either an aye, nay, or abstention, whichever may be appropriate. Roll call votes of the Council shall be called alphabetically, except for the vote of the presiding officer, whose vote shall be called last, commencing with the first roll call vote of the Council, and in subsequent roll call votes member names shall be rotated, excluding the presiding officer, until the entire Council has been called, at which time the procedure will begin again.

B. Maintain Record.

The Clerk shall cause to be recorded electronically all of the regular and special meetings of the Tacoma City Council and each and every part thereof, and shall maintain the same for a period of six years consistent with state law, RCW 40.14.

C. Prepare Minutes.

At the conclusion of each special or regular [business meeting](#), [study session](#), or [committee meeting](#) of the Tacoma City Council, the City Clerk shall prepare brief and concise minutes and submit the same to the City Council for its approval.

D. Verbatim Transcript.

No individual member of the Tacoma City Council, nor any member of the administrative staff of the City of Tacoma, shall be authorized or empowered to require the Clerk to insert in said official minutes any verbatim transcript of all or any part of the proceedings. Verbatim transcripts of any part or portion of the proceedings shall be made a part of the minutes only when authorized by a majority vote of the entire Council made at the meeting wherein such request for a verbatim report is made.

RULE 12 – PUBLIC HEARINGS AND APPEALS

A. Time of Hearings.

The time for commencing a public hearing or appeal shall be noted in the Council meeting Agenda. The presiding officer may modify the order of business under Rule 4 in order to conduct the hearing or appeal at or about the designated time.

B. Quasi-Judicial Body.

In hearing appeals, the Council sits as a quasi-judicial body. It shall conduct the hearing on an appeal in accordance with provisions of the Tacoma Municipal Code⁶ and these rules, as applicable.

C. Time Limits for Oral Argument.

⁶ See [Tacoma Municipal Code](#) Chapter 1.23.

At the time an appeal is heard by the City Council, each side shall be afforded a maximum of ten minutes for oral argument. In the event there are multiple appellants or respondents, each side shall divide its ten-minute time limit between or among the appellants or respondents, or, if agreement cannot be reached, as directed by the Mayor. Request for additional time must be submitted in writing to the City Clerk at least seven days prior to the appeal hearing and such request shall be considered as the first issue of the hearing.⁷
~~(TMC 1.70.030)~~

RULE 13 – CONFIDENTIALITY

Council Members shall keep confidential all written materials and verbal information provided to them during Executive Sessions to ensure that the City’s position is not compromised, and to comply with RCW 42.23.070(4) and Tacoma Municipal Code 1.46.030(G), relating to disclosure of confidential information.

RULE 14 – COMMITTEE OF THE WHOLE

All Council Members are members of the Committee of the Whole. The Council shall sit as a Committee of the Whole primarily for the purpose of considering current problems of the City and coordinating the work of the standing committees of the Council.

RULE 15 – STANDING COMMITTEES

A. Standing Committees.

There are established the following standing committees of the Council that shall consist of four voting members and one alternate each. The Mayor shall annually appoint and the Council shall confirm the membership of each committee. Each standing committee shall elect a chair and vice-chair.

1. Community Vitality and Safety.
2. Economic Development.
3. Government Performance and Finance.
4. Infrastructure, Planning, and Sustainability.

B. Function and Purpose.

The identification of the scope of work of the individual committees, meeting schedules, and meeting locations shall be accomplished by a process of discussion and consensus among the committee members. Committee action on any proposed resolution or ordinance

⁷ [Tacoma Municipal Code Section 1.70.030.](#)

is strictly advisory to the Council. The standing committees shall have no power or authority to commit the City or to take any binding action on behalf of the whole Council.

C. Quorum and voting.

Three voting members shall constitute a quorum. The alternate member shall become a voting member in the absence of any regular voting member. If, during the meeting, all the regular voting members are present, the alternate shall not vote on any matter before the Committee. A member participating ~~telephonically~~ remotely shall count towards a quorum.

D. Reports.

A report from the standing committees shall be submitted by the committee chair or vice-chair orally or in writing. Recommendations to the Council on proposed resolutions or ordinances shall indicate one of the following:

- Recommended for Adoption
- Forward Without Recommendation
- Not Recommended

Minority reports may be shown on committee reports with the dissenting votes reflected.

E. Removing of Matters from Committee.

Any Council Member, during a regular Council meeting, may make a motion to remove a matter from a committee. Said motion, if seconded, shall require a majority vote of the Council. Alternatively, any four Council Members may cause any matter to be removed from a committee by signing an “Ordinance or Resolution Removal” form. When the four signatures are obtained, the proposal shall be released from the committee and shall be placed on the next available Council agenda for appropriate action.

F. Public Comment.

Standing committees shall allow public comment at committee meetings. The guidelines set out in Rule 9 shall apply to public comment taken in standing committee meetings.

The committee chair may also invite persons to ~~the committee table~~ speak for the purpose of providing information necessary to committee business, and explain to those in attendance the reasons for inviting people to the committee table.

G. Staff Assignments to Committee.

The City Manager shall designate staff for each standing committee, who shall prepare the agenda, provide proper notice, prepare minutes, and prepare a record of attendance for every meeting.

RULE 16 – FILLING COUNCIL VACANCIES AND APPROVED EXTENDED LEAVE OF ABSENCE

A. Purpose.

The purpose of this section is to provide guidance to the Council when a Council Member position becomes vacant before the expiration of the official's elected term of office, or when the Council has approved a Council Member's extended leave of absence and desires to appoint a replacement during the absence.

B. Appointment Process.

1. A Council Member position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of the Council Member.
2. For a Council Member position where the member is unavailable to serve due to illness, injury, incapacitation, or otherwise unable to serve in the position for ninety (90) days or greater and the Council approves the extended leave absence, then the Council Member position should (but is not required) be filled by the Council, and the Council will use the same appointment process as filling a vacant position.
3. Pursuant to RCW 42.12.070 and Tacoma City Charter Section 2.7, the Council Member who is vacating ~~his or her~~ their position cannot participate in the appointment process; however, a Council Member who is on an approved extended leave absence, if able, can participate in the appointment process for ~~his or her~~ their replacement.
4. The Council shall direct the City Manager to begin the Council Member appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity.
5. The City Clerk's Office shall prepare and submit a public notice to the City's official newspaper, official website, and provide courtesy copies to all requesting local media outlets, which announces the open position consistent with the requirements necessary to hold public office and specifically lists those requirements including that the applicant^{8, 9}:
 - (a) ~~be~~ be a qualified elector of the City of Tacoma,
 - (b) ~~be~~ be a resident of the City of Tacoma for two (2) years immediately preceding the time of applying to fill the open seat, and

⁸ [City Charter Section 2.2](#)

⁹ [RCW 29A.24.075](#)

- ~~(c.)~~ if applying for a district position, shall be a resident of the district for one year immediately preceding the time of appointment to fill the open seat.

The public notice shall be published once each week for two (2) consecutive weeks. The notice shall contain other information, including, but not limited to, time to be served in the vacant position, salary information, deadline date and time for submitting applications, interview and appointment schedules (if known), and such other information that the Council deems appropriate.

6. The City Clerk's Office shall use the standard application form used by the City for residents to apply to a City Committee, Board or Commission. Applications will be available at the City of Tacoma Clerk's Office, Customer Service Center, and on the City's official website.
7. Applications received by the deadline date and time will be copied and circulated by the City Clerk's Office to the Mayor and Council. Applications received after the deadline date and time shall be rejected by the City Clerk's Office and returned to the applicant. Application packets may also contain additional information received such as a cover letter, resume, endorsements, letters of reference, and other pertinent materials.
8. The City Clerk's Office shall publish on the City's website and in the City's official newspaper the required public notice(s) for the full City Council meeting scheduled for interviewing applicants for consideration to the open position. This meeting may be a regularly scheduled or special City Council meeting.
9. If more than ten (10) valid applications are received for the open position,~~;~~
 - a. ~~then~~ The Council will reduce the number of applicants to be scheduled for an ~~interview~~presentation by allowing each Council Member, in an open public meeting, to select or forward a number of applicants equal to 20% of the total applicant pool, rounded up, one applicant from the applicant pool to ~~be interviewed~~present, with a potential total of nine candidates. No second to select or forward an applicant to ~~be interviewed~~present is needed. Council Members may convene into an Executive Session to discuss the qualifications of the applicants. The Council will then close nominations by motion, second, and then vote in the public meeting to schedule the candidates to ~~be interviewed~~present, and set the length of each presentation.
 - ~~10~~b. The City Clerk's Office shall notify applicants of the location, date, and time of Council ~~interviews~~presentations.
 - ~~11~~c. Each ~~interview~~presentation of the applicant shall be no more than 8 minutes in length, depending on the number of applicants presenting, as follows:
 - a(1) The applicant shall present ~~his or her~~their credentials to the Council. (~~3~~three to eight minutes)

~~b) The Council shall ask the applicant questions. (5 minutes)~~

~~e(2) The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk alphabetical. Only the applicant being interviewed presenting will be brought allowed into the Council Chambers during their interview presentation;~~ the other applicants will be asked to remain outside the Council Chambers until their ~~interview presentation~~ time.

~~d. 12.~~ Upon completion of the ~~interviews presentations~~, Council Members may convene into an Executive Session to discuss the qualifications of the applicants. All ~~interviews presentations~~, deliberations, nominations, and vote taken by the Council shall be in an open public meeting.

~~103.~~ Following the first round of presentations, or if there were not more than 10 applicants, The the Mayor may ask for nominations from the Council Members for the purpose of narrowing down the applicant pool to the finalists that will be considered. Each Council Member, in an open public meeting, will be allowed to nominate a number of finalists equal to 20% of the applicants who presented, rounded up. No second is needed for nominations. Nominations to the finalist list is closed by a motion, second, and majority vote of the Council and then vote in the public meeting to schedule the candidates to be interviewed. Council Members may convene into an Executive Session to discuss the qualifications of the applicants. Council Members may deliberate on such matters as criteria for selection, number of finalists to forward, and of the qualifications of the finalists.

~~114.~~ The City Clerk's Office shall notify applicants of the location, date, and time of Council interviews.

12. Each interview of the applicant shall be no more than 20 minutes in length and shall not include time Council is asking questions, as follows:

a. The applicant shall make opening remarks (2 minutes)

b. The Council shall ask the applicant questions. (17 minutes)

c. The applicant shall make closing remarks. (1 minute)

d. The applicants' order of appearance will be alphabetical. Only the applicant being interviewed will be brought into the Council Chambers during their interview; the other applicants will be asked to remain outside the Council Chambers until their interview time.

~~13.~~ Following such deliberation, the Mayor shall ask the Council Members if they are prepared to vote interviews, Council Members will have until the next meeting to consider applicants for appointment.

145. At the next meeting, ~~T~~he finalists shall be placed in order of appearance determined by random lot drawing performed by the City Clerk ~~alphabetical order according to their last names~~. The City Clerk shall proceed with a roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.
- a. If no finalist receives a majority vote of the Council Members, then the finalist receiving the least votes will be removed from consideration, and the City Clerk shall proceed with another roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.
156. The Mayor shall declare the nominee receiving the majority vote as the new Council Member, who shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled meeting.
167. At any time during the appointment process, the Council may by motion, second, and majority vote of the Council, postpone the appointment until a date certain or regular business meeting if no nominee receives a majority of the vote.
178. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.
189. Nothing in this policy shall prevent the Council from reconvening into an Executive Session to further discuss applicant qualifications.
1920. Pursuant to Tacoma City Charter 2.7, if the City Council does not appoint a qualified person to fill a vacancy within sixty (60) days from the date the vacancy occurs, then the Mayor shall make the appointment, subject to confirmation of the remaining members of the Council. If the City does not confirm the appointment to fill a vacancy within ninety (90) days of the declared vacancy, then pursuant to RCW 42.12.170 the appointment power is delegated to the Pierce County Council. This Section 20 shall not apply to filling of an approved extended leave of absence, so in the case the open position is not appointed within sixty (60) days, the position may remain open until such time as the Council desires to fill it.

Adopted

Resolution No. 24877 03/14/1978

Amended

Resolution No. 25171 07/25/1978
Resolution No. 25226 08/29/1978
Resolution No. 25300 09/26/1978
Resolution No. 26209 01/22/1980
Resolution No. 26387 05/06/1980
Resolution No. 26591 08/26/1980
Resolution No. 26998 06/02/1981
Resolution No. 27594 10/05/1982
Resolution No. 27847 05/03/1983
Resolution No. 28108 11/22/1983
Resolution No. 28315 04/24/1984
Resolution No. 28527 10/30/1984
Resolution No. 32400 11/23/1993
Resolution No. 32554 03/29/1994
Resolution No. 33129 (Substitute No. 2) 09/19/1995
Resolution No. 33345 04/09/1996
Resolution No. 33398 (Substitute) 06/11/1996
Resolution No. 35482 04/09/2002
Resolution No. 35568 07/16/2002
Resolution No. 35664 10/22/2002
Resolution No. 35951 09/30/2003
Resolution No. 36083 02/10/2004
Resolution No. 36273 (Substitute) 08/10/2004
Resolution No. 36686 11/01/2005
Resolution No. 36796 03/21/2006
Resolution No. 37346 12/18/2007
Resolution No. 37500 06/17/2008
Resolution No. 37509 06/24/2008
Resolution No. 38174 01/11/2011
Resolution No. 38672 (Amended) 05/07/2013
Resolution No. 39362 01/26/2016
Resolution No. 39882 (Amended Substitute) 12/12/2017
Resolution No. 40017 06/05/2018
Resolution No. 40228 02/12/2019
Resolution No. 40508 12/17/2019
Resolution No. 40652 09/15/2020
Resolution No. 40980 06/07/2022

[Resolution No.](#)



RESOLUTION NO. 41095

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract with
3 DKS Associates, in the amount of \$1,410,078.19, plus applicable taxes,
4 budgeted from the Transportation Capital Fund, for design assistance on
the Puyallup Avenue Transit/Complete Street Improvements project,
pursuant to Specification No. PW22-0018F.

5 WHEREAS the City has complied with all applicable laws and processes
6 governing the acquisition of those supplies, and/or the procurement of those
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"
8 incorporated herein as though fully set forth, and
9

10 WHEREAS the Board of Contracts and Awards has concurred with the
11 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

13 Section 1. That the Council of the City of Tacoma concurs with the Board of
14 Contracts and Awards to adopt the recommendation for award as set forth in the
15 attached Exhibit "A."
16

17 Section 2. That the proper officers of the City are hereby authorized to
18 enter into a contract with DKS Associates, in the amount of \$1,410,078.19, plus
19 applicable taxes, budgeted from the Transportation Capital Fund, for design
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1 assistance on the Puyallup Avenue Transit/Complete Street Improvements
2 project, pursuant to Specification No. PW22-0018F, consistent with Exhibit "A."

3
4 Adopted _____

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6 _____
7 Mayor

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9 Attest: _____
10 City Clerk

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12 Approved as to form: _____
13 City Attorney

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RESOLUTION NO. 41096

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Rosenbauer America, LLC, in the amount of \$2,764,000, plus applicable
4 taxes, plus a 10 percent contingency, budgeted from the Fleet Equipment
5 Rental Fund, for the purchase of three triple combination pumper fire
6 engines, for an initial contract period of three years, pursuant to Sourcewell
7 Cooperative Contract No. 113021-RSD.

8 WHEREAS the City has complied with all applicable laws and processes
9 governing the acquisition of those supplies, and/or the procurement of those
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

15 Section 1. That the Council of the City of Tacoma concurs with the Board of
16 Contracts and Awards to adopt the recommendation for award as set forth in the
17 attached Exhibit "A."

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Section 2. That the proper officers of the City are hereby authorized to enter into a contract with contract with Rosenbauer America, LLC, in the amount of \$2,764,000, plus applicable taxes, plus a 10 percent contingency, budgeted from the Fleet Equipment Rental Fund, for the purchase of three triple combination pumper fire engines, for an initial contract period of three years, pursuant to Sourcewell Cooperative Contract No. 113021-RSD, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41097

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the waiver of competitive procurement
3 procedures due to sole source availability; and authorizing the execution of
4 a contract with Utegration, LLC, in the amount of \$675,000, plus applicable
5 taxes, budgeted from the Information Systems Fund, for consulting services
6 to assist with the roadmap and planning upgrade/migration from its existing
7 SAP ECC to SAP S/4 HANA, for an initial contract period of nine months,
8 pursuant to Direct Negotiation.

9 WHEREAS the City has complied with all applicable laws and processes
10 governing the acquisition of those supplies, and/or the procurement of those
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"
12 incorporated herein as though fully set forth, and

13 WHEREAS the Board of Contracts and Awards has concurred with the
14 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

16 Section 1. That the Council of the City of Tacoma concurs with the Board of
17 Contracts and Awards to adopt the recommendation for award as set forth in the
18 attached Exhibit "A."

19 Section 2. That the proper officers of the City are hereby authorized to
20 waiver competitive procurement procedures due to sole source availability, and
21 enter into a contract with Utegration, LLC, in the amount of \$675,000, plus
22 applicable taxes, budgeted from the Information Systems Fund, for consulting
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1 services to assist with the roadmap and planning the City's upgrade/migration
2 from its existing SAP ECC to SAP S/4 HANA, for an initial contract period of nine
3 months, pursuant to Direct Negotiation, consistent with Exhibit "A."
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5 Adopted _____
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7 _____
8 Mayor

9 Attest:
10 _____

11 City Clerk

12 Approved as to form:
13 _____

14 City Attorney
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RESOLUTION NO. 41098

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; ratifying the original contract award of
3 \$1,551,887.00, authorizing the increase of Contract No. CW2250491 with
4 McKinstry Essention, LLC, in the amount of \$689,772.96, plus applicable
5 taxes, for a cumulative total of \$2,241,659.96, budgeted from the Tacoma
6 Dome Fund, for upgrade of the Tacoma Dome interior and exterior
7 lighting systems, pursuant to Port of Portland Contract 1158.

8 WHEREAS the City has complied with all applicable laws and processes
9 governing the acquisition of those supplies, and/or the procurement of those
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

15 Section 1. That the Council of the City of Tacoma concurs with the Board of
16 Contracts and Awards to adopt the recommendation for award as set forth in the
17 attached Exhibit "A."

18 Section 2. That the proper officers of the City are hereby authorized to
19 ratify the original contract award of \$1,551,887.00, and increase Contract
20 No. CW2250491 with McKinstry Essention, LLC, by \$689,772.96, plus applicable
21 taxes, for a cumulative total of \$2,241,659.96, budgeted from the Tacoma Dome
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1 Fund, for upgrade of the Tacoma Dome interior and exterior lighting systems,
2 pursuant to Port of Portland Contract 1158, consistent with Exhibit "A."

3
4 Adopted _____

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6 _____
Mayor

7 Attest:

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9 _____
City Clerk

10 Approved as to form:

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12 _____
City Attorney

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RESOLUTION NO. 41099

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the increase of Contract No.
3 CW2233487 with the Pierce County Department of Assigned Counsel, in the
4 amount of \$1,857,026, plus applicable taxes, for a cumulative total of
5 \$7,965,128, budgeted from the General Fund, for the provision of legal
6 services for individuals who otherwise would not be able to afford them,
7 pursuant to Contract No. CW2233487.

8 WHEREAS the City has complied with all applicable laws and processes
9 governing the acquisition of those supplies, and/or the procurement of those
10 services, inclusive of public works, as is shown by the attached Exhibit "A,"
11 incorporated herein as though fully set forth, and

12 WHEREAS the Board of Contracts and Awards has concurred with the
13 recommendation for award as set forth in the attached Exhibit "A"; Now, Therefore,

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

15 Section 1. That the Council of the City of Tacoma concurs with the Board of
16 Contracts and Awards to adopt the recommendation for award as set forth in the
17 attached Exhibit "A."
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Section 2. That the proper officers of the City are hereby authorized to increase Contract No. CW2233487 with the Pierce County Department of Assigned Counsel, in the amount of \$1,857,026, plus applicable taxes, for a cumulative total of \$7,965,128, budgeted from the General Fund, for the provision of legal services for individuals who otherwise would not be able to afford them, pursuant to Contract No. CW2233487, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41100

1 A RESOLUTION relating to surplus property; declaring certain real property owned
2 by the Department of Public Utilities, Water Division (d.b.a. "Tacoma
3 Water"), consisting of approximately 22.07 acres of property, located in the
4 Federal Way vicinity of unincorporated King County, Washington, surplus to
the needs of the City; and authorizing the negotiated sale and conveyance
of said property to King County for the amount of \$4,000,000.

5 WHEREAS the City of Tacoma, Department of Public Utilities, Water
6 Division (d.b.a. "Tacoma Water"), owns approximately 22.07 acres of property,
7 located in the Federal Way vicinity of unincorporated King County, Washington,
8 identified as King County Assessor Tax Parcel Nos. 1021049017 and 1021049064
9 ("Property"), as more fully described in the documents on file in the office of the
10 City Clerk, and
11

12 WHEREAS, subject to the reservation of an easement for the operation of
13 Pipeline No. 5, Tacoma Water has determined the Property is no longer essential
14 for continued effective utility service, and
15

16 WHEREAS King County has offered to purchase the Property for \$4,000,000,
17 which is deemed to represent fair market value and deemed acceptable by Tacoma
18 Water and the Department of Public Works, Real Property Services Division, and
19

20 WHEREAS King County will use Conservation Futures funds for the
21 acquisition, which will ensure ongoing environmental conservation of the property,
22 and

23 WHEREAS the Department of Public Works proceeded with the negotiated
24 disposition process pursuant to Tacoma Municipal Code ("TMC") 1.06.280.F, and
25

26



1 WHEREAS, on November 16, 2022, by adoption of Public Utility Board
2 Resolution No. U-11364, the Property was declared surplus to the needs of
3 Tacoma Water and Tacoma Public Utilities and approved for sale, pending
4 confirmation from the City Council, and
5

6 WHEREAS, on December 13, 2022, pursuant to RCW 35.94.040 and
7 TMC 1.06.280, the City Council conducted a public hearing on the proposed sale of
8 said Property, and
9

10 WHEREAS, subject to the reservation of an easement, there being no
11 foreseeable need for continued City ownership of the Property, the sale of said
12 Property appears to be in the best interests of the City; Now, Therefore,

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

14 Section 1. That the City Council does hereby find and concur with the
15 Tacoma Public Utility Board's determination and declaration, pursuant to Public
16 Utility Board Resolution No. U-11364, that the approximately 22.07 acres of
17 property, located in the Federal Way vicinity of unincorporated King County,
18 Washington, identified as King County Assessor Tax Parcel Nos. 1021049017 and
19 1021049064 ("Property"), owned by the City of Tacoma, through its Department of
20 Public Utilities, Water Division, subject to the reservation of an easement, is
21 surplus to the needs of Tacoma Water and Tacoma Public Utilities.
22
23

24 Section 2. That, consistent with RCW 35.94.040, RCW 35.22.020, and
25 Article I, Section 1.2 and Article IX, Section 9.1 of the City Charter, the City
26 Council does hereby find and determine that the Property, subject to the



1 reservation of an easement, is not required for, and is not essential to, continued
 2 public utility service or continued effective utility service and, pursuant to
 3 applicable law, is properly declared surplus property and excess to the needs of
 4 Tacoma Water, Tacoma Public Utilities, and the City.
 5

6 Section 3. That the request of Tacoma Water, to sell the Property, subject
 7 to the reservation of an easement, to King County for the amount of \$4,000,000,
 8 is hereby approved.
 9

10 Section 4. That the proper officers of the City are hereby authorized to
 11 execute all necessary documents to convey the Property, subject to the
 12 reservation of an easement, to King County for the amount of \$4,000,000, said
 13 documents to be substantially in the form of those on file in the office of the City
 14 Clerk.
 15

16 Adopted _____

17 _____
 Mayor

18 Attest:
 19
 20 _____

21 City Clerk

22 Approved as to form:
 23
 24 _____

25 Chief Deputy City Attorney

26 Requested by Public Utility Board
 Resolution No. U-11364



RESOLUTION NO. 41101

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 111X Pacific, LLC, for the
 4 development of 63 multi-family market-rate rental housing units to be located
 at 1117, 1119, and 1123 Pacific 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 111X Pacific, LLC, is proposing to develop 63 new market-rate
 16 rental housing units to consist of:

| Number of Units | Type of Unit | Average Size |
|-----------------|-----------------------|-----------------|
| Market Rate | | |
| 36 | One bedroom, one bath | 550 Square Feet |
| 24 | Two bedroom, one bath | 800 Square Feet |
| 3 | Live/Work | 900 Square Feet |

20 as well as 25,000 square feet of commercial space, and
 21

22 WHEREAS the Director of Community and Economic Development has
 23 reviewed the proposed property tax exemption and recommends that a conditional
 24 property tax exemption be awarded for the property located at 1117, 1119, and
 25 1123 Pacific Avenue in the Downtown Regional Growth Center, as more particularly
 26 described in the attached Exhibit "A"; Now, Therefore,



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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 111X Pacific, LLC, for the property located at 1117, 1119, and 1123 Pacific Avenue 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 a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with 111X Pacific, 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:

Legal description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



EXHIBIT "A"

PROJECT DESCRIPTION

| Number of Units | Type of Unit | Average Size | Expected Rental Rate |
|------------------------|-----------------------|---------------------|-----------------------------|
| Market Rate | | | |
| 36 | One bedroom, one bath | 550 Square Feet | \$1,800 |
| 24 | Two bedroom, one bath | 800 Square Feet | \$2,400 |
| 3 | Live/Work | 900 Square Feet | \$2,750 |

The project will also include 25,000 square feet of commercial space.

LEGAL DESCRIPTION

Tax Parcel: 2011030031

Legal Description:

LOTS 8 THROUGH 12, INCLUSIVE, BLOCK 1103, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 03, 1875, IN THE OFFICE OF PIERCE COUNTY, WASHINGTON.

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

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RESOLUTION NO. 41102

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 725 Broadway, LLC, for the
 4 development of 129 multi-family market-rate rental housing units to be
 5 located at 725 Broadway 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 725 Broadway, LLC, is proposing to develop 129 new market-rate
 15 rental housing units to consist of:

| Number of Units | Type of Unit | Average Size |
|-----------------|-------------------------|-------------------|
| Market Rate | | |
| 44 | Studio | 450 Square Feet |
| 46 | One bedroom, one bath | 700 Square Feet |
| 15 | Two bedroom, one bath | 830 Square Feet |
| 16 | Two bedroom, two bath | 925 Square Feet |
| 5 | Three bedroom, two bath | 1,385 Square Feet |
| 3 | Live/Work | 900 Square Feet |

16 as well as 72 on-site residential parking stalls and 7,900 square feet of commercial
 17 space, and

18 WHEREAS the Director of Community and Economic Development has
 19 reviewed the proposed property tax exemption and recommends that a conditional
 20 property tax exemption be awarded for the property located at 725 Broadway in the
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1 Downtown Regional Growth Center, as more particularly described in the attached
 2 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 725 Broadway,
 6 LLC, for the property located at 725 Broadway in the Downtown Regional Growth
 7 Center, as more particularly described in the attached Exhibit "A."
 8

9 Section 2. That the proper officers of the City are authorized to execute a
 10 Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with
 11 725 Broadway, LLC, said document to be substantially in the form of the proposed
 12 agreement on file in the office of the City Clerk.
 13

14 Adopted _____
 15

16 _____
 17 Mayor

18 Attest:
 19 _____
 20 City Clerk

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

24 Legal description approved:
 25 _____
 26 Chief Surveyor
 Public Works Department



EXHIBIT "A"

PROJECT DESCRIPTION

| Number of Units | Type of Unit | Average Size | Expected Rental Rate |
|------------------------|-------------------------|---------------------|-----------------------------|
| Market Rate | | | |
| 44 | Studio | 450 Square Feet | \$1,575 |
| 46 | One bedroom, one bath | 700 Square Feet | \$2,100 |
| 15 | Two bedroom, one bath | 830 Square Feet | \$2,300 |
| 16 | Two bedroom, two bath | 925 Square Feet | \$2,700 |
| 5 | Three bedroom, two bath | 1,385 Square Feet | \$3,600 |
| 3 | Live/Work | 900 Square Feet | \$2,750 |

The project will also provide 7,900 square feet of commercial space and 72 on-site residential parking spaces.

LEGAL DESCRIPTION

Tax Parcel: 2007050061

Legal Description:

A PORTION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 20 NORTH, RANGE 03 EAST, W.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 8 TO 14, INCLUSIVE, BLOCK 705, MAP OF NEW TACOMA, WASHINGTON TERRITORY, ACCORDING TO PLAT FILED FOR RECORD FEBRUARY 3, 1875, IN THE OFFICE OF THE COUNTY AUDITOR, IN PIERCE COUNTY, WASHINGTON.

TOGETHER WITH A TRACT OF LAND ABUTTING, EXTENDING FROM THE EASTERLY LINE OF LOTS 10 TO 14, INCLUSIVE, TO THE WESTERLY LINE OF COMMERCE STREET AND LYING BETWEEN THE PROLONGATIONS OF THE NORTH AND SOUTH LINES OF SAID LOTS, FORMERLY BEING A PART OF RAINIER STREET, WHICH WAS VACATED BY ORDINANCE NO.112 PASSED BY THE COMMON COUNCIL OF NEW TACOMA, DATED OCTOBER 24, 1883, AND APPROVED OCTOBER 31, 1883.

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



RESOLUTION NO. 41103

1 A RESOLUTION relating to jail services; authorizing the execution of an
2 amendment to the agreement with Pierce County, in an amount not to
3 exceed \$2,000,000, budgeted from the General Fund, for the purpose of
4 extending the jail services agreement for an additional six months, effective
5 January 1, 2023, to July 1, 2023.

6 WHEREAS, on June 16, 2015, pursuant to Resolution No. 39216, the City
7 Council authorized the execution of an agreement with Pierce County to provide
8 jail services for the City of Tacoma, effective July 1, 2015, through December 31,
9 2020, and

10 WHEREAS, on February 29, 2020, the Governor issued Proclamation
11 20-05, proclaiming a State of Emergency for all counties throughout the state of
12 Washington as a result of the coronavirus disease 2019 ("COVID-19") outbreak in
13 the United States, and

14 WHEREAS, on March 12, 2020, the City Manager and Mayor, pursuant to
15 Chapter 1.10 of the Tacoma Municipal Code and Chapter 38.52 of the Revised
16 Code of Washington, proclaimed that an emergency existed caused by COVID-19
17 in the City of Tacoma, and

18 WHEREAS, on March 12, 2020, the Pierce County Sheriff's Department
19 Corrections Bureau notified the City that in response to confirmed cases of
20 COVID-19 in Pierce County and the potential impact of the virus upon the inmate
21 populations, and in an effort to reduce the risk of transmission of COVID-19, the
22 Corrections Bureau was implementing new booking policies at the Pierce County
23 Jail to limit bookings, in particular individuals arrested for misdemeanor offenses,
24 and
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WHEREAS the new booking policies, as might be modified over time, would be in place for as long as Pierce County determined reasonable and necessary to protect the health and welfare of the inmates of the Pierce County Jail and Corrections Bureau staff, and

WHEREAS, in June 2020, Pierce County proposed that the jail services agreement expiring on December 31, 2020, be extended for one year, upon the same terms and conditions, because of the existing pandemic and its impacts upon Pierce County Correction Bureau operations and misdemeanor arrest policies and practices of the Tacoma Police Department, which made it difficult to develop data that would inform discussions of a new jail services contract, and

WHEREAS the jail services agreement was extended for a period of one year through December 31, 2021, and

WHEREAS, at the end of year 2021, the Pierce County Corrections Bureau continued with limited bookings of misdemeanor offenders due to the continued increase in COVID-19 cases, and the City and Pierce County agreed to extend the term of the jail services agreement for an additional year, with an expiration date of December 31, 2022, upon the same terms and conditions, subject to increases in rates as provided for in the agreement, and

WHEREAS the City and the County have been in discussions regarding a new jail services agreement, and Pierce County has agreed to a six-month extension of the current jail services agreement, upon the same terms and conditions, subject to increases in rates as provided for in the agreement, to allow time for the parties to finalize a new jail services agreement, and



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WHEREAS the City Council finds that it would be in the best interests of the public health, safety, and welfare to extend the Pierce County jail services agreement for six months, from January 1, 2023, to July 1, 2023, in an amount not to exceed \$2,000,000, budgeted from the General Fund; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute an amendment to the agreement with Pierce County, in an amount not to exceed \$2,000,000, budgeted from the General Fund, for the purpose of extending the jail services agreement for an additional six months, effective January 1, 2023, to July 1, 2023, said amendment 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:

Chief Deputy City Attorney



RESOLUTION NO. 41104

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS DIAZ AND
2 RUMBAUGH

3 A RESOLUTION relating to equity and human rights; directing the City Manager
4 to work with the City's Office of Equity and Human Rights to adopt the
5 International Holocaust Remembrance Alliance working definition of
6 "Antisemitism" for the City of Tacoma, to serve as a tool to identify and
7 combat antisemitism.

8 WHEREAS, on May 26, 2016, the International Holocaust Remembrance
9 Alliance ("IHRA") members adopted the following non-legally binding working
10 definition of "Antisemitism":

11 Antisemitism is a certain perception of Jews, which may be
12 expressed as hatred toward Jews. Rhetorical and physical
13 manifestations of antisemitism are directed toward Jewish or
14 non-Jewish individuals and/or their property, toward Jewish
15 community institutions and religious facilities,

16 and

17 WHEREAS the IHRA working definition of "Antisemitism" ("Working
18 Definition") is a crucial first step in addressing the horrific rise in antisemitism,
19 especially in Europe and the United States, and

20 WHEREAS the Working Definition is a clear and compact description of
21 antisemitism in its various forms, including Holocaust denial, prejudices against
22 Jews, and the denial of Israel's right to exist, and

23 WHEREAS the Working Definition sends a message that governments
24 understand the threat, which is the obvious first step in addressing it, and
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WHEREAS, on January 26, 2021, at the Conference of Presidents of Major American Jewish Organizations, 51 major American Jewish organizations across the political and religious spectrum adopted the Working Definition, and

WHEREAS the American Jewish Committee (“AJC”) was involved in the original drafting of the definition 14 years ago, and continues to urge local, state, regional, and national bodies to endorse the use of the Working Definition as a valuable educational tool to identify and combat antisemitism, and

WHEREAS, as of November 2022, 30 states and the District of Columbia, either through proclamation, executive order, or legislation, are using or have recognized the importance of the Working Definition, and

WHEREAS, on October 3, 2022, the City of Bellevue officially recognized the definition of antisemitism and is the first city in the Pacific Northwest to adopt this type of proclamation, which is used in many other cities around the globe, and

WHEREAS, at the December 13, 2022, Study Session, Council Member Rumbaugh shared a Council Consideration Request to direct the City Manager to work with the City’s Office of Equity and Human Rights to adopt the Working Definition for the City of Tacoma, to serve as a tool to identify and combat antisemitism; Now, Therefore,

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

That the City Manager, or designee, is hereby directed to work with the Office of Equity and Human Rights for the purpose of adopting the International



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Holocaust Remembrance Alliance working definition of "Antisemitism" for the City of Tacoma, to serve as a tool to identify and combat antisemitism.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41105

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

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$35,000,
4 budgeted from the Council Contingency Fund, for the restoration of the
5 street clock on Broadway in Downtown Tacoma.

6 WHEREAS the street clock ("Clock") currently located in front of LeRoy
7 Jewelers, was brought to the City by Abraham Rose in 1920, and

8 WHEREAS Mr. Rose installed the Clock in front of his jewelry store located
9 at South 14th Street and Pacific Avenue, where it remained for about 50 years, until
10 it was damaged by a delivery truck in the late 1960s or early 1970s, taken down,
11 and stored in a City warehouse for over a decade, and

12 WHEREAS, in 1985, LeRoy Jewelers, who knew the Rose family and were
13 familiar with the Clock, decided to make a statement by bringing the Clock back to
14 life, and

15 WHEREAS LeRoy Jewelers paid over \$10,000 for the reconstruction of the
16 Clock, and Simon Rose agreed to gift the Clock to the City under the condition the
17 City would maintain it, and

18 WHEREAS in 1987 the repairs to the Clock were finished, and during a
19 community dedication and celebration, it was placed in its present location on
20 Broadway between South 9th Street and South 11th Street, and

21 WHEREAS earlier this year, after 35 years of constant use and wear, the
22 Clock was intentionally stopped due to the gears needing to be repaired, as well as

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1 other structural and cosmetic issues which need to be addressed to fully restore the
2 Clock, and

3 WHEREAS to allow the Clock to continue running in its current condition
4 would invite a catastrophic failure which would destroy the clockworks entirely, and

5 WHEREAS the City researched repairing the Clock, and in May 2022, the
6 City received a recommendation and estimate of cost to include repairs to the case
7 and motion, movement general, gear train, escapement mechanism, winding
8 mechanism, cosmetic improvements, and final regulation and adjustments, and

9 WHEREAS a cost estimate of \$17,160, which only addresses four of the
10 eight areas of work, does not account for unforeseen faults or challenges,
11 materials, or any applicable taxes or fees, and a full estimation of work is not
12 possible until the internal workings of the Clock are examined, and

13 WHEREAS, additionally, funds to repair and paint the external Clock
14 structure also fall outside this initial cost estimation, and City staff also identified the
15 need for funds to safely relocate the Clock for the restoration work, and
16

17 WHEREAS, at the December 13, 2022, Study Session, Council
18 Member Rumbaugh shared a Council Consideration Request to authorize the one-
19 time use of \$35,000 from the Council Contingency Fund for the restoration of the
20 street clock on Broadway in Downtown Tacoma, and
21

22 WHEREAS City staff will negotiate and execute an agreement for services,
23 with terms and deliverables for the City's contribution, as well as a financial report
24 provided to the City which shows the source(s) of the funding prior to receiving the
25 \$35,000 contribution, and
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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 \$35,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the restoration of the street clock on Broadway in Downtown Tacoma.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41106

1 BY REQUEST OF COUNCIL MEMBERS BLOCKER, DANIELS, AND WALKER

2 A RESOLUTION authorizing the one-time use of funds in the amount of \$10,000,
3 budgeted from the Council Contingency Fund, for the purpose of funding
4 office space, office supplies and materials, translation services, and graphics
5 as needed for the Links to Opportunity project during the construction phase
6 to communicate broadly, consistently, and in real time so the community can
actively participate in meaningful dialogue to address concerns and issues
during construction.

7 WHEREAS the Links to Opportunity Streetscape Project (“LTO Project”) was
8 initiated in 2016 to actively engage the community in designing streetscape
9 improvements along Sound Transit’s Hilltop Tacoma Link Extension route which
10 runs along Martin Luther King Jr. Way between Division Avenue and South 19th
11 Street, and
12

13 WHEREAS this work includes ADA-compliant sidewalks, bicycle facilities,
14 illumination, streetscape amenities, decorative and colored concrete sections, local
15 art, landscaping, and street trees, and
16

17 WHEREAS the LTO Project will affect pedestrian access and parking during
18 construction, significantly impacting residents and business owners in the vicinity,
19 and
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21 WHEREAS, at the December 13, 2022, Study Session, Council
22 Member Daniels shared a Council Consideration Request to authorize the one-time
23 use of \$10,000 from the Council Contingency Fund for the purpose of supporting
24 the LTO Project, and
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WHEREAS these actions demonstrate the community-based, inclusive and equitable approach to education and engagement that was implemented during the design phase of the LTO Project, and

WHEREAS the \$10,000 funding will contribute toward the total cost of \$50,000, which is co-sponsored by the Public Works Department, in the amount of \$30,000, and the Community and Economic Development Department, in the amount of \$10,000, and

WHEREAS the LTO Project office will be located in the heart of the Hilltop community, and the intent is to have a presence and location where residents and business owners can review the scope and schedule of the project, ask questions, log complaints, give suggestions, and find out more information regarding the project, and

WHEREAS the LTO Project office will be staffed internally using existing City staff, 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:

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That one-time funding in the amount of \$10,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of funding office space, office supplies and materials, translation services, and graphics as needed for the Links to Opportunity project during the construction phase to communicate broadly, consistently, and in real time so the community can actively participate in meaningful dialogue to address concerns and issues during construction.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41107

1 BY REQUEST OF DEPUTY MAYOR USHKA AND COUNCIL MEMBERS
2 RUMBAUGH AND WALKER

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$20,000,
4 budgeted from the Council Contingency Fund, for the purpose of supporting
5 the Tacoma Community House in assisting Ukrainian refugees with direct
6 client-specific assistance for essential needs and programs.

7 WHEREAS, over the past 12 months, the Tacoma Community House ("TCH")
8 has experienced a dramatic influx of Ukrainian refugees due to the unprovoked
9 invasion of their country, and

10 WHEREAS resettlement relief typically flows from the Federal to State
11 government though to the county; however, access to those funds has not been
12 secured due to the path refugees are taking to enter Pierce County, and

13 WHEREAS, due to its historic connections to Ukrainian immigrant and
14 refugee communities, the TCH has taken a lead on welcoming Ukrainian refugees
15 to Tacoma and Pierce County while Pierce County coordinates a long-term
16 strategy to access funding and address the needs of this refugee community, and

17 WHEREAS more than 230 individuals are enrolled in English classes,
18 seeking employment and immigration services, and

19 WHEREAS TCH has developed and implemented a Language Access Plan
20 and hired four additional ELA teachers, and has filled all its classes, and

21 WHEREAS TCH has also hired three Ukrainian case workers: (1) a
22 Resource Navigator, to assist clients by reducing communication barriers and
23 provide integration resources and outreach to the existing Ukrainian community in
24 Pierce County; (2) an Immigration Case Worker, to support immigration and work
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eligibility status; and (3) a Jobs Developer, to work across all TCH departments in assisting clients find meaningful work and connecting with area employers to host job fairs and employment workshops, and

WHEREAS, at the December 13, 2022, Study Session, Deputy Mayor Ushka shared a Council Consideration Request to authorize the one-time use of \$20,000 from the Council Contingency Fund, to support the TCH in assisting Ukrainian refugees with direct client-specific assistance for essential needs and programs, 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,



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

Section 1. That one-time funding in the amount of \$20,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the Tacoma Community House in assisting Ukrainian refugees with direct client-specific assistance for essential needs and programs.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41108

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND
2 COUNCIL MEMBER WALKER

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$10,000,
4 budgeted from the Council Contingency Fund, to support the implementation
5 of a faith community audit.

6 WHEREAS at the end of 2020, through Resolution No. 40668, the City
7 Council allocated funding to various projects from the Council Contingency Fund for
8 a comprehensive package of expenses aligned with community needs in the 2019-
9 2020 biennium, including a faith community audit in the amount of \$25,000, and

10 WHEREAS faith community audits enable congregations to work together to
11 map and measure their social and economic impacts across communities, and

12 WHEREAS once completed, faith community audit results allow members of
13 the faith community to identify and create new opportunities to partner with
14 government, business, media, and other sectors of civic society in service to the
15 community, and

16 WHEREAS the COVID-19 pandemic delayed implementation of this project,
17 and this year work began again in partnership with Associated Ministries to begin
18 the faith community audit, and

19 WHEREAS since the original approval of funding, costs have increased,
20 including the support of Associated Ministries to staff the audit and coordinate
21 community engagement, and

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WHEREAS this resolution requests a \$10,000 Council Contingency Fund request to bring the total amount for this project to \$35,000; if funded, the work will begin in early 2023 after contracting is completed, and

WHEREAS, at the December 13, 2022, Study Session, Mayor Woodards shared a Council Consideration Request to authorize the one-time use of \$10,000 from the Council Contingency Fund, to support the implementation of a faith community audit, and

WHEREAS City staff will negotiate and execute an agreement for services, with terms and deliverables for the City's 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 \$10,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the implementation of a faith community audit.



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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41109

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS HINES AND
2 WALKER

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$20,000,
4 budgeted from the Council Contingency Fund, to support the convening of
5 community conversations on homelessness in partnership with the
6 University of Washington Tacoma.

7 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430
8 declaring a state of public health emergency, and has subsequently extended the
9 ordinance several times with the current metric for completion changing from a
10 fixed date until 95 percent of unsheltered individuals identified during the annual
11 Pierce County Point-in-Time count have access to shelter for three consecutive
12 years, and

13 WHEREAS homelessness and finding solutions to affordable housing
14 continue to be top priorities for the City Council, as shown in multiple City Council
15 priority setting meetings, biennial budgets, and through multiple community
16 surveys, and

17 WHEREAS the City Council has dedicated over \$101 Million during the
18 recent biennial budget to address these issues, and

19 WHEREAS, as the City Council continues to address homelessness across
20 Tacoma, there continues to be a strong need for community involvement, and

21 WHEREAS convening a community conversation provides the opportunity
22 for the City to bring new perspectives and engage people with lived experience
23 who can guide the efforts and improve the outcomes for our community, and
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WHEREAS positively impacting our homelessness response efforts can improve living conditions, not only for the many residents and businesses impacted, but for those experiencing homelessness, who are most often our most marginalized communities, and

WHEREAS a partnership with the University of Washington Tacoma (“UWT”) will convene the community to learn about the current state of homelessness in the new biennium, and seek solutions together to a common issue, and

WHEREAS, at the December 13, 2022, Study Session, Mayor Woodards shared a Council Consideration Request to authorize the one-time use of \$20,000 from the Council Contingency Fund, to support the convening of community conversations on homelessness in partnership with UWT, and

WHEREAS the funding would support the space to convene the community, food for participants, and materials for facilitation and support for the classrooms, 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:

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Section 1. That one-time funding in the amount of \$20,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of supporting the convening of community conversations on homelessness in partnership with the University of Washington Tacoma.

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41110

1 BY REQUEST OF MAYOR WOODARDS

2 A RESOLUTION relating to City Council meetings; approving the cancellation of six
3 regular City Council meetings in 2023.

4 WHEREAS, pursuant to City Charter Section 2.8, the City Council shall meet
5 weekly at least 46 times per calendar year, and

6 WHEREAS the City Council can, by a majority vote, cancel up to six
7 meetings in 2023 while still meeting its regular meeting requirements, and
8

9 WHEREAS, after discussion at the December 13, 2022, Study Session, the
10 City Council determined that the following regular City Council meetings scheduled
11 for 2023 would be cancelled: January 17, March 28, May 30, July 5, September 5,
12 and December 26; Now, Therefore,

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

14 That the following City Council meetings scheduled for 2023 are hereby
15 cancelled: January 17, March 28, May 30, July 5, September 5, and December 26.
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18 Adopted _____

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Mayor

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Attest:

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City Clerk

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Approved as to form:

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City Attorney

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ORDINANCE NO. 28864

1 AN ORDINANCE relating to organic materials management; amending
2 Chapter 1.06 of the Tacoma Municipal Code, relating to Administration, by
3 the addition of a new section thereto, to be known and designated as
4 Section 1.06.2702, "Compost Procurement"; establishing an effective date;
5 and providing for severability.

6 WHEREAS Engrossed Second Substitute House Bill ("ESSHB") 1799
7 was passed by the Washington State Legislature ("Legislature") in 2022 with an
8 effective date of June 9, 2022, and

9 WHEREAS the Legislature, in passing ESSHB 1799, intended to support
10 the diversion of organic materials from landfills through a variety of
11 interventions to support productive uses of organic material wastes, including
12 "encouraging cities and counties to procure more of the compost and finished
13 products created from their organic material" and "increasing the likelihood that
14 composting and other responsible organic material management options are
15 economically viable," and

16 WHEREAS ESSHB 1799 added a new section to Chapter 43.19A of the
17 Revised Code of Washington ("RCW"), codified as RCW 43.19A.150, which
18 requires the City to adopt a compost procurement ordinance to implement the
19 provisions of RCW 43.19A.120, and

20 WHEREAS the City Council desires to pass an ordinance to support the
21 use of compost products in City projects and to meet the City's obligation under
22 RCW 43.19A.150, to adopt a compost procurement ordinance; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 1.06 of the Tacoma Municipal Code is hereby amended by the addition of a new section, to be known and designated as Section 1.06.2702, "Compost Procurement," to read as set forth in the attached Exhibit "A."

Section 2. That this ordinance shall become effective at 12:01 a.m. on January 2, 2023.

Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 4. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance
2 numbering, section/subsection numbers, and any references thereto.

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4 Passed _____

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Mayor

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Attest:

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City Clerk

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Approved as to form:

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Chief Deputy City Attorney

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EXHIBIT "A"

**CHAPTER 1.06
ADMINISTRATION**

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Sections:

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GENERAL PURCHASING PROCEDURE

- 1.06.250 Approval by City Council of system expansions and additions and betterments.
- 1.06.251 Definitions.
- 1.06.252 General responsibility for purchasing.
- 1.06.253 Purchasing Policy Manual.
- 1.06.254 General competitive solicitation and award requirements.
- 1.06.255 Competitive solicitation requirements for supplies and public works.
- 1.06.256 Competitive solicitation requirements for services.
- 1.06.257 Waiver of competitive solicitation requirements.
- 1.06.258 Routine sole source items.
- 1.06.259 Requests for formal sealed submittals.
- 1.06.260 Bid deposits, performance bonds and noncollusion declarations.
- 1.06.261 Formal sealed submittals opening procedure, tabulations and disclosure.
- 1.06.262 Evaluation of submittals, qualifications of bidders and respondents.
- 1.06.263 Performance criteria.
- 1.06.264 Award in cases of tie bids.
- 1.06.265 Board of contracts and awards.
- 1.06.266 Award or rejection of submittals.
- 1.06.267 Award to other than low bidder.
- 1.06.268 Contracting authority.
- 1.06.269 Contract amendments.
- 1.06.270 Cooperative purchasing.
- 1.06.271 Unlawful purchases.

[1.06.2702 Compost Procurement.](#)

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[1.06. 2702 Compost Procurement.](#)

[A. Purpose and Authority.](#)

[The purpose of this section of the Tacoma Municipal Code \("TMC"\) is to implement the requirement of Chapter 43.19A RCW to adopt a compost procurement ordinance.](#)

[B. Definitions.](#)

[The following definitions apply to each subsection in this section of the TMC:](#)

["Biosolids" means municipal sewage sludge or septic tank septage sludge that meets the requirements of chapter 70A.226 RCW.](#)

["Compost products" means mulch, soil amendments, ground cover, or other landscaping material derived from the biological or mechanical conversion of biosolids or cellulose-containing waste materials.](#)

[C. Solicitation of Bids or Proposals.](#)

[Before issuance of a solicitation for bids or proposals under TMC Chapter 1.06 for a project that includes one or more categories of work set forth in Subsection E herein, all departments and divisions of the City shall, with respect to each such solicitation and category of work, identify whether compost products can be utilized in the category of work. In the event that compost products can be utilized, the project specifications shall](#)



require purchase of compost products for use in that project unless an exemption set forth in Section F herein applies.

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D. Purchase of Materials.

Before approval of a purchase under TMC Chapter 1.06 of materials to be used by a department or division of the City in one or more categories of work set forth in Subsection E herein, all departments and divisions of the City shall, with respect to each such purchase and category of work, identify whether compost products can be utilized in the category of work. In the event that compost products can be utilized, the department or division shall include the purchase of compost products for use in that category of work unless an exemption set forth in Section F herein applies, and is encouraged to give priority to purchase of compost products that meet the criteria set forth in Subsection G herein.

E. Categories of work.

All departments and divisions of the City shall plan for the use of compost products in any of the following categories of work that are applicable to the departments' or divisions' maintenance and operations activities and projects:

- 1. Landscaping projects;
- 2. Construction and post-construction soil amendments;
- 3. Applications to prevent erosion, filter stormwater runoff, promote vegetative growth, or improve the stability and longevity of roadways; and
- 4. Low-impact development and green infrastructure to filter pollutants or to keep water onsite, or both.

F. Exemptions. Notwithstanding Subsections C, D, and E of this section, departments and divisions of the City are not required to use or require use of compost products, include compost products in the project specifications, or select compost projects as an alternate bid item, and may use an alternate or substitute material, if:

- 1. Compost products are not available within a reasonable time or distance from the location where the category of work is being performed;
- 2. Compost products that are available do not comply with existing purchasing standards;
- 3. Compost products that are available do not comply with federal, state or local health, quality and safety standards; or
- 4. Compost product purchase prices are not reasonable or competitive.

G. Priority for purchase of compost products.

Departments and divisions of the City are encouraged to give priority to purchasing compost products from companies that meet all of the following:

- 1. Produce compost products locally;
- 2. Are certified by the US Composting Council or an equivalent nationally recognized organization; and
- 3. Produce compost products that are derived from municipal solid waste compost programs and meet quality standards comparable to standards adopted by the Washington State Department of Transportation or adopted by rule by the Washington State Department of Ecology.

H. Reporting.

All Departments and divisions of the City that use compost products shall comply with the reporting requirements established by the Solid Waste Division of the Environmental Services Department to meet the reporting requirements of chapter 43.19A RCW. The Solid Waste Division, with the assistance of the Finance Department, shall be responsible for submittal of the report required by chapter 43.19A RCW.



ORDINANCE NO. 28865

1 AN ORDINANCE relating to public utilities; amending Ordinance No. 22858,
2 regarding the Low Income Assistance Fund, to allow the fund to be utilized
3 for bill assistance for qualifying customers of all utilities.

4 WHEREAS the Project Need Program ("Program") was created effective
5 December 22, 1982, to encourage Tacoma Power customers to donate to a
6 special fund to be used and applied for the benefit of assisting eligible low-income
7 customers with power bill payments, and

8 WHEREAS the City of Tacoma Fund 4805 was created on January 4, 1983,
9 by Ordinance No. 22858 for the purpose of accounting for monetary transactions of
10 any kind required to carry out the Program, and

11 WHEREAS the Program was later renamed the Family Need Program,
12 and ultimately renamed as the Bill Credit Assistance Plan ("BCAP"), and

13 WHEREAS on March 13, 2020, the City Manager and Mayor declared an
14 emergency existed in the City caused by COVID-19 under Emergency Rule No. 2
15 ("Emergency Rule"), which was confirmed by the City Council on March 17, 2020,
16 and subsequently amended and confirmed by the City Council on September 28,
17 2021, and

18 WHEREAS the Emergency Rule ordered the City utilities for electricity,
19 water, sanitary sewer, storm water, and solid waste to postpone shutoff for
20 nonpayment of utility rates, fees, and charges for residential and commercial
21 customers, and that late payment fees would not accrue on balances incurred
22 during the term of the Proclamation of Emergency, and
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WHEREAS the postponement of utility shutoffs for nonpayment and the waiver of late fees during the period of emergency ended March 31, 2022, and as of the end of the period of shutoff postponement, many Tacoma Public Utility customers have significant past due balances and continue to have difficulty meeting current utility bill obligations, and

WHEREAS in order to help members of our community recover from the impacts of COVID-19, and to ensure continued access to vital utility services, the City Council and the Tacoma Public Utility Board (“PUB”) engaged in numerous efforts to assist more low-income customers with current and past due balances, which includes removing the limitation on the BCAP program that allowed certain donated funds to be used only for assistance with power charges, and

WHEREAS the PUB, by Resolution No. U-11332, confirmed its intent to make such funds available to assist income-eligible households with all utility charges, and

WHEREAS an ordinance amendment is required to expand the purpose of Fund 4805 to remove the limitation on its use to assist with power charges so that the funds are available to assist income-eligible customers with all utility charges; Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

That Ordinance No. 22858, regarding the Low Income Assistance Fund, is hereby amended to allow the fund to be utilized for bill assistance for qualifying customers of all utilities.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



Req. #22-1334

ORDINANCE NO. 28866

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND
2 COUNCIL MEMBER BLOCKER

3 AN ORDINANCE relating to public health, safety and welfare; amending various
4 sections of Title 1 of the Tacoma Municipal Code, relating to Administration
5 and Personnel, to codify the Office of Equity and Human Rights as an office;
6 and to add transformation of the City into an anti-racist institution to the
7 official duties of the City Manager.

8 WHEREAS the City Council first recognized the City's need to formally
9 review equity considerations in City policy-making by the adoption of Resolution
10 No. 39893, "Health and Equity in All Policies," and Resolution No. 39019, "Equity
11 and Empowerment Initiative Framework," and

12 WHEREAS, on June 30, 2020, the City Council adopted Resolution
13 No. 40622, affirming the City Council's desire to go beyond reviewing polices and to
14 dedicate and commit to comprehensive and sustained transformation of all of the
15 institutions, systems, policies, practices, and contracts impacted by systemic
16 racism, and

17 WHEREAS Resolution No. 40622 directed the City Manager to:

18 (1) Keep anti-racism as a top priority in the process of budget development
19 and prioritize anti-racism in the planning of an economic recovery strategy following
20 COVID-19;

21 (2) Prioritize anti-racism in the evaluation of new policies and programs, as
22 well as the sustained and comprehensive transformation of existing services, with
23 initial priority being given to policing;
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1 (3) Assess the current state of systems in place at the Tacoma Police
2 Department in consultation with police reform experts, and give specific attention to
3 how current policies and existing studies, agency composition, hiring, promotions,
4 staffing levels, training, and accountability systems align to create just outcomes,
5 and to use this assessment as a foundation for the work of comprehensive
6 transformation;

7 (4) Actively seek and implement interim administrative changes and process
8 improvements that can legally be taken immediately to improve transparency and
9 accountability in policing; and
10

11 (5) Work with the Mayor and City Council to build a legislative platform at the
12 local, state, and federal levels that works to transform institutions impacted by
13 systemic racism for the greater equity and wellbeing of all residents of Tacoma,
14 Washington State, and the United States, and
15

16 WHEREAS it is the City Council's intent that the transformation efforts being
17 made by the City last beyond the current City administration and be added to the
18 responsibilities of the City Manager, and
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20 WHEREAS the City Council recognizes that the City Manager's internal
21 Office of Equity and Human Rights has been a leader in the City's transformation
22 efforts, and believes this office needs to be officially recognized in the Tacoma
23 Municipal Code to ensure the City's transformation efforts continue, and
24

25 WHEREAS the City Council requests that the Public Utility Board impose
26 similar duties on the Director of Utilities related to anti-racist transformation efforts,
and



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WHEREAS the City Council hereby finds that these changes are necessary

to preserve the public health, safety, and welfare; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 1.06 of the Tacoma Municipal Code is hereby amended to read as set forth in the attached Exhibit "A."

Section 2. That if any provision of this ordinance or 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 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:

City Attorney



EXHIBIT "A"

TITLE 1.06
ADMINISTRATION

1.06.070 Administrative service – Departments and offices.

The administrative service of the City shall be organized into departments and offices, which are hereby continued, created, or established as follows:

| Department or Office | Administrative Officer |
|---|---|
| Finance Department | Director of Finance |
| Community and Economic Development Department | Director of Community and Economic Development |
| Planning and Development Services Department | Director of Planning and Development Services |
| Neighborhood and Community Services Department | Director of Neighborhood and Community Services |
| Human Resources Department | Director of Human Resources/Personnel Officer |
| Information Technology | Director of Information Technology |
| Public Works Department | Director of Public Works |
| Environmental Services Department | Director of Environmental Services Department |
| City Attorney's Office | City Attorney |
| Office of Hearing Examiner | Hearing Examiner |
| Police Department | Police Chief |
| Fire Department | Fire Chief |
| Office of Government Relations | Government Relations Officer |
| Office of Equity and Human Rights | Director of Equity and Human Rights |

1.06.110 City Manager – Duties.

The City Manager shall have all powers contemplated by the Charter and City ordinances. ~~He~~[The City Manager](#) shall be the chief administrative officer of the general City government and shall supervise and be responsible for the effective management of the administrative affairs of the City and shall supervise all City departments and offices, except as is otherwise provided by the Charter, State law, or ordinances. ~~He~~[The City Manager](#) shall be responsible for the proper execution of the policies set by the City Council and the enforcement of all laws and ordinances. ~~He~~[The City Manager](#) shall be responsible to the City Council for the efficient and economical conduct and operation of all City departments and offices under ~~his~~[the City Manager's](#) jurisdiction. ~~He~~[The City Manager](#) shall keep the Council informed of the conditions and needs of the City and shall make such reports and recommendations as ~~he~~[the City Manager](#) may deem desirable or as may be requested of ~~him~~[the City Manager](#) by the [City](#) Council; prepare and submit to the [City](#) Council the proposed annual preliminary budget for the general government; see that City expenditures do not exceed amounts available for expenditures; supervise the purchase, lease, rental, use, maintenance and assignment of City property required by the various departments and offices of the general government of the City; appoint, remove, suspend and discipline all officers and employees of the City under ~~his~~[the City Manager's](#) jurisdiction, subject to the civil service provisions of the Charter and except as otherwise provided therein, or



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by State law, or ~~he~~the City Manager may at ~~his~~their discretion authorize the head of a department or office responsible to ~~him~~them to appoint and remove subordinates in such department or office; fix and establish the number of employees in the various City departments and offices under ~~his~~the City Manager's jurisdiction and determine their duties and compensation, subject to the approval of the City Council; exercise all powers conferred by law upon the City but not specifically conferred upon any official; take or cause to be taken or recommend to the City Council in the proper case all and every action necessary to protect the best interests and promote the welfare of the City; and perform such other duties and have and exercise such other powers as may be prescribed by law. ~~He~~The City Manager shall have the right to attend all meetings of the City Council and to take part in discussion of matters coming before the City Council, but ~~he~~the City Manager shall not have the right to vote on any such matter. The City Manager shall develop policies, practices and strategic investments to reverse racial disparity trends in the community and eliminate institutional racism at the City of Tacoma to ensure that outcomes and opportunities for all people are no longer predicable by race. The City Manager shall ensure all departments and offices incorporate racial equity principles in all aspects of strategic planning and budgetary planning. The City Manager shall provide to City Council, on at least an annual basis, a formal report on the progress in advancing equity, including progress on City racial equity action planning and specific departmental progress towards contracting and workforce diversity goals, and any other goals as determined by the City Council that impact the racial equity framework.

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