



## Legislation Passed February 7, 2023

The Tacoma City Council, at its regular City Council meeting of February 7, 2023, 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. 41135**

A resolution awarding a contract to Stryker Sales, LLC, in the amount of \$6,793,754, plus applicable taxes, plus a 10 percent contingency, for a cumulative total of \$7,473,129.40, budgeted from the Emergency Medical Services Fund, for the lease and maintenance of emergency medical equipment, for a contract period of ten years - Specification No. PSAI RFB 2021-06.

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

### **Resolution No. 41136**

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Custodial and Building Maintenance Unit, consisting of 26 budgeted full-time equivalent positions, retroactive to January 1, 2023, through December 31, 2025.

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

### **Resolution No. 41137**

A resolution authorizing the execution of a Collective Bargaining Agreement with Tacoma, Washington, City and Pierce County Employees Local Number 120 of the Washington State Council of County and City Employees, AFSCME, AFL-CIO, consisting of 178 budgeted full-time equivalent positions, retroactive to January 1, 2023, through December 31, 2025.

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

### **Substitute Ordinance No. 28799**

An ordinance amending, renaming, and renumbering Chapter 9.16 of the Municipal Code, relating to Streets and Sidewalks - Keeping Clean, by adding three new sections, to prevent obstruction and damage to sidewalks from the loading, unloading, transport of goods, and establishing a sidewalk right-of-use permit process; and amending the penalty provision to align with Tacoma's Uniform Enforcement Code.

[Council Member Ushka]

### **Ordinance No. 28863**

An ordinance vacating two portions of East "N" Street on opposite sides in the same block, lying north of East 25th Street, to facilitate expanded and future use of the property. (M & A Investments Three, LLC; File No. 124.1427)

[Jeff H. Capell, Hearing Examiner]



## RESOLUTION NO. 41135

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing the execution of a contract  
3 with Stryker Sales, LLC, in the amount of \$6,793,754.00, plus  
4 applicable taxes, plus a ten percent contingency, for a cumulative total  
5 of \$7,473,129.40, budgeted from the Tacoma Fire Department  
6 Emergency Medical Services Fund, for the lease and maintenance of  
7 emergency medical equipment, for a contract period of ten years,  
8 pursuant to Specification No. PSAI RFB 2021-06.

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 enter into a contract with Stryker Sales, LLC, in the amount of \$6,793,754.00, plus  
21 applicable taxes, plus a ten percent contingency, for a cumulative total of  
22 \$7,473,129.40, budgeted from the Tacoma Fire Department Emergency Services

23  
24  
25  
26



1 Fund, for the lease and maintenance of emergency medical equipment, for a  
2 contract period of ten years, pursuant to Specification No. PSAI RFB 2021-06,  
3 consistent with Exhibit "A."  
4

5 Adopted \_\_\_\_\_  
6

7 \_\_\_\_\_  
8 Mayor

9 Attest:  
10

11 \_\_\_\_\_  
12 City Clerk

13 Approved as to form:  
14

15 \_\_\_\_\_  
16 City Attorney  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26



## RESOLUTION NO. 41136

1 A RESOLUTION related to collective bargaining; authorizing the execution of a  
2 three-year Collective Bargaining Agreement between the City and the  
3 International Brotherhood of Electrical Workers, Local 483, Custodial and  
4 Building Maintenance Unit, consisting of 26 budgeted, full-time equivalent  
5 positions, effective retroactive to January 1, 2023, through December 31,  
6 2025.

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

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

14 WHEREAS the bargaining unit consists of approximately 26 budgeted, full-  
15 time equivalent positions, and

16 WHEREAS, effective retroactive to January 1, 2023, the CBA will provide for  
17 a general wage increase of 2.5 percent, a market-based adjustment of 5.5 percent  
18 for the classification of Custodian, and a 2.5 percent adjustment for the  
19 classification of Building Maintenance Worker, and

20 WHEREAS, effective January 1, 2024, the CBA will provide for a general  
21 wage increase of 2.75 percent, and a market-based adjustment of 1.5 percent for  
22 the Custodian and Building Maintenance Worker classifications, and effective  
23 January 1, 2025, a general wage increase of 2.75 percent will be provided, and  
24  
25  
26



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

WHEREAS the classification of Assistant Building Maintenance Supervisor will maintain the current indexing of 20 percent above the classification of Building Maintenance Worker, and

WHEREAS other changes include: (1) adding language providing a minimum of two weeks' notice to an employee of a permanent shift change; (2) clarifying that overtime will be paid to part-time employees after 40 hours in a paid status within a work week; (3) increases to the amounts paid for the annual allowance for required footwear; and (4) the inclusion of the Juneteenth holiday into the CBA, and

WHEREAS the CBA was considered and approved by the Public Utility Board at its meeting of January 25, 2023, and

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



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

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

That the proper officers of the City are hereby authorized to execute the three-year Collective Bargaining Agreement between the City and the International Brotherhood of Electrical Workers, Local 483, Custodial and Building Maintenance Unit, consisting of 26 budgeted full time equivalent positions, effective retroactive to January 1, 2023, through December 31, 2025, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-11368



## RESOLUTION NO. 41137

1 A RESOLUTION related to collective bargaining; authorizing the execution of a  
2 three-year Collective Bargaining Agreement between the City and Tacoma,  
3 Washington, City and Pierce County Employees Local Number 120 of the  
4 Washington State Council of County and City Employees, AFSCME,  
5 AFL-CIO, consisting of approximately 178 budgeted full-time equivalent  
6 positions, retroactive to January 1, 2023, through December 31, 2025.

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

10 WHEREAS this resolution allows for the execution of a three-year Collective  
11 Bargaining Agreement (“CBA”) between the City and Tacoma, Washington, City  
12 and Pierce County Employees Local Number 120 of the Washington State Council  
13 of County and City Employees, AFSCME, AFL-CIO (“Union”), on behalf of the  
14 employees represented by said Union, and

15 WHEREAS the bargaining unit consists of approximately 178 budgeted,  
16 full-time equivalent positions, and

17 WHEREAS the CBA provides for a general wage increase of 2.5 percent,  
18 effective retroactive to January 1, 2023; a general wage increase of 2.75 percent,  
19 effective January 1, 2024; and a general wage increase of 2.75 percent, effective  
20 January 1, 2025, and

21 WHEREAS, in addition to the general wage increases, market-based wage  
22 adjustments will be provided as follows:  
23  
24  
25  
26



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

Code	Job Title	1/1/2023 Market Adjustment	1/1/2024 Market Adjustment	1/1/2025 Market Adjustment
0141	Business Analyst I	12.5%		
0142	Business Analyst II	12.5%	3%	3.1%
0143	Business Analyst III	12.5 %	3 %	3.1%
0304	Buyer	7.8%		
4612	Buyer Intern	7.8%		
0307	Buyer, Senior	7.8%		
1225	Communications Service Technician	5.8%		
0124	Computer Support Technician	12.5 %	3.5%	
0220	Graphic Arts Specialist	12.5%	5.5%	
0222	Graphic Arts Specialist, Lead	12.45%	5.5%	
0153	Information Technology Analyst, Principal Technical	12.5%	2%	3%
0151	Information Technology Analyst, Senior	7%		
0152	Information Technology Analyst, Senior Technical	9.6%		
4611	Information Technology Business Analyst Intern	12.5%		
4609	Information Technology Computer Support Technician Intern	12.5 %	3.5%	
4610	Information Technology Helpdesk Intern	12.5%		
0118	Information Technology Helpdesk Specialist	12.5%		
0160	Integration Developer	12.5 %		

and

WHEREAS other changes include: (1) clarifying language regarding vacation selection for warehouse employees; (2) changes to requirements for standby pay and call-in lists; (3) an increase to the amount paid for the annual allowance for required safety footwear; (4) adding language regarding a major multi-day system outage compensation provision for warehouse classifications in Tacoma Power; (5) adding language that allows the bargaining unit to elect no more than once per calendar year, and with at least 60 days' notice to the City, to change the participation in the Voluntary Employee Beneficiary Association ("VEBA") account for employees upon retirement; and (7) gender neutral and inclusive language changes, and

WHEREAS the CBA was considered and approved by the Public Utility Board at its meeting of January 25, 2023, and





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

WHEREAS it appears in the best interests of the City that the CBA negotiated by said Union and the City be approved; 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 the three-year Collective Bargaining Agreement between the City and Tacoma, Washington, City and Pierce County Employees Local Number 120 of the Washington State Council of County and City Employees, AFSCME, AFL-CIO, consisting of approximately 178 budgeted full-time equivalent positions, retroactive to January 1, 2023, through December 31, 2025, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-11367



**SUBSTITUTE  
ORDINANCE NO. 28799**

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

3 AN ORDINANCE relating to Public Ways; amending, renaming and renumbering  
4 Chapter 9.16 of the Tacoma Municipal Code, relating to Streets and  
5 Sidewalks - Keeping Clean, by adding three new sections to prevent  
6 obstruction and damage to sidewalks from the loading, unloading and  
7 transport of goods, establishing a sidewalk right-of-use permit process, and  
8 amending the penalty provision to align with Tacoma’s Uniform Enforcement  
9 Code.

10 WHEREAS the Tacoma Municipal Code does not have protections for City  
11 sidewalks from obstruction and damage caused by loading, unloading and  
12 transportation of goods using machinery, and

13 WHEREAS the City’s sidewalks are part of its transportation system and  
14 therefore it is important they are maintained in a safe, open and usable condition,  
15 and

16 WHEREAS sidewalks represent a major investment by the citizens of  
17 Tacoma; damaged sidewalks can pose a hazard to pedestrians so maintaining  
18 conditions of sidewalks help reduce the potential for injury; Now, Therefore,

19 **BE IT ORDAINED BY THE CITY OF TACOMA:**

20 Section 1. That the foregoing Recitals are hereby adopted as the City  
21 Council’s legislative findings.

22 Section 2. That the proposed amending, renaming and renumbering of  
23 Chapter 9.16 of the Tacoma Municipal Code (“TMC”), relating to Streets and  
24 Sidewalks - Keeping Clean, by adding three new sections to prevent obstruction  
25 and damage to sidewalks from the loading, unloading and transport of goods,  
26



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

establishing a sidewalk right-of-use permit process, and amending the penalty provision to align with Tacoma’s Uniform Enforcement Code, is hereby approved.

Section 3. That Chapter 9.16 of the TMC, “Streets and Sidewalks - Keeping Clean,” is hereby amended as set forth in the attached Exhibit “A.”

Section 4. That in codifying this Ordinance the City Clerk is authorized to make adjustments to headings, subsections, and other adjustments necessary to organize this code in an accessible and understandable manner without changing any substantive language.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



**EXHIBIT "A"**

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

**CHAPTER 9.16  
STREETS AND SIDEWALKS – KEEPING CLEAN AND UNOBSTRUCTED**

Sections:

- 9.16.010 Depositing loose advertising matter.
- 9.16.015 Advertising – Merchandising – Trash containers.
- 9.16.020 Scattering debris from vehicle.
- 9.16.030 Building fires and mixing building materials.
- 9.16.040 Sweeping and washing sidewalks.
- 9.16.050 Removal of snow and ice.
- 9.16.051 Loading or Unloading on Sidewalks.
- 9.16.052 Damage to Sidewalks from Loading, Unloading or Transportation.
- 9.16.053 Permits.
- 9.16.060 Violation – Penalties~~y~~.

\* \* \*

9.16.051 Loading or Unloading on Sidewalks.

The loading or unloading of goods and commodities used or required in the ordinary course of business conducted in the building abutting any sidewalk is permitted when there is no other practical or convenient way of access to the building. All such loading and unloading shall be done in a continuous manner without utilizing the sidewalk, even temporarily, for storage, unless a special right-of-use permit has been obtained. During loading and unloading, an adequate portion of the sidewalk shall be kept open at all times for use by pedestrians.

9.16.052 Damage to Sidewalks from Loading, Unloading or Transportation.

Anyone placing or transporting items on the sidewalks shall be responsible and liable for any damage to sidewalks resulting from their activities. The person or entity causing such damage shall promptly repair such damage and shall be responsible for ensuring that the sidewalk is safe for passage prior to completion of repair. This obligation applies to any sidewalk utilized by the person or entity, not only to the frontage of property they own or occupy.

9.16.053 Permits.

Businesses that operate on Core Pedestrian Streets, as designated in the Tacoma Municipal Code, which have loading and unloading operations that utilizes equipment for palletized supplies or any other equipment deemed by the PDS Director to have the potential to cause damage to the pedestrian infrastructure shall be required to obtain a right-of-way use permit for this operation. This right-of-way use permit shall include a \$15,000 performance bond, and shall be conditioned to cover the liability of any entity providing loading operations to this business. This requirement shall not apply for businesses on Core Pedestrian Streets with loading or unloading operations that do not cross pedestrian facilities. This right-of-way use permit may be authorized for a period of 12 months and may be applied for on an annual basis.

Businesses, including those that operate on Core Pedestrian Streets, that obtain an annual right-of-use permit and performance bond may be authorized as a condition of their right-of-use permit to temporarily occupy the right-of-way for loading and unloading, provided that an adequate portion of the sidewalk is kept open at all times for use by pedestrians. However, the temporary occupancy shall not exceed one business day.



9.16.060 Violation – Penalties.

1 Any person or entity violating any of the provisions hereof shall be subject to all penalties and enforcement  
2 processes in the Uniform Enforcement Code, Chapter 1.82 of the Tacoma Municipal Code, ~~upon conviction~~  
3 ~~thereof, fined in any sum not exceeding \$300.00 or imprisoned in the County Jail for a period of not~~  
4 ~~exceeding 90 days, or both, in the discretion of the Court.~~

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



## ORDINANCE NO. 28863

1  
2  
3 AN ORDINANCE related to the vacation of City right-of-way; vacating two  
4 portions of East "N" Street on opposite sides in the same block, lying  
5 north of East 25th Street, to facilitate expanded and future use of the  
6 property; and adopting the Hearing Examiner's Findings, Conclusions,  
7 and Recommendations related thereto.

8 WHEREAS all steps and proceedings required by law and by  
9 resolution of the City Council to vacate the portions of the right-of-way  
10 hereinafter described have been duly taken and performed; Now, Therefore,

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the City Council hereby adopts the Hearing Examiner's  
13 Findings, Conclusions, and Recommendations as contained in the Hearing  
14 Examiner's Report and Recommendation to the City Council bearing File  
15 No. 124.1427 and dated November 14, 2022, which Report is on file in the  
16 office of the City Clerk.  
17  
18  
19



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

Section 2. That the two portions of East "N" Street on opposite sides in the same block, lying north of East 25th Street, legally described as follows:

THAT PORTION OF THE EAST "N" STREET AND BEING A PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, OF SECTION 10, TOWNSHIP 20 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, IN PIERCE COUNTY, WASHINGTON; SAID PORTION BEING DESCRIBED AS FOLLOWS:

**EASTERLY VACATION AREA**

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL "A" AS SHOWN ON RECORD OF SURVEY, RECORDED UNDER AUDITOR'S FILE NUMBER 9003010095 OF SAID COUNTY; THENCE ALONG THE NORTH RIGHT-OF-WAY MARGIN OF EAST 25TH STREET, SOUTH 82°39'39" WEST, 12.00 FEET; THENCE LEAVING SAID MARGIN, NORTH 7°17'29" WEST, 129.67 FEET MORE OR LESS TO THE SOUTH LINE OF A 20.00 FOOT WIDE PUBLIC ALLEY LYING BETWEEN BLOCKS 7442 AND 7541 AS SHOWN ON A PLAT ENTITLED "INDIAN ADDITION TO THE CITY OF TACOMA", RECORDED IN VOLUME 7 OF PLATS AT PAGES 30 AND 31, RECORDS OF PIERCE COUNTY; THENCE ALONG SAID SOUTH LINE, NORTH 82°39'40" EAST, 12.00 FEET MORE OR LESS TO THE WESTERLY LINE OF SAID PARCEL "A"; THENCE ALONG SAID WESTERLY LINE OF SAID PARCEL, SOUTH 7°17'29" EAST, 129.68 FEET TO THE POINT OF BEGINNING

AND

**WESTERLY VACATION AREA**

COMMENCING AT THE SOUTHWEST CORNER OF PARCEL "A" AS SHOWN ON RECORD OF SURVEY, RECORDED UNDER AUDITOR'S FILE NUMBER 9003010095 OF SAID



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

COUNTY; THENCE ALONG THE NORTH RIGHT-OF-WAY MARGIN OF EAST 25TH STREET, SOUTH 82°39'39" WEST, 71.50 FEET TO THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN STATUTORY WARRANTY DEED, RECORDED UNDER AUDITOR'S FILE NUMBER 201102040259 OF SAID COUNTY (PROPERTY SHOWN ON A RECORD OF SURVEY, RECORDED UNDER AUDITOR'S FILE NUMBER 201102255003 OF SAID COUNTY) AND POINT OF BEGINNING; THENCE LEAVING SAID MARGIN, NORTH 7°17'29" WEST, 129.68 FEET MORE OR LESS TO THE SOUTH LINE OF A 20.00 FOOT WIDE PUBLIC ALLEY LYING BETWEEN BLOCKS 7442 AND 7541 AS SHOWN ON A PLAT ENTITLED "INDIAN ADDITION TO THE CITY OF TACOMA", RECORDED IN VOLUME 7 OF PLATS AT PAGES 30 AND 31, RECORDS OF PIERCE COUNTY; THENCE ALONG SAID SOUTH LINE, NORTH 82°39'40" EAST, 6.49 FEET; THENCE LEAVING SAID SOUTH LINE, SOUTH 50°40'48" EAST, 24.77 FEET; THENCE SOUTH 7°17'29" EAST, 111.66 FEET MORE OR LESS TO AFORESAID NORTH MARGIN OF EAST 25TH STREET; THENCE ALONG SAID MARGIN, SOUTH 82°39'39" WEST, 23.50 FEET TO THE POINT OF BEGINNING.

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

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the right-of-way so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and





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

reserved, pursuant to the statutes of the state of Washington, the following easements, to-wit:

Tacoma Water

Tacoma Water has a reservation of a City utility easement over the easterly 12 feet of East "N" Street between East 25th Street and the Puyallup Avenue alley.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney

Property description approved:  
  
\_\_\_\_\_  
Chief Surveyor  
Public Works Department

Location: Two portions of East "N" Street on opposite sides in the same block, lying north of East 25th Street  
Petitioner: M & A Investments Three, LLC  
Request No.: 124.1427