



Legislation Passed April 18, 2023

The Tacoma City Council, at its regular City Council meeting of April 18, 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. 41176

A resolution awarding a contract to Ben-Ko-Matic Co. d.b.a. Owen Equipment Co., in the amount of \$3,117,500, plus applicable taxes, plus a 10 percent contingency, budgeted from the Wastewater and Surface Water funds, for four Vactor 2100i PD sewer cleaner trucks, for an initial contract period of three years, for a projected contract total of \$3,429,250 - Sourcewell Contract No. 101221-VTR.

[Justin Davis, Facilities Management Division Manager; Josh Diekmann, P.E. PTOE, Interim Director, Public Works; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 41177

A resolution awarding a contract to R.L. Alia Company, in the amount of \$8,836,288.25, plus applicable taxes, plus a 15 percent contingency, budgeted from various departmental funds, for the construction of the Larchmont District Green Infrastructure Project, for a projected contract total of \$10,161,731.49 - Specification No. ES20-0144F.

[John Burk, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 41178

A resolution authorizing the execution of an amendment to the interest-free loan agreement with the Washington State Department of Transportation, to extend the railroad track rehabilitation project completion date from June 30, 2023, to December 31, 2023, and revise the repayment schedule from February 2024 to February 2033.

[Alan Matheson, Assistant Rail Superintendent; Dale King, Rail Superintendent]

Resolution No. 41179

A resolution authorizing the execution of a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Clerical Unit, regarding two new public disclosure classifications.

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

Resolution No. 41180

A resolution transmitting a ballot measure to the Pierce County Auditor to be placed on the ballot for the Primary Election on Tuesday, August 1, 2023, which reads:

CITY OF TACOMA
PROPOSITION NO. 1
EMERGENCY MEDICAL SERVICES
PROPERTY TAX LEVY INCREASE

The City of Tacoma Council adopted Resolution No. 41180 concerning restoration of the City's emergency medical services property tax levy. This measure would continue to fund emergency medical services and care (EMS) by restoring the EMS levy to \$0.50 per \$1,000 of assessed value for collection in 2024; authorizing an annual increase of up to 6 percent annually to not exceed the \$0.50 rate for 2025-2029; and authorizing use of the 2029 levy amount as the base for computing levies in future years, per RCW 84.55. Qualifying seniors, veterans, and others would be exempt, per RCW 84.36.381.

Should this proposition be:

Approved..... []
Rejected..... []

[Toryono Green, Fire Chief]

Resolution No. 41181

A resolution authorizing the one-time use of Council Contingency Funds, in the amount of \$10,000, to sponsor the Together We End Gun Violence conference.

[Mayor Woodards]



RESOLUTION NO. 41176

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 Ben-Ko-Matic Co. d.b.a. Owen Equipment Co., in the amount of
4 \$3,117,500, plus applicable taxes, plus a 10 percent contingency,
5 budgeted from the Wastewater and Surface Water funds, for four
6 Vactor 2100i PD sewer cleaner trucks, for an initial contract period of
7 three years, for a projected contract total of \$3,429,250, pursuant to
8 Sourcewell Contract No. 101221-VTR.

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 Ben-Ko-Matic Co. d.b.a. Owen Equipment Co., in the
21 amount of \$3,117,500, plus applicable taxes, plus a 10 percent contingency,
22 budgeted from the Wastewater and Surface Water funds, for four Vactor 2100i PD
23 sewer cleaner trucks, for an initial contract period of three years, for a
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1 projected contract total of \$3,429,250, pursuant to Sourcewell Contract
2 No. 101221-VTR, consistent with Exhibit "A."

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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. 41177

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 R.L. Alia Company, in the amount of \$8,836,288.25, plus applicable taxes,
4 plus a 15 percent contingency, budgeted from various departmental funds,
5 for the construction of the Larchmont District Green Infrastructure Project,
6 for a projected total of \$10,161,731.49, pursuant to Specification
7 No. ES20-0144F.

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 R.L. Alia Company, in the amount of \$8,836,288.25, plus applicable taxes, plus a 15 percent contingency, budgeted from various departmental funds, for the construction of the Larchmont District Green Infrastructure Project, for a projected total of \$10,161,731.49, pursuant to Specification No. ES20-0144F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41178

1 A RESOLUTION relating to the Department of Public Utilities, Beltline Division
2 (d.b.a. "Tacoma Rail"); authorizing the execution of an amendment to the
3 interest-free loan agreement with the Washington State Department of
4 Transportation, to extend the railroad track rehabilitation project
5 completion date from June 30, 2023, to December 31, 2023, and revise
6 the repayment schedule from February 2024 to February 2033.

5 WHEREAS the City of Tacoma, through its Department of Public Utilities,
6 Beltline Division (d.b.a. "Tacoma Rail"), was awarded interest-free Loan Agreement
7 RRB 1286 by the Washington State Department of Transportation ("WSDOT"), in
8 the amount of \$606,000, for the purpose of upgrading 770 feet of railroad tracks
9 along the Alexander Wye and Storage Tracks, located in the vicinity of Alexander
10 Avenue and Lincoln Avenue in the Port of Tacoma/Tidelands area, and
11

12 WHEREAS the Loan Agreement is for a ten-year term, with annual
13 payments of \$60,600 beginning July 1, 2023, and requires Tacoma Rail to
14 contribute \$261,081 in matching funds towards the completion of the project, and
15

16 WHEREAS Amendment No. 1 extends the required project completion date
17 from June 30, 2023, to December 31, 2023, and revises the repayment schedule to
18 commence in February 2024 and extend until February 2033, and
19

20 WHEREAS, under Article IV, Section 4.11 of the Tacoma City Charter, all
21 matters relating to incurring of indebtedness are initiated by the Board subject to
22 approval by the City Council, and

23 WHEREAS, by adoption of Public Utility Board Resolution No. U-11333
24 on July 13, 2022, the proposed Agreement was approved, pending confirmation
25 from the City Council; and Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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That the request of the Department of Public Utilities, Beltline Division (d.b.a. "Tacoma Rail"), to authorize the execution of an interest-free loan agreement with the Washington State Department of Transportation, to extend the railroad track rehabilitation project completion date from June 30, 2023, to December 31, 2023, and revise the repayment schedule from February 2024 to February 2033, is hereby approved and the proper officers are authorized to execute said agreement substantially in a form as approved by the City Attorney.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11377



RESOLUTION NO. 41179

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
3 International Brotherhood of Electrical Workers, Local 483, Clerical Unit,
4 regarding two new public disclosure classifications.

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

7
8 WHEREAS Resolution No. 40791, adopted June 8, 2021, authorized the
9 execution of the three-year Collective Bargaining Agreement ("CBA") between the
10 City of Tacoma and the International Brotherhood of Electrical Workers, Local 483,
11 Clerical Unit ("Union"), on behalf of the employees represented by said Union, and

12
13 WHEREAS the City and Union have negotiated a Letter of Agreement
14 ("LOA") to the CBA which provides the pay scale for two new public disclosure
15 classifications, Public Disclosure Analyst, Lead and Public Disclosure Video
16 Redaction Analyst, which will be represented by the Union for the purposes of
17 collective bargaining and will be covered by the current and successor CBA, and

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

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

That the proper officers of the City are hereby authorized to execute the Letter of Agreement negotiated between the City of Tacoma and the International Brotherhood of Electrical Workers, Local 483, Clerical Unit, regarding two new public disclosure classifications, said document to be substantially in the form of the document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41180

1 A RESOLUTION relating to Emergency Medical Services; providing for the
2 submission of a proposition to the electors of the City at the Primary
3 Election to be held on Tuesday, August 1, 2023, that would restore the
4 Emergency Medical Services levy to a total rate of \$0.50 per \$1,000.00 of
5 assessed value for collection in 2024, increase the 2025-2029 levy
6 amounts by up to 6 percent to maintain the rate of \$0.50 per \$1,000.00 of
7 assessed value, and authorize use of the 2029 levy amount as the base for
8 computing levies in future years; setting forth the ballot proposition; and
9 directing the City Clerk to certify to the Pierce County Auditor a certified
10 copy of this resolution.

11 WHEREAS the City of Tacoma, Washington ("City"), a first-class charter
12 city, maintains a full-time fire department ("TFD") which provides, among other
13 services, emergency medical services ("EMS"), and

14 WHEREAS pursuant to Section 84.52.069 of the Revised Code of
15 Washington ("RCW"), with voter approval, the City may impose permanent
16 regular property tax levies in an amount equal to \$0.50 per \$1,000.00 of
17 assessed value to fund the provision of emergency medical care or emergency
18 medical services, and

19 WHEREAS in September 2002, voters approved a permanent EMS levy,
20 and

21 WHEREAS in September 2006, voters approved a levy lid lift of the
22 permanent EMS levy to restore the levy rate to \$0.50 per \$1,000.00 of
23 assessed value, and

24 WHEREAS in accordance with RCW 84.55.010, the annual increase in
25 the dollar amount of the EMS levy is limited to 1 percent (plus permitted
26 adjustments including to reflect new construction), and



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WHEREAS as a result of this statutory limitation, the EMS levy rate has decreased from \$0.50 to \$0.28 per \$1,000.00 of assessed value as property values have increased by more than 1 percent annually, and

WHEREAS pursuant to RCW 84.55.050, the City may ask voters for permission to increase the amount of the EMS property taxes above the 1 percent limit that would otherwise apply, subject to the voter-approved maximum EMS levy rate of \$0.50 per \$1,000.00 of assessed value by means of permanent "levy lid lift," and

WHEREAS the City Council deems it necessary to submit to the voters of the City a proposition of whether or not the City shall increase the amount of EMS regular property taxes for collection beginning in 2024 in excess of the limit factor and allow for increases for the next five years, as provided for in RCW 84.55.050(2), and

WHEREAS following the lid lift, the City would be authorized use of the 2029 levy amount as the base for computing levies in future years, and

WHEREAS Section 3.11.060 of the Tacoma Municipal Code ("TMC") provides that the proceeds of the EMS levy, as increased, may in part be used to pay charges incurred by qualified City residents for TFD transport (and not paid by third parties or insurers), and it is the City's intent to continue to apply a portion of the proceeds of the EMS levy, as increased, for the purpose of emergency medical services and care; Now, Therefore,



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

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2 Section 1. That the Pierce County Auditor's Office ("Auditor"), as *ex officio*
3 supervisor of elections for Pierce County, is requested to call and conduct an
4 election on August 1, 2023, and submit to the qualified electorate of the City, at
5 the August 1, 2023, Primary Election, for rejection or approval, a proposition
6 authorizing the City to increase the property tax levy for Emergency Medical
7 Services and care ("EMS") to \$0.50 per \$1,000.00 of assessed value for
8 collection in 2024, as permitted by law, to increase the levy for EMS by 6 percent
9 each year for 5 more years thereafter (e.g., use a limit factor of 106 percent), and
10 use the 2029 levy amount as the base for calculating subsequent levies, as
11 allowed by Chapter 84.55 RCW, as may be amended from time to time, for the
12 limited purpose of providing EMS. The taxes authorized by this proposition will
13 be in addition to the maximum amount of regular property taxes the City would
14 have been limited to by RCW 84.55.010, as may be amended from time to time,
15 in the absence of voter approval under this resolution, including all other
16 authorized lid lifts.
17

18 Section 2. If the ballot proposition set forth herein is approved by the voters,
19 qualifying senior citizens, disabled veterans, and other qualifying individuals shall
20 be exempt from the tax increase resulting from such levy lid lift, as authorized by
21 RCW 84.36.381.
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1 Section 3. That the City shall submit a proposition to the electorate of the
 2 City in the form substantially as follows:

3 CITY OF TACOMA
 4 PROPOSITION NO. 1
 5 EMERGENCY MEDICAL SERVICES
 6 PROPERTY TAX LEVY INCREASE

7 The City of Tacoma Council adopted Resolution No. 41180
 8 concerning restoration of the City’s emergency medical services
 9 property tax levy. This measure would continue to fund emergency
 10 medical services and care (EMS) by restoring the EMS levy to \$0.50
 11 per \$1,000 of assessed value for collection in 2024; authorizing an
 12 annual increase of up to 6 percent annually to not exceed the \$0.50
 13 rate for 2025-2029; and authorizing use of the 2029 levy amount as
 14 the base for computing levies in future years, per RCW 84.55.
 15 Qualifying seniors, veterans, and others would be exempt, per RCW
 16 84.36.381.

17 Should this proposition be:

- 18 Approved..... []
 19 Rejected..... []

20 Section 4. That prior to May 12, 2023, the City Clerk shall send to the
 21 Auditor, as *ex officio* supervisor of elections, a certified copy of this resolution,
 22 together with the proposition substantially in the form as set forth above, for the
 23 August 1, 2023, Primary Election. The proper City officials are authorized to
 24 perform such duties as are necessary or required by law to submit the question of
 25 whether the emergency medical services regular property tax shall be increased,
 26 as provided in this resolution, to the electors at the August 1, 2023, Primary
 Election.

Section 5. That the City has chosen to participate jointly with Pierce County
 in its voters’ pamphlet. Pursuant to RCW 29A.32.220, the text for the ballot



1 measure, accompanied by an explanatory statement, shall be submitted to the
2 Auditor's Office for inclusion in the Official Voters' Pamphlet. The explanatory
3 statement shall not exceed 200 words and shall be submitted to the Auditor, as *ex*
4 *officio* supervisor of elections, by May 12, 2023.

5 Section 6. That the proceeds of the increased EMS levy shall be applied
6 to pay costs of providing emergency medical services and care as determined by
7 the City Council including, without limitation, purchasing, operating, supporting,
8 and enhancing emergency medical care staff and equipment by TFD, or any
9 successor agency, and to provide emergency medical services membership
10 benefits to all City residents for all charges for service not paid by third parties or
11 insurers.

12 Section 7. That, pursuant to RCW 84.55.050, if a simple majority of the
13 qualified voters voting on the proposition vote for the approval thereof, the
14 proposition shall be deemed approved and shall be adopted. Thereafter the City
15 Council shall have the necessary and requisite authority to levy, in the manner
16 provided by law, a regular property tax emergency medical services levy in an
17 amount of \$0.50 per \$1,000.00 of assessed valuation for collection beginning in
18 2024 as provided in the proposition and herein. If less than a simple majority of
19 qualified voters approve the proposition, then it shall be deemed rejected and
20 the City Council shall not increase the EMS levy above the limits set forth in
21 RCW 84.55 as provided in the proposition and herein. The City's authority to
22 levy the existing, and heretofore approved, permanent EMS levy shall in no way
23 be affected by either the approval or rejection of the proposition.
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Section 8. That, if a simple majority of the qualified voters voting on the proposition vote for the approval thereof, the City Manager may bring forward an ordinance providing updates to TMC Section 3.11.060 that the proceeds of the EMS levy, as increased, may in part be used to pay charges incurred by qualified City residents for TFD transport (and not paid by third parties or insurers) to include all basic life support charges for service. If the proposition does not pass, the City Manager may still choose to submit a proposal to the City Council to amend TMC 3.11.060 to allow the current EMS levy to be used for TFD transport, including all basic life support charges for service.

Section 9. That if a section, subsection, paragraph, sentence, clause, or phrase of this resolution is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this resolution.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 41181

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

3 A RESOLUTION authorizing the one-time use of funds in the amount of \$10,000,
4 budgeted from the Council Contingency Fund, to sponsor the Together We
5 End Gun Violence conference.

6 WHEREAS gun violence is a fatal epidemic continuing to plague cities
7 across the United States, and our region has experienced an alarming increase in
8 violence over the last four years, which is impacting our communities every day and
9 leaving many residents eager to address the issue, and

10 WHEREAS recognizing the need for a comprehensive and collaborative
11 regional and state-wide approach to address gun violence through a public health
12 lens, the Together We End Gun Violence conference (“Conference”) brings
13 together leaders who believe that by working together we can identify and
14 implement lasting solutions, and

15 WHEREAS on Thursday, May 25th and Friday, May 26th, community
16 members, community-based organizations, cross-systems partners, health
17 professionals, educators, youth changemakers, advocates, lawmakers, and
18 technical leaders will convene for a two-day conference to deepen understanding,
19 practice, and collaboration in Community Violence Intervention (“CVI”) ecosystems,
20 and
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22 WHEREAS this two-day Conference will highlight survivors, thought-leaders,
23 community leaders, health professionals, local officials, and national experts
24 leading the way in ending the gun violence epidemic, and
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WHEREAS the Conference aims to raise awareness of gun violence as a public health issue, deepen understanding of CVI best practices, spark connections and collaboration, learn from survivors taking action, and identify sustainable response and elevate community-led solutions to gun violence, and

WHEREAS the Mayor’s Office has been a regular partner to and has worked with Conference organizers to provide comments and suggestions to inform Conference activities, invited partners, post-Conference events that may create regional alignment, and more, and

WHEREAS this funding would support the overall Conference and highlight the City’s sponsorship as the hosting city of this Conference that will become an annual event, hosted in different cities each year, and

WHEREAS, at the April 11, 2023, Study Session, Mayor Woodards shared a Council Consideration Request to authorize the one-time use of \$10,000 from the Council Contingency Fund to sponsor the Conference, 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,



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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 \$10,000, budgeted from the Council Contingency Fund, is hereby approved for the purpose of sponsoring the Together We End Gun Violence conference (“Conference”).

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

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney