



# City of Tacoma

## City Council Agenda

747 Market Street, Tacoma, WA 98402, Council Chambers

Dial: 253-215-8782 Meeting ID: 848 3423 3126

Webinar Link: [www.zoom.us/j/84834233126](https://www.zoom.us/j/84834233126) Passcode: 349099

**July 11, 2023**

**5:00 PM**

### CALL TO ORDER

**Deputy Mayor Walker called the meeting to order at 5:04 p.m.**

### ROLL CALL

**PRESENT: 9**

**ABSENT: 0**

**Mayor Woodards and Council Member Hines participated virtually.**

### FLAG SALUTE

**Council Member Blocker stated that we gratefully honor and acknowledge that we rest on the traditional lands of the Puyallup People where they make their home and speak the Lushootseed language.**

**The flag salute was led by Council Member Blocker.**

### MOMENT OF SILENCE

### ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- 23-0694** Minutes of the Government Performance and Finance Committee, March 7, 2023.
- 23-0699** Minutes of the Landmarks Preservation Commission, February 22, 2023.
- 23-0702** Minutes of the Landmarks Preservation Commission, March 8, 2023.
- 23-0690** Minutes of the Tacoma Public Library Board of Trustees, May 17, 2023.

## AGENDA MODIFICATIONS

Deputy Mayor Walker stated that Item 13, Ordinance No. 28894 will be considered before Item 12, Resolution No. 41238; Substitute Nos. 1A and 2A of Ordinance No. 28894 will be added to the agenda; Resolution No. 41238 will be amended; and Resolution No. 41239 will be continued to the meeting of July 18, 2023.

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**MOTION: Ushka**

**SECOND: Blocker**

**ACTION: To suspend the rules to consider Item 12, Resolution No. 41239, regarding direction for the City Manager, at this time.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

12. **RES41239** A resolution directing the City Manager to conduct additional research and outreach on items related to the Rental Housing Code for discussion at the Community Vitality and Safety Committee, and report back to the City Council by the end of 2023 on available data and data gaps, strategies for addressing data gaps, and options for implementing additional protections; and include any amendments that are not adopted as a part of Ordinance 28894 as items to be researched as a part of this resolution.

**MOTION: Ushka**

**SECOND: Blocker**

**ACTION: To continue Resolution No. 41239 to the meeting of July 18, 2023.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

## CONSENT AGENDA

### PURCHASE RESOLUTIONS

5. **RES41234** A resolution awarding a contract to Specialized Pavement Marking, LLC, in the amount of \$683,654.80, plus applicable taxes, plus a 10 percent contingency, for a cumulative total of \$752,020.28, budgeted from the Street Fund, for repainting and maintaining existing roadway striping, including applicable bike lane striping, throughout the City - Specification No. PW23-0111F.

### PAYMENTS

6. **23-0693** Date Range - 06/05/2023 to 06/18/2023  
Payroll in the amount of \$20,252,567.19; Payments in the amount of \$28,459,977.00; for a total of \$48,712,544.19.

**MOTION: Ushka**  
**SECOND: Blocker**  
**ACTION: The Consent Agenda was declared adopted.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**  
**Items Removed: 0**

## **PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS**

7. **23-0709** Presentation from the City Manager regarding Systems Transformation, including highlights from the Human Resources and Finance Departments' racial equity action plans.

## **PUBLIC COMMENT**

**Public Comment began at 5:35 p.m.**

**The City Clerk's Office received eight written comments for Public Comment on Resolution No. 41235, regarding the Multi-Family Housing Property Tax Exemption Agreement with 4011SPS LLC; Resolution No. 41236, regarding the Multi-Family Housing Property Tax Exemption Agreement with AS10X20 LLC; Resolution No. 41238, regarding the City's ballot measure for the General Election; and Ordinance No. 28894, regarding an amendment to the Rental Housing Code.**

**37 individuals addressed the City Council.**

**Public Comment ended at 6:36 p.m.**

## **REGULAR AGENDA**

### **RESOLUTIONS**

8. **RES41235** A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with 4011SPS LLC, for the development of 20 multi-family market and regulated rate rental housing units, located at 4011 South Puget Sound Avenue, in the Tacoma Mall Mixed-Use Center.

**MOTION: Ushka**  
**SECOND: Blocker**  
**ACTION: Adopted.**

**Ayes: 8 Nays: 0 Absent: 0 Abstaining: 1 (Diaz)**

9. **RES41236** A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with AS10X20 LLC, for the development of 120 multi-family market and regulated rate rental housing units, located at 3243, 3247, and 3251 South Thompson Avenue, in the Lincoln Mixed-Use Center.

**MOTION: Ushka**  
**SECOND: Blocker**  
**ACTION: Adopted.**

**Ayes: 7 Nays: 1 (Ushka) Absent: 0 Abstaining: 1 (Diaz)**

10. **RES41237** A resolution transmitting a ballot measure to the Pierce County Auditor to be placed on the ballot for the General Election on Tuesday, November 7, 2023, which reads:

**CITY OF TACOMA  
CITIZENS' INITIATIVE MEASURE NO. 1**

Citizens' Initiative Measure No. 1 concerns enacting rental requirements for landlords and rental rights for tenants.

This measure would require landlords to comply with health and safety laws before raising rent or evicting a tenant; set limits on certain rental fees; require landlords provide two notices to increase rent and offer relocation assistance when the increase is 5% or more; create a defense against certain student/schoolyear evictions, evictions between November 1 and April 1, and evictions against servicemembers, seniors, families and others with protected status under the measure; and provide penalties and enforcement mechanisms.

Should this measure be enacted into law?

Yes . . . . . [ ]

No . . . . . [ ]

**MOTION: Ushka**  
**SECOND: Blocker**  
**ACTION: Adopted.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

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**The City Council meeting recessed at 6:47 p.m.**

**The City Council meeting reconvened at 6:54 p.m.**

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**MOTION: Ushka**

**SECOND: Blocker**

**ACTION: To suspend the rules to consider Item 13, Ordinance No. 28894, regarding an amendment to Tacoma Municipal Code Chapter 1.95, at this time.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

- 13. ORD28894** An ordinance amending Chapter 1.95 of the Municipal Code, relating to the Rental Housing Code, to require landlords to comply with health and safety laws; have a City business license before increasing rent or evicting tenants; set limits on late fees for rent and on pet deposits; require 120-day notice to raise rent; add new regulations for shared housing; and standardize screening criteria for the amount of tenant income required to qualify for housing, for reviewing a tenant's criminal history, and acceptable identification.

**MOTION: Daniels**

**SECOND: Blocker**

**ACTION: To move as a substitute, Substitute No. 1A of Ordinance No. 28894.**

**The substitute had substantive changes and public comment was taken.**

**Ten individuals addressed the City Council.**

**Roll call vote was requested and taken. The motion was declared failed.**

**Ayes: 3 Nays: 6 (Blocker, Bushnell, Hines, Ushka, Walker, Woodards)  
Absent: 0 Abstaining: 0**

**MOTION: Diaz**

**SECOND: Ushka**

**ACTION: To move as a substitute, Substitute No. 2A of Ordinance No. 28894.**

**The substitute had substantive changes and public comment was taken.**

**Eight individuals addressed the City Council.**

**Roll call vote was requested and taken. The motion was declared failed.**

**Ayes: 2 Nays: 7 (Blocker, Bushnell, Hines, Rumbaugh, Ushka, Walker, Woodards)  
Absent: 0 Abstaining: 0**

**MOTION: Bushnell**

**SECOND: Blocker**

**ACTION: To move as a substitute, Substitute No. 3 of Ordinance No. 28894.**

Roll call vote was requested and taken. The motion was declared adopted.

Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0

**MOTION: Rumbaugh**

**AMENDMENT: I move to amend Substitute Ordinance No. 28894 by striking out the following language on page 11, between lines 7-9, Tacoma Municipal Code, Section 1.95.040.J:**

**J. Pet deposits.**

A landlord shall not charge a tenant more than 25 percent of one month's rent as a deposit for pets. Any deposit not used to repair damage by the pet shall be returned to the tenant upon termination of tenancy.

And inserting the following:

**J. Pet fees.**

A landlord shall not charge a tenant more than 25 percent of one month's rent as a fee for pets.

**SECOND: Blocker**

**ACTION: To amend Substitute Ordinance No. 28894.**

Roll call vote was requested and taken. The motion was declared failed.

Ayes: 2 Nays: 7 (Blocker, Bushnell, Diaz, Hines, Ushka, Walker, Woodards)  
Absent: 0 Abstaining: 0

**MOTION: Diaz**

**AMENDMENT: I move to amend Substitute Ordinance No. 28894, by amending page 9, to add a new number A.6, after line 21, Tacoma Municipal Code, Section 1.95.037.A, to read as follows:**

**"6. Regulating or banning dogs based on dog breeds, provided that any service animal shall be allowed, and further provided that a landlord shall be allowed to ban certain dog breeds if their insurance policy requires such ban."**

**SECOND: Blocker**

**ACTION: To amend Substitute Ordinance No. 28894.**

Roll call vote was requested and taken. The motion was declared adopted.

Ayes: 6 Nays: 3 (Blocker, Hines, Ushka) Absent: 0 Abstaining: 0

**MOTION: Daniels**

**AMENDMENT: I move to amend Amended Substitute Ordinance No. 28894 by amending page 8, between lines 21-22, Tacoma Municipal Code, Section 1.95.035.C, to replace “three (3)” with “two and one-half (2.5)”, to read as follows:**

**“1. A landlord may require the financially responsible applicant to demonstrate a monthly gross income of up to two and one-half (2.5) times the amount of the monthly rent for the dwelling unit when the monthly rent amount is below Fair Market Rents as published by the U.S. Department of Housing and Urban Development (“HUD”)”.**

**I further move to amend Amended Substitute Ordinance No. 28894 by amending page 8, between lines 23-24, in the same section, to replace “2.5”, with “2”, to read as follows:**

**“2. A landlord may require a financially responsible applicant to demonstrate a monthly gross income of up to 2 times the amount of the rent for the dwelling unit when the monthly rent amount is at or above the Fair Market Rents as published by HUD”.**

**SECOND: Ushka**

**ACTION: To amend Amended Substitute Ordinance No. 28894.**

**Roll call vote was requested and taken. The motion was declared failed.**

**Ayes: 3 Nays: 6 (Blocker, Hines, Rumbaugh, Ushka, Walker, Woodards)  
Absent: 0 Abstaining: 0**

**ACTION: Passed Amended Substitute Ordinance No. 28894.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

**\*\*\*\*\***

**The City Council meeting recessed at 8:36 p.m.**

**The City Council meeting reconvened at 8:43 p.m.**

**\*\*\*\*\***

- 11. RES41238** A resolution transmitting a ballot measure to the Pierce County Auditor to be placed on the ballot for the General Election on Tuesday, November 7, 2023, which reads:

**MEASURES NO. 1 AND 2 CONCERN RENTAL HOUSING CODE REGULATIONS**

Measure No. 1 would require landlords to comply with health and safety laws before raising rent or evicting a tenant; set limits on certain rental fees; require landlords provide two notices to increase rent and offer relocation assistance when the increase is 5% or more; create a defense against certain student/schoolyear

evictions, evictions between November 1 and April 1, and evictions against servicemembers, seniors, families and others with protected status under the measure; and provide penalties and enforcement mechanisms.

As an alternative, the Tacoma City Council proposes Measure No. 2, which would repeal and reenact portions of the City’s rental housing code and require landlords to comply with health and safety laws; have a City license before increasing rent or evicting tenants; set limits on rent late fees and pet deposits; require 120 day notice to raise rent; add new regulations for shared housing; standardize screening criteria for tenant income required to qualify for housing, for reviewing tenant’s criminal history and identification.

Should either of these measures be enacted into law?

Yes . . . . . [ ]

No . . . . . [ ]

2. Regardless of whether you voted yes or no above, if one of these measures is enacted, which one should it be?

Measure No. 1 . . . . . [ ]

or

Measure No. 2 . . . . . [ ]

**MOTION: Ushka**

**SECOND: Blocker**

**ACTION: Moved to adopt Resolution No. 41238.**

**MOTION: Ushka**

**AMENDMENT: I move to amend Resolution No. 41238, on page 7, line 5, to insert the following:**

**“Section 6. That Measure No. 2, which if adopted, would repeal Substitute Ordinance No. 28894, as amended, and replace it with the voter-approved ordinance, shall read as follows:**

**AN ORDINANCE relating to rental housing, repealing Substitute Ordinance No. 28894, as amended, and re-enacting amendments to Chapter 1.95 of the Tacoma Municipal Code, relating to the “Rental Housing Code” as set forth in Exhibit A to Substitute Ordinance No. 28894, as amended.**

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

**Section 1. That Substitute Ordinance No. 28894, as amended, is hereby repealed in its entirety.**

**Section 2. That Chapter 1.95 of the Official Code of the City of Tacoma is amended as set forth in Exhibit A to Substitute Ordinance No. 28894, as amended, which exhibit is incorporated by this reference as though fully set forth herein.”.**



**SECOND: Blocker**  
**ACTION: Amended.**

**Ayes: 9 Nays: 0 Absent: 0 Abstaining: 0**

**ACTION: Roll call vote was requested and taken. Resolution No. 41238, as amended, was adopted.**

**Ayes: 7 Nays: 2 (Daniels, Diaz) Absent: 0 Abstaining: 0**

- 12. RES41239** A resolution directing the City Manager to conduct additional research and outreach on items related to the Rental Housing Code for discussion at the Community Vitality and Safety Committee, and report back to the City Council by the end of 2023 on available data and data gaps, strategies for addressing data gaps, and options for implementing additional protections; and include any amendments that are not adopted as a part of Ordinance 28894 as items to be researched as a part of this resolution.

**Resolution No. 41239 was continued to the meeting of July 18, 2023, earlier in the meeting.**

## **FINAL READING OF ORDINANCES**

- 13. ORD28894** An ordinance amending Chapter 1.95 of the Municipal Code, relating to the Rental Housing Code, to require landlords to comply with health and safety laws; have a City business license before increasing rent or evicting tenants; set limits on late fees for rent and on pet deposits; require 120-day notice to raise rent; add new regulations for shared housing; and standardize screening criteria for the amount of tenant income required to qualify for housing, for reviewing a tenant's criminal history, and acceptable identification.

**Amended Substitute Ordinance No. 28894 was considered earlier in the meeting.**

## **UNFINISHED BUSINESS**

**There was no unfinished business.**

## **COMMUNITY FORUM**

**Community Forum began at 8:58 p.m.**

**The City Clerk's Office received four written comments for Community Forum regarding fireworks and Native American genocide.**

**14 individuals addressed the City Council.**

**Community Forum ended at 9:21 p.m.**

## **REPORTS BY THE CITY MANAGER**

**There was no report.**

## **COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL**

Infrastructure, Planning, and Sustainability Committee

**Council Member Diaz, Vice Chair of the Infrastructure, Planning, and Sustainability Committee, gave a report.**

Community Vitality and Safety Committee

**There was no report.**

## **ADJOURNMENT**

**The meeting was adjourned at 9:24 p.m.**