

## WEEKLY REPORT TO THE CITY COUNCIL

September 4, 2014

Members of the City Council  
City of Tacoma, Washington

**Dear Mayor and Council Members:**

### **TOPICS OF INTEREST**

1. The City will be holding **three Community Visioning Sessions between September 22<sup>nd</sup> and October 1<sup>st</sup> (dates will be finalized early next week)**. Citizens will have an opportunity to provide input on six of the seven focus areas, which will be grouped as follows:
  - Economic Vibrancy & Employment / Education & Learning
  - Human & Social Services / Health & Safety
  - Arts, Culture & Neighborhood Vitality / Built & Natural Environment
2. Government Relations Officer Randy Lewis provides the attached memorandum regarding **rail oil transport issues and the Department of Ecology's multi-agency study of the impact**. In addition, Randy provides a copy of the presentation shared with the Association of Washington Cities Ad Hoc Freight Rail Committee.
3. Attached for your information is a list of **important themes** that staff **identified while attending recent Neighborhood Council meetings**. This list does not include all issues addressed by Neighborhood Councils, nor is it a list of priority issues as selected by the Neighborhood Councils. The issues identified were selected by staff as themes that should be brought to the attention of the City Manager and City staff.

### **COUNCIL MEETING**

4. On Tuesday's Council agenda, there will be a **public hearing concerning the Draft North Downtown Plan and the associated amendment to the Tacoma Municipal Code - Chapter 13.06A Downtown Tacoma**, as recommended by the Planning Commission. The attached memorandum from Planning and Development Services Director Peter Huffman provides background material and the recommendation from the Planning Commission.

### **STUDY SESSION/WORK SESSION**

5. The **City Council Study Session** of Tuesday, September 9, 2014 will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will be: (1) **Legislative Policy Statement 2015-2016**; (2) **Tacoma Link Expansion Station Location** (3) **Other Items of Interest**; (4) **Agenda Review and City Manager's Weekly Report**; and (5) **Closed Session – Labor Negotiations**.

On Tuesday's Study Session, Government Relations Officer Randy Lewis will present the **proposed City of Tacoma's Legislative Policy Statement for 2015-2016**. This Legislative Policy Statement is a policy document to cover issues of interest to the City that comes up in any given legislative session. The presentation will include the fiscal home rule as an organizing philosophy, the draft Legislative Policy Statement and the next steps timeline. Randy provides the attached draft document for Council's review before Tuesday's discussion.

As a second agenda item at Tuesday's Study Session, Public Works Director Kurtis Kingsolver will present the **seven station locations recommended for examination in the environmental review process for the Tacoma Link Expansion Project**. Sound Transit is finalizing an application to submit to the Federal Transit Administration for funding from the Small Starts Program. The proposed station locations must be identified for the application. Resolution No. 39004, with station locations recommended for examination, will be on Tuesday's Council agenda for your consideration.

- 6. The updated **Tentative City Council Forecast and Consolidated Standing Committee Calendars** are attached for your information.

**COUNCIL REQUESTS/INQUIRIES**

- 7. At the August 26<sup>th</sup> Study Session during the **Every Other Week (EOW) Garbage Collection** presentation, Council asked how many other cities were doing EOW collections. Environmental Services provides the list below of some local jurisdictions that have a similar or other alternative collection schedule option. This is not an exhaustive list; however, it covers most of the examples around the region.

<b><u>Jurisdiction</u></b>	<b><u>Mandatory/Optional</u></b>	<b><u>Description – Residential Services Only</u></b>
City of Renton	Mandatory	EOW Garbage Service
City of Olympia	Mandatory	EOW Garbage Service
University Place	Optional	EOW Garbage Service
City of Portland	Mandatory	EOW Garbage Service
Bellingham	Optional	EOW Garbage Service and Monthly Garbage Service
Cle Elum	Optional	Option for Monthly garbage service
City of Kirkland	Optional	Option for Monthly garbage service
Pierce County	Optional	Option for EOW and Monthly garbage service in limited areas and container sizes

## **GRANT APPLICATIONS**

8. The City has submitted the following grant applications:

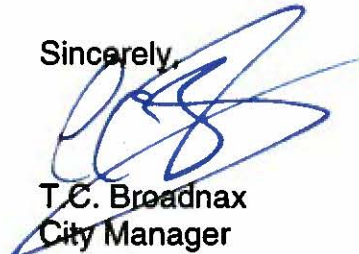
- **Puyallup Tribe of Indians Community Contribution Grant** – Funding from the Puyallup Tribe for estimated General Fund expenses of the Fire Department to respond to emergency incidents at the Tribe's casino venues during 2013. The City is requesting \$484,556, with no match required.
- **2014 Transportation Improvement Board Funding Request** – Funding for four projects (see attached list for additional details):
  - Browns Point Boulevard NE - 37<sup>th</sup> Avenue NE to Nassau Avenue NE
  - Puyallup River Bridge segment replacement
  - Pearl Street improvements at Point Defiance
  - Port of Tacoma Road - East 11<sup>th</sup> Street to Lincoln Avenue

## **MARK YOUR CALENDARS**

9. You have been invited to the following events:

- **American Red Cross Heroes Breakfast on Wednesday, September 10<sup>th</sup>, 7:30 a.m.**, at the hotel Murano Bicentennial Pavilion, located at 1320 Broadway.
- **The Port of Tacoma's 2014 Customer Reception on Wednesday, September 10<sup>th</sup>, 5:30 p.m.**, at the Foss Waterway Seaport, located at 705 Dock Street.
- **Tacoma Fire Department's Remembrance Ceremony to honor the heroes and victims of 9/11 on Thursday, September 11<sup>th</sup>, 9:00 a.m.**, at the Firefighter's Memorial, located at 3301 Ruston Way.
- **Tacoma 2014 Maritime Fest on Saturday, September 20<sup>th</sup> and Sunday, September 21<sup>st</sup>**, at the Thea Foss Park and Foss Waterway Seaport.

Sincerely,



T.C. Broadnax  
City Manager



**TO:** T.C. Broadnax, City Manager

**FROM:** Randall Lewis, Government Relations Officer

**RE: Rail Oil Transport Issues**

**DATE:** September 2, 2014

The Department of Ecology (DOE) is coordinating a multi-agency study of the impact of increased rail transportation of crude oil to Washington facilities, including the refinery in Tacoma. A draft of this report will be presented to Governor Inslee next month and the final report will be submitted to the 2015 Legislature on March 1<sup>st</sup>.

A copy of a recent presentation of the work is attached. This presentation was made to the Association of Washington Cities Ad Hoc Freight Rail Committee. A handful of points in the presentation stand out:

- DOE is very pleased with the expert assistance they have received as their study nears its first milestone. They reported they have heard from cities, emergency response agencies, public works officials, ports, railroads, and utilities. All of this input has had impact on the study.
- As many as 90 trains a week may traverse the state in a few years if the full build out of the North Dakota oil fields is achieved, as this action is predicted to result in a lifting of the current Federal ban on export of domestic crude oil.
- The North Dakota oil, known as "Bakken Crude," is a desirable product because its chemical composition makes it easier, and therefore less expensive, to refine. This same chemical composition however makes it much more volatile than other types of crude oil.

DOE pledged to release its draft report to the Governor to local government as well. The multi-agency team will hold two public meetings in October, one in Lacey and one in Spokane. They will also accept written comments on the draft from local government and other interests.

A final note, neither the multi-agency study nor the AWC Ad Hoc Committee is addressing the issue of rail transport of coal at this time. DOE indicated they expect they will be asked to deal with coal as a follow-up to their report once it is released next year.

# WA Marine and Rail Oil Transportation Study

Presented by Scott J. Ferguson  
Spill Prevention, Preparedness, and  
Response Program  
Department of Ecology



## Marine and Rail Oil Transportation Study

2014 Legislative Session

Two Competing Bills plus a third:

- **Senate Bill 6524** - Safety of the transport of liquid bulk crude oil
- **House Bill 2347** – Oil Transportation Safety
- **Senate Bill 6582** – Combined these two with rail tax



# Marine and Rail Oil Transportation Study

## Governor's Supplemental Budget – ESSB 6002

- \$300,000 of the state toxics control account - state appropriation is provided solely for the department to conduct a study of oil shipment through the state.
- The purpose of the study is to assess public health and safety as well as environmental impacts associated with oil transport.
- The study must provide data and analysis of statewide risks, gaps, and options for increasing public safety and improving spill prevention and response readiness.



# Marine and Rail Oil Transportation Study

WA GOVERNOR's Directive 14-06, June 11, 2014

- Characterize risk of accidents along rail lines.
- Review state and federal laws and rules with respect to rail safety and identify regulatory gaps.
- Assess the relative risk of Bakken crude with respect to other forms of crude oil.
- Identify data and information gaps that hinder improvements in public safety and spill prevention and response.
- Begin development of spill response plans for impacted counties.
- Identify potential actions that can be coordinated with neighboring states and British Columbia.
- Identify, prioritize, and estimate costs for state actions that will improve public safety and spill prevention and response
- For Governor's 2015-17 budget propose funding strategy

# Marine and Rail Oil Transportation Study

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## Agency Partners

- Military Department, Emergency Management Division
- Washington State Utilities and Transportation Commission
- Washington State Department of Transportation
- Federal Railroad Administration & PHMSA



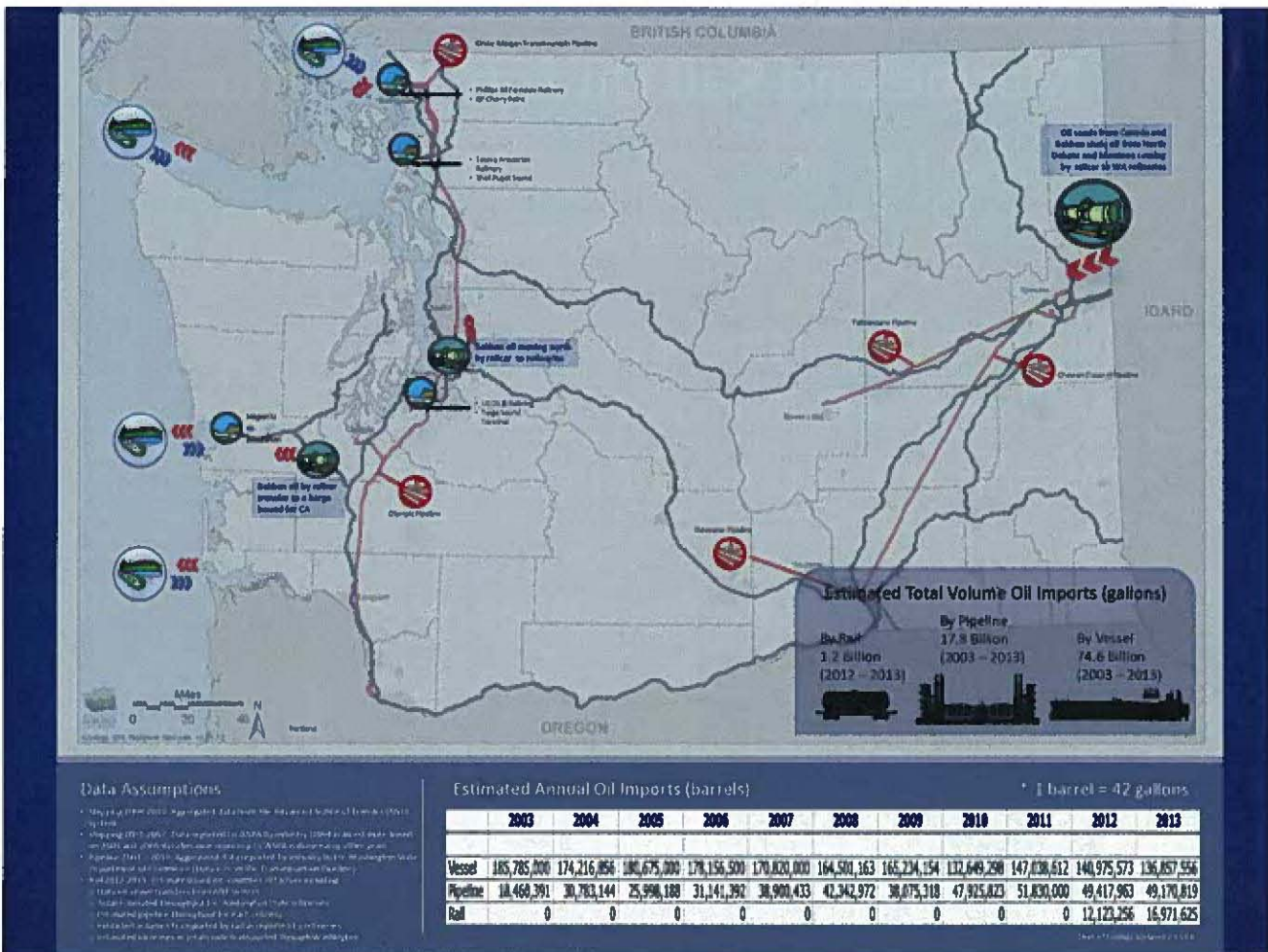
# Marine and Rail Oil Transportation Study

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## Geographic Scope

- Marine
  - Puget Sound, Grays Harbor, and Columbia River. Also WA Coast
- Rail
  - Entire oil transportation corridor





## Overview of Refineries, Facilities, and Proposed Facilities for Crude Oil by Rail – June 2014

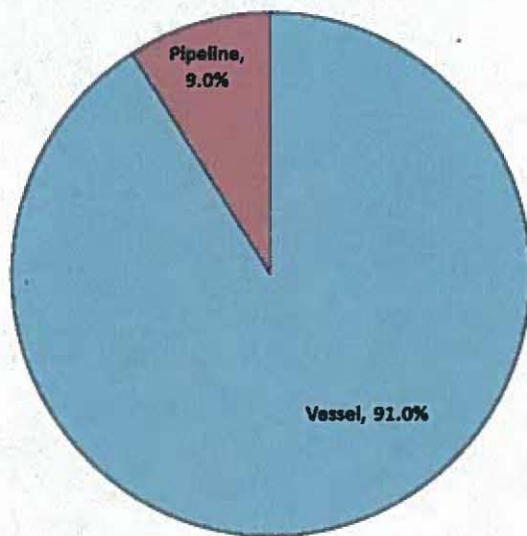


**CRUDE BY RAIL (CBR) – IN-OPERATION FACILITIES AND PROPOSALS – STATUS AS OF 6/25/14**

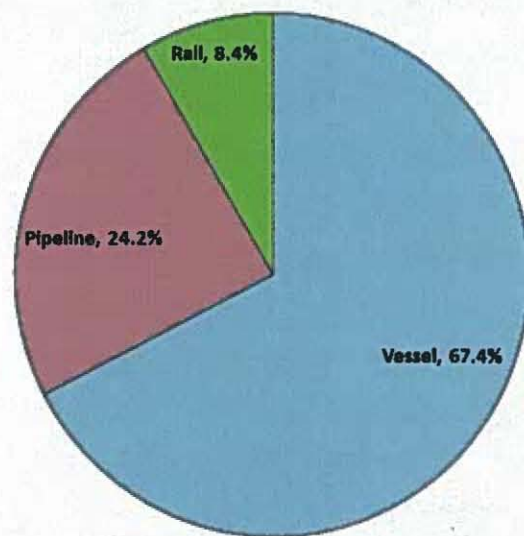
<b>CBR Owner or Proponent</b>	<b>Location</b>	<b>Facility type, type of system, # of offload stations, throughput, new storage if any)</b>	<b>Status</b>	<b>Trains Offloaded at Facility/Train Trips In and Out per day</b>
BP	Cherry Point	Refinery, loop, 52 offload stations, ~146,000 bpd, no new storage	Receiving oil by rail as of 12/26/13. Whatcom Co. issued MDNS for rail expansion.	1/2 (in operation)
Imperial	Grays Harbor	Terminal, ladder, Number of offload stations not identified in SEPA checklist, ~75,000 , up to 9 new tanks.	Existing biodiesel facility proposed to add CBR capability and additional liquid storage. Summary judgment remanding MDNS back to Ecology and City of Hoquiam by the SHB 11/12/13.	1/2
MarStar	Vancouver	Terminal, single track, 4 existing offload stations, possible expansion to 12 stations, ~41,000 bpd, convert existing tank for crude storage.	Proposal to convert 120,000 bbl methanol tank to crude oil tank and add rail offload capability. Ecology submitted comments on environmental checklist to SWCAA 7/6/14.	3/6
Phillips66	Terrdale	Refinery, ladder, 54 offload stations, ~75,000 bpd, no new storage	In construction with completion anticipated 4 <sup>th</sup> qtr 2014. Whatcom Co. issued MDNS 4/29/13 for rail expansion.	1/2
Shell	Anacortes	Refinery, Ladder, , ~75,000 bpd, new storage unknown.	Expansion proposed. SEPA process underway.	1/2
Targa Sound	Tacoma	Terminal, Ladder: 12 existing offload stations, 36 planned, ~75,000 bpd, 2 new tanks, 2 existing tanks modified.	DNS issued 12/2013 for rail expansion by City of Tacoma. Still completing permitting.	1/2
Tosco	Anacortes	Refinery, Ladder, 100 offload stations, ~75,000 bpd, no new tanks.	Receiving Bakken oil since 9/2012. Skagit Co. issued MDNS 10/2011 for rail.	1/2 (in operation)
Tosco-Savage	Vancouver	Terminal, loop, 90 offload stations, ~297,000 bpd, 6 new tanks	Proposed new site. EFSEC is SEPA lead. In EIS process	4/8
US Development	Grays Harbor	Terminal, Ladder, No information on system capabilities	Proposal still in discussion phase.	2/4
US Oil	Tacoma	Refinery, ladder, 64 existing stations, adding 48 additional stations, ~48,000 bpd, no new storage.	Receiving oil by rail at 60 stations as of 4/13. Permitting underway for project to increase the size of the rail facility. Construction expected in late 2014.	0.5/1 (in operation)
Westco	Grays Harbor	Terminal, Ladder, 18 existing offload stations, planned increase to 26 stations, ~75,000 bpd, 4 new tanks.	Existing methanol terminal proposed to add CBR capability. Summary judgment remanding MDNS back to Ecology and City of Hoquiam by the SHB 11/12/13	1/2
<b>TOTAL</b>	State			<b>13.8/27.6</b>

## Change in Oil Transport in Washington

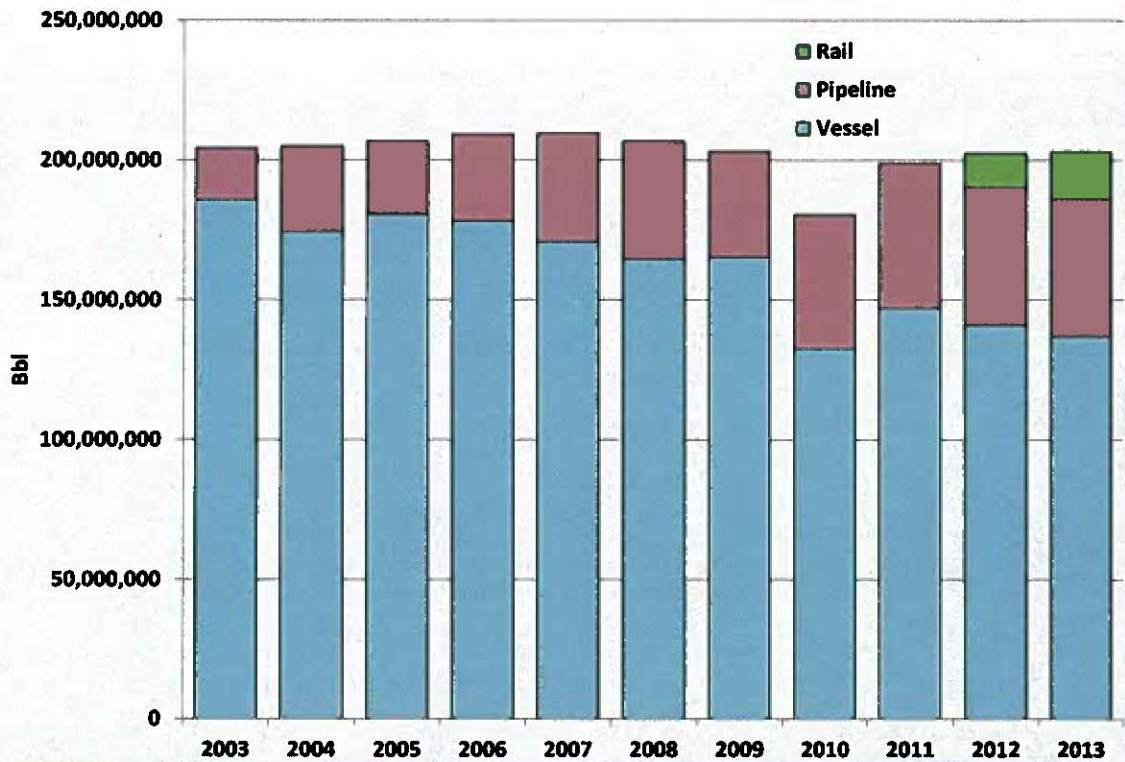
**Percent Oil Transport to Washington State by Mode - 2003**



**Percent Oil Transport to Washington State by Mode - 2013**



Oil Imports to Washington State by Mode (2003 - 2013)



ENVIRONMENTAL RESEARCH CONSULTING

## Emerging Energy Transportation Risks

### Oil by Rail Incidents – Bakken Crude

- June 30, 1992 - Superior, WI
- July 6, 2013 - Lac-Mégantic, Quebec
- October 19, 2013 - Gainford, Alberta
- November 8, 2013 - Aliceville, AL
- December 30, 2013 - Casselton, ND
- January 7, 2014 - Plaster Rock, New Brunswick
- January 20, 2014 - Philadelphia, PA
- April 30, 2014 - Lynchburg, VA



# Bakken Vapor Pressure (volatility)

## Under Pressure

Investigators are looking into how fast North Dakota crude emits gases and how that contributes to oil-train explosions.

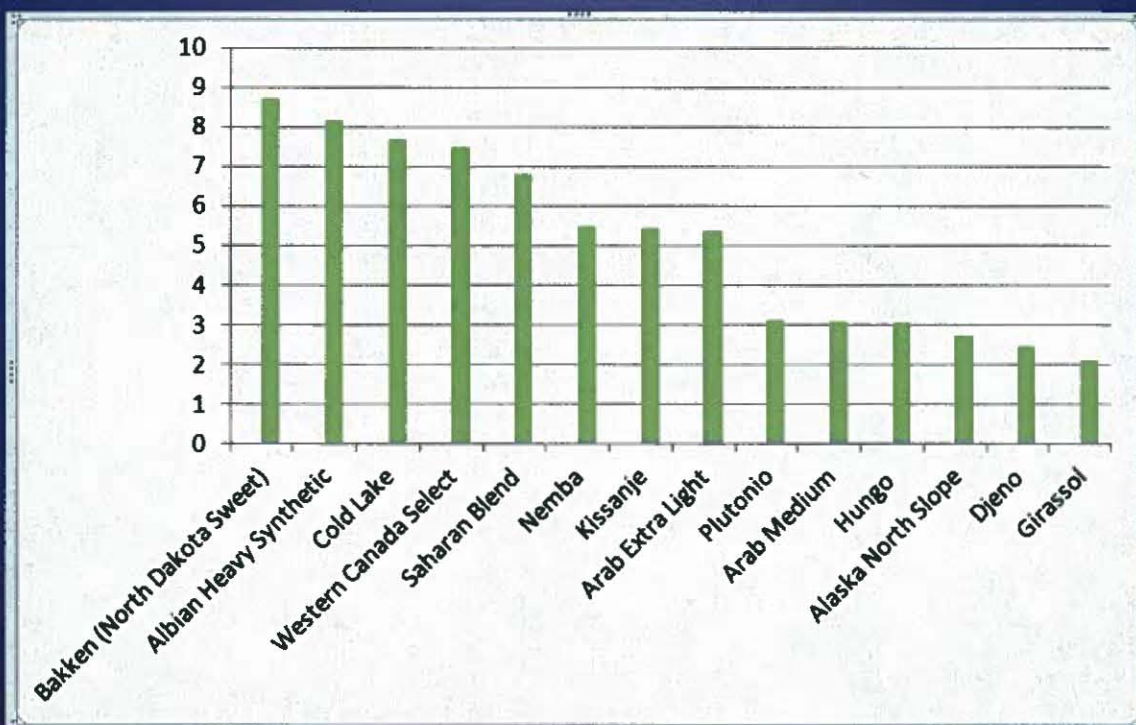
Select types of crude oil that are commonly run in U.S. refineries, by average Reid Vapor Pressure\*

TYPE	ORIGIN	VOLATILITY
North Dakota Sweet	North Dakota	8.56 psi
Brent	North Sea	6.17
Basrah Light	Iraq	4.80
Thunder Horse	Gulf of Mexico	4.76
Arabian Extra Light	Saudi Arabia	4.72
Urals	Russia	4.61
Louisiana Light Sweet	Louisiana	3.33
Forcados	Nigeria	3.16
Oriente	Ecuador	2.83
Cabinda	Angola	2.66

\*Reid Vapor Pressure is a common measurement of how quickly a liquid fuel evaporates and emits gases.

Source: Wall Street Journal analysis of Capline Pipeline data  
The Wall Street Journal

# Bakken Vapor Pressure (volatility)



# Bakken Crude Oil Properties

## Flammability

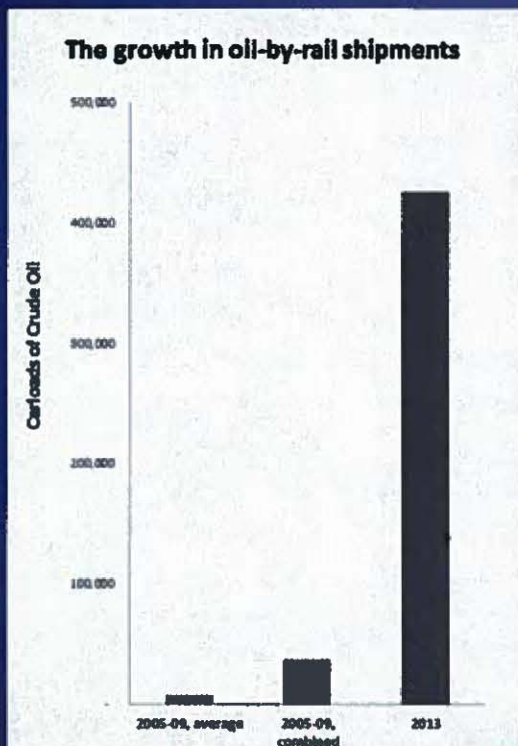
- NFPA Flammability = 3-4
  - Recent sample = 4
  - Sensitive to static discharge
- Explosive Limits variable:
  - LEL 0.4%
  - UEL 15.0%
  - Recent sample LEL 0.1%
  - Recent sample UEL 4.5%
- Flash point - 40° to 212° F
  - - 74° to 122° F (AFPM data)
  - Recent sample < 74° F
- Auto-ignition Temp > 500° F



## Spill Response Basics – Use of Foam

- Big question - Are you fighting a fire or spill??
  - Foam for fire.....Maybe
  - Foam for spill where no explosion/fire threat .....NO
  - Ditto for all other clean up agents (bugs, etc.)
  - Current experience in derailment to use water to cool adjacent cars, let others burn out.
- When is it appropriate to use them, e.g. foam, dispersants?
  - To fight a fire, suppress explosive vapors, or other situation where there is threat to public health and safety
- When is it not appropriate to use them?
  - When cleaning up a spill

# Emerging Energy Transportation Risks



More crude oil was spilled in U.S. rail incidents in 2013 (1.15 million gallons) than was spilled in the previous four decades (0.8 M gallons).

This does not include the 1.5 million gallons spilled in Lac Megantic, Canada (July 2013) where 47 people died.

# Emerging Energy Transportation Risks

## Federal Jurisdiction Oil by Rail

### Federal Railroad Administration

- National railroad safety rules.

### Pipeline and Hazardous Materials Safety Administration (PHMSA)

- Issues rules and regulations governing the safe transportation of hazardous materials.

### Surface Transportation Board

- Railroad rates, mergers, sales, construction and abandonment.



# Emerging Energy Transportation Risks

## Ecology Jurisdiction

### Oil by Rail

- Lead on spill prevention, preparedness, and response plans for vessels, facilities and pipelines .
- Regulates oil transfer facilities, but not rail transportation.
- Oversees regulation for construction and operation of oil refineries, storage and handling facilities (air and water permits, GHGs, waste handling, cleanup of contamination, CZM consistency).
- SEPA lead for new proposals to construct facilities that store over 1 million gallons of liquid fuel that do not fall under EFSEC jurisdiction.
- Lead state agency for spill response.



# Emerging Energy Transportation Risks

## Identified Gaps – Ecology

- Lack of prevention and preparedness planning authority for rail
- Level of spill preparedness significantly different than maritime, pipeline and oil facilities in WA
- Oil property characteristics, community and responder safety and current response cleanup technology
- Potential decline in revenue to support Spills Program work
  - Crude coming into our refineries by ship is taxed
  - Crude coming by rail and pipeline is not taxed



# Marine and Rail Oil Transportation Study

## Study Outline

- Current Oil Transportation Picture
- Anticipated Changes to Transportation Picture
- Current Safety Picture
- Anticipated Changes to Safety Picture
- Gap Analysis
- Recommendations
- Risk Communications Strategy



# Marine and Rail Oil Transportation Study

## Deliverables

**September 1** – Preliminary Findings

**August & September\*** – Stakeholder Meetings

**October 1** – Draft Interim Report to Governor

**October\*** – Public meetings Lacey/Spokane

**November 1** – 2<sup>nd</sup> Draft of Interim Report

**December 1** – Interim Report to Legislature

**March 1, 2015** – Final Report to Legislature

\*Outreach throughout process and beyond



## Outreach Campaign

- Harbor Safety Committees, Tribal, Community Mtgs
- August & September workgroups to walk through/advise report content and early findings and recommendations. All to inform help 1 Oct report to Governor
- October Public Mtgs
- October/November physical and social media outreach before submit Interim to Governor/Legislature by 1 Dec deadline
- January/February stakeholder work session as we hone in on a Final Report due 1 March 2015

## Marine and Rail Oil Transportation Study

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More Information:

<http://www.ecy.wa.gov/programs/spills/OilMovement/2014MRstudy.html>



# Marine and Rail Oil Transportation Study

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Questions?



## **Neighborhood Council Districts**

**August 4, 2014 – August 29, 2014**

Neighborhood Council Districts in the City of Tacoma are assigned a liaison from the City Manager's Office. Anita Gallagher, Carmen White, Julie Stoltman, Christina Watts, Genesis Gavino, Shari Hart, and Carol Wolfe serve as the staff liaisons to the Councils. City Manager's Office Liaisons report on important issues to the Neighborhood Councils, facilitate communication between Neighborhood Councils and other City staff, and keep the City Manager informed of issues that are important to the Neighborhood Councils.

Listed below are important themes that were identified while attending recent Neighborhood Council meetings. This list does not include all issues addressed by Neighborhood Councils nor is it a list of priority issues as selected by the Neighborhood Councils. The issues identified below were selected as themes that should be brought to the attention of the City Manager and City staff.

### **Neighborhood Specific Themes**

#### **Community Council**

- Introduction to 311 App
- Side Sewer Presentation
- Report by CM Mello

#### **Cross District Association (CDA)**

- No August Meeting

#### **Central**

- West End AIA

#### **Eastside**

- McKinley Street Fair debrief

#### **New Tacoma**

- Graffiti Forum

#### **North End**

- Proposed Proctor Cell Tower
- Proctor Community Garden Improvements
- Invitation to attend Residential Parking Program Community Meeting

#### **Northeast Tacoma**

- Pierce Transit Rapid Design Process
- Animal Code updates
- PSE proposed LNG project

#### **South Tacoma**

- Public Works projects- South Tacoma Way corridor and gateway sign
- Tacoma Public Schools safety and security


#### **South End**

- Executive session to discuss membership

#### **West End**

- No August Meeting



**TO:** T.C. Broadnax, City Manager  
**FROM:** Peter Huffman, Director, Planning and Development Services   
**SUBJECT:** North Downtown Subarea Plan and Final Environmental Impact Statement (FEIS)  
**DATE:** September 4, 2014

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The City Council will conduct a public hearing on September 9, 2014, concerning the Draft North Downtown Plan and the associated amendment to the Tacoma Municipal Code (TMC) Chapter 13.06A Downtown Tacoma, as recommended by the Planning Commission.

The North Downtown Subarea Plan is intended to provide innovative planning and policy interventions to help North Downtown achieve its tremendous potential for economic development, an outcome that will deliver a broad range of equitable social and environmental benefits at both the local and regional scales. When taken together with the Hilltop Subarea Plan, the North Downtown Plan helps to set the stage for the needed Federal, State, and regional funding applications for the Planned LINK light rail extension through the Stadium and Hilltop neighborhoods.

Also, a non-project, "Planned Action" Final Environmental Impact Statement (FEIS) was issued on July 2, 2014. The FEIS for the Plan was jointly sponsored by Bates Technical College and will be the principal environmental document that will be considered in the decision-making process for the Subarea Plan. The FEIS is "Planned Action" with the objective of eliminating the need for project-by-project environmental review associated with site-specific development or redevelopment – providing certainty for future development and simplifying and expediting the permitting process in order to foster the realization of high quality urban development in the North Downtown Subarea.

The Planning Commission has completed its review of the subject through a public process, including a public hearing on July 16, 2014. Attached is the Planning Commission's Findings of Fact and Recommendations Report, along with a Letter of Recommendation, dated August 20, 2014.

The Commission's letter and report, the plan document, the final EIS, and all relevant project materials are available on the Planning Services Division's website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning), with the link to "North Downtown Subarea Plan and EIS".

If you or Council Members have questions about this information, please contact Ian Munce, Special Assistant to the Director, at 253-573-2478 or [imunce@cityoftacoma.org](mailto:imunce@cityoftacoma.org).

Attachments



**City of Tacoma  
Planning Commission**

August 20, 2014

Honorable Mayor and Members of the City Council,

On behalf of the Planning Commission, I am forwarding the proposed North Downtown Subarea Plan for your consideration for adoption as a new, important element of the City of Tacoma's Comprehensive Plan. Also recommended for your consideration is the Final Environmental Impact Statement (FEIS) for the Subarea.

The Subarea Plan and the FEIS are the result of an approximately one and a half-year planning process co-led by the City of Tacoma and Bates Technical College, involving analyses, thorough research, rigorous deliberations, and extensive outreach efforts. The Plan will serve as a statement of the City's commitment to and direction for future development in the North Downtown Subarea in addition to serving as a resource for potential investors, property owners, the community and other public agencies

The Subarea Plan and the FEIS will capitalize on the potential of North Downtown, proactively making the area well poised to accommodate future growth and development. Specifically, the Subarea Plan will supplement current policies and regulations governing transportation, land use, affordable housing, open space, brownfields, capital facilities, and utilities and will fulfill Growth Management Act and Vision 2040 requirements. The FEIS, under the State Environmental Policy Act or SEPA, is a "Planned Action" with the objective of eliminating the need for subsequent environmental review associated with site-specific development or redevelopment; it will provide certainty for future development, simplify and expedite the permitting process, and foster high quality urban development in the area.

Enclosed is the "*Planning Commission's Findings of Fact and Recommendations Report, August 20, 2014*" that summarizes the North Downtown Subarea Plan, the review process and outreach efforts for the Subarea Plan and the associated FEIS. The Planning Commission believes that our recommendations will help achieve the City's strategic goals for a safe, clean and attractive community and a diverse, productive and sustainable economy.

Sincerely,

SEAN GAFFNEY  
Chair

Enclosure



## 2014 North Downtown Subarea Plan

PLANNING COMMISSION  
PLAN CHANGES SUMMARY  
August 20, 2014

### **Planning Commission Recommendations:**

The proposed changes to the North Downtown Subarea Plan described below are the result of discussion at the August 6, 2014, Planning Commission meeting and comments received during the public comment periods for this project. The Planning Commission conducted a public hearing for the North Downtown Subarea Plan on July 16, 2014, and kept the record open through July 18, 2014, to accept written comments. It is also noted that staff organized a public hearing on May 29, 2014, at Bates Technical College and kept the record open through June 16, 2014 to receive additional written comments. The following is a summary of the proposed changes:

### **Changes Requested by the Planning Commission:**

#### **Chapter 3 Land Use:**

- The revision of Goal LU-5: The original recommendation stated a target of retaining 420 on-street parking spaces in the Stadium District. However, the reference to a specific number of spaces has been removed and the language has been revised as follows: Retain and add to the number of on-street parking spaces, as feasible, within the Stadium District without inhibiting future transit or multi-modal improvements. Maintain the current number of on-street parking spaces in Stadium District with a target total of 450 spaces.
- The addition of a new LU Action that supports reviewing the Reduced Parking Area (RPA) boundaries in the North Downtown Subarea in the future. The language will read as follows: Review the Reduced Parking Area boundaries in the North Downtown Subarea at such time as the Link Light Rail expansion through the district is in full operation or 2020, whichever is first.

#### **Chapter 4 Economic Development:**

- The removal of the reference to the proposed Stadium Business District boundary revision.
- The removal of Recommendation ED-4 from the Plan. Recommendation ED-4 referred to the proposed revision of the Stadium Business District boundaries.
- This removal of Figure 4-13 and 4-14 showing existing and proposed Stadium Business District boundaries.

#### **Chapter 8 Mobility:**

- The addition of clarifying language to the Designated Pedestrian Streets section making it clear that pedestrians are invited to use streets other than those designated as "Pedestrian". The added language will state: Pedestrian Streets do not preclude the use of other streets.

### **Clarifications Proposed by Staff:**

#### **Changes to the Entire Plan:**

- The revision of all Maps throughout the Plan to reflect the revised Downtown Regional Growth Center. This change will affect Figures: 1-2, 2-2, 2-14, 3-3, 3-4, 3-7, 3-11, 4-19, 5-7, 6-6, 7-2, 8-4, 8-5, and 8-14.

- The restatement of “Recommendations” found throughout the Plan as “Actions” for consistency with the South Downtown and Hilltop Subarea Plans and to convey the intent of the Plan to be an action-based document.
- Updating Table “1-1 North Downtown Recommendations” to reflect the changes described herein. This table will be also renamed “1-1 North Downtown Actions”.

#### **Chapter 2 Context:**

- The addition of a description of the “Hillside” Character Area located within the subarea. The description will read: The Subarea includes the northern half of this District, bounded by two of downtown Tacoma’s signature streets: Yakima and Tacoma Avenue. Abutting Wright Park on the north, the Hillside District is a transition zone between downtown to the east and the Hilltop neighborhood to the west. It is primarily low-density residential in character, with a smattering of commercial uses mostly located along Tacoma Avenue. True to its name, the Hillside District lies on a steep east-west slope which provides stunning views of the Thea Foss Waterway, Mount Rainier, and Commencement Bay.
- The addition of a description of, and reference to, the Historic Preservation Element of the City’s Comprehensive Plan to the Existing Plans and Policies section of the North Downtown Subarea Plan.

#### **Chapter 3 Land Use:**

- The addition of a summary of off-street parking regulations found in the Tacoma Municipal Code (TMC) 13.06A Downtown Tacoma to the Off-Street Parking Section of the Plan. Currently the Plan details the parking regulations found in TMC 13.06.510 Off-street Parking which apply to the Mixed-Use Centers within the subarea but not the regulations for Downtown Tacoma zoning districts.
- The addition of a paragraph to the Development Capacity section of this chapter that states that while complete redevelopment of many sites containing historic structures is inappropriate, rehabilitation of historic structures is appropriate when protective mechanisms and review are in place.

#### **Chapter 5 Historic Resources:**

- The revision of a paragraph in the Historic Resource Conservation section describing the costs associated with renovating historic structures to make it clear that renovation costs are often perceived to be high but in reality are not necessarily higher than costs of new construction. This change based upon comments from the State Department of Archaeology and Historic Preservation.
- The addition of Action HR-12 which reads: Work with the Landmarks Preservation Commission, Historic Tacoma, State Department of Archaeology and Historic Preservation and other agencies/organizations to stimulate economic activity by preserving, rehabilitating, and interpreting historic properties within the subarea.
- The addition of Action HR-13 which reads: Work with property owners and developers to make sure infill construction in historic districts and conservation areas are sensitive to the character of the district or nearby historic properties.

#### **Chapter 8 Mobility:**

- An update to the Intersection Improvements section to remove the intersection of Tacoma Avenue and 1<sup>st</sup> Street as a “medium-term” improvement project. Improvements to this intersection were already completed through the Stadium Way street project.
- The addition of an Action to the Transportation Demand Management section that further supports Transportation Demand Management. The added language reads: Develop a Transportation Demand Management plan to ensure that Adaptive Management and Mitigation Program investments are understood and utilized.

- The addition of street classification type descriptions to the Roadways section. The types of street classifications currently found in the City's Comprehensive Plan to be added/described to the North Downtown Plan are: Transit Priority, Connector Street, Pedestrian/Retail, Bicycle Boulevard, and Urban Residential. This change is intended to provide additional information about street classification types already mentioned in the Plan.
- The addition of the 9<sup>th</sup> Street on-ramp access to I-705 to the Roadways section.



## NORTH DOWNTOWN SUBAREA PLAN AND ENVIRONMENTAL IMPACT STATEMENT (EIS)

TACOMA PLANNING COMMISSION  
FINDINGS OF FACT AND RECOMMENDATIONS  
August 20, 2014

### A. SUBJECT:

Approval of the North Downtown Subarea Plan and Environmental Impact Statement (EIS). The proposed Plan would become an element of the Comprehensive Plan and includes Land Use Regulatory Code changes.

### B. SUMMARY AND BACKGROUND:

#### Subarea Plan

The purpose of the North Downtown Subarea Plan is to anticipate, support, and guide the long-term community development in the North Downtown Subarea, including the Downtown commercial core, stadium district core, and residential neighborhoods, and to complete a pre-development environmental review that will identify how to address environmental and community issues while reducing development uncertainty and risk. The Subarea Plan provides innovative planning and policy interventions to help the North Downtown Subarea achieve its potential for community development, an outcome that will deliver a broad range of equitable social and environmental benefits at both the local and regional scales. The Plan will serve as a statement of the City's commitment to and direction for future development in the North Downtown Subarea in addition to serving as a resource for potential investors, property owners, the community and other public agencies.

The Subarea Plan supplements current Tacoma policies governing the environment, land use, economics, transportation, parks and recreation, public services, and utilities. The Plan supports the City's Comprehensive Plan, while focusing on issues and opportunities at a scale that is responsive to the Subarea's specific needs. The Project plans for significant growth in the Subarea based on allocations established by the PSRC and Pierce County to conform to the State Growth Management Act (GMA), which requires regions, counties, cities and towns to plan for forecasted growth. The two regional plans put forth by PSRC are VISION 2040 and Transportation 2040; planning frameworks intended to support the accommodation of forecasted growth in a manner that best meets the needs of the central Puget Sound region as a whole. Both plans have been analyzed and approved through an exhaustive EIS process.

Proposed implementation actions in the Subarea Plan will apply economic development, recreation and open space, and historical preservation objectives as well as multi-modal transportation plans and projects including streetcar, bike, and pedestrian facilities, sustainability measures, and initiate catalytic projects for City and privately owned properties, among other measures. When taken together with the Hilltop Subarea Plan, the North Downtown Plan helps to set the stage for the needed Federal, State, and regional funding applications for the planned LINK light rail extension through the Stadium and Hilltop neighborhoods.

#### Environmental Impact Statement

The City of Tacoma and Bates Technical College, as co-lead agencies, issued a non-project EIS for the North Downtown Subarea Plan on July 2, 2014. A non-project EIS involves a cumulative environmental impact and mitigation analysis for the entire Subarea, rather than piecemeal analysis on a project-by-project basis.

The Subarea Plan proposes development thresholds to trigger requirements for Transportation Management Programs intended to reduce the share of tenants and employees who drive alone. The Subarea Plan also proposes the monitoring of transportation performance along with thresholds of significance for impacts to public transit speed, reliability and capacity, and connections to the state highway system. Multiple possible mitigation measures are also proposed.

The Subarea has an amount of affordable housing that exceeds the Pierce County Countywide Planning Policies target. To ensure that a sufficient supply of affordable housing is maintained as the Subarea builds out, the Subarea Plan proposes that the City monitor affordable housing over time, and establish policies and regulations that are activated when trends indicate that corrective action is necessary. Currently in North Downtown there is sufficient utility infrastructure, transportation capacity, and open space to serve anticipated growth, for the next 5 to 10 years. Public Utilities and Public Services can be expanded to meet the anticipated demands of the future buildout in the North Downtown as needed over time.

The non-project EIS provides developer certainty and predictability, thereby streamlining the environmental review process and furthering the goals of the State Environmental Policy Act (SEPA) and the GMA. The non-project EIS is subject to RCW 43.21C.420, known as "Transit Infill Review." Recognizing that RCW 43.21C.420 (5) (a) and (b) include a sunset provision, the lead agency has also proceeded under RCW 43.21C.031 (planned action) and RCW 43.21C.229 (infill exemption), to provide additional SEPA tools if provisions in RCW 43.21C.420 (5) (a) and (b) expire.

For a non-project EIS completed under RCW 43.21C.420, the SEPA-based appeal opportunity occurred in conjunction with issuance of the non-project Final EIS on July 2, 2014. Consistent with RCW 43.21C.420, a proposed development will not be subject to project-specific SEPA-based administrative or judicial appeals if the proposed development is (1) proposed within 10-years of the issuance of the subarea Final EIS, (2) situated within the subarea, and (3) appropriately addresses the adopted subarea plan and development regulations. Similarly, there are no SEPA noticing requirements for subsequent, site-specific development or redevelopment within the subarea that appropriately addresses the subarea plan and development regulations.

#### C. LOCATION:

The geographic area of the North Downtown Subarea Plan and EIS project encompasses an area of approximately 520 acres. The subarea extends north from South 15<sup>th</sup> Street downtown to North 4<sup>th</sup> Street in the Stadium District and extends from Yakima Avenue in the west to the Thea Foss Waterway in the east. This area includes the Bates Technical College campus, the downtown commercial core, the Thea Foss Waterway, Stadium District, Hillside District, St. Helens District, and Wright Park.

#### D. FINDINGS OF FACT:

1. **Comprehensive Plan and Development Regulations** – The *Comprehensive Plan*, adopted in 1993 by Ordinance No. 25360 and amended by ordinance once every year thereafter, is Tacoma's Comprehensive Plan as required by the State Growth Management Act (GMA) and consists of several plan and program elements. As the City's official statement concerning future growth and development, the Comprehensive Plan sets forth goals, policies and strategies for the health, welfare and quality of life of Tacoma's residents. The *Land Use Regulatory Code*, Title 13 of the Tacoma Municipal Code (TMC), is the key regulatory mechanism that supports the Comprehensive Plan.
2. **Planning Mandates and Guidelines** – GMA requires that any amendments to the Comprehensive Plan and/or development regulations conform to the requirements of the Act. Proposed amendments to the Comprehensive Plan and/or development regulations must also be consistent with the following State, regional and local planning mandates and guidelines:
  - The State Growth Management Act (GMA);
  - The State Environment Policy Act (SEPA);
  - VISION 2040, the Growth Management, Environmental, Economic, and Transportation Strategy for the Central Puget Sound Region (adopted on April 24, 2008, and amended on May 28, 2009);
  - Transportation 2040, the action plan for transportation in the Central Puget Sound Region (adopted on May 20, 2010);
  - The Countywide Planning Policies for Pierce County;
  - The City Council's guiding principles for planning the future growth: (1) to protect neighborhoods, (2) to protect critical areas, (3) to protect port, industrial and manufacturing uses, and (4) to

increase densities in the downtown and neighborhood business districts (Resolution No. 37070, December 19, 2006); and

- TMC 13.02 concerning the procedures and criteria for amending the Comprehensive Plan and development regulations and for area-wide zoning reclassifications.

### **3. Public Outreach Efforts:**

Staff has conducted extensive outreach efforts to ensure early and continuous public participation in the subarea planning process. The outreach efforts included providing project updates and overviews of the Subarea Plan and EIS to neighborhood councils, interested parties, regular meetings with a steering committee, periodic stakeholder meetings, open houses, and business group outreach. Throughout the process participants were encouraged to voice concerns, provide suggestions, and to discuss particular issues. The entities that staff has approached and worked with include, but are not limited to: Stadium Business District, Bates Technical College, Centro Latino, Chamber of Commerce, Evergreen State College, Historic Tacoma, Metro Parks Tacoma, Multicare Health Systems, New Tacoma Neighborhood Council, Tacoma Housing Authority, Tacoma Urban League, Tacoma Pierce County Health Department, University of Washington, Tacoma, Wedge Neighborhood District, Port of Tacoma, Tacoma/Pierce County Affordable Housing Consortium, Cross Cultural Collaborative of Pierce County, Hillside Development Council, Downtown Merchants Group, Downtown on the Go, Washington State Department of Transportation, Pierce Transit, Sound Transit, Puget Sound Regional Council, Puyallup Tribe of Indians, Pierce County as well as the City's Public Works Department, Environmental Services Department, Community and Economic Development, Department, Police Department, Fire Department, Legal Department, and Tacoma Public Utilities.

### **4. Public Notification Process:**

Public notification for the Subarea Plan and Environmental Impact Statement was provided jointly throughout the project.

- (a) An initial Community Meeting was held on May 29, 2013, at Bates Technical College. Notice of the Community Meeting included general illustrations and descriptions of buildings that are generally representative of the maximum building envelope that could be allowed under the Subarea Plan and notice was posted on major travel routes within the Subarea. In addition, notice was mailed to all:
- Property owners and renters of record within the Subarea and within 400 feet of the boundaries of the Subarea;
  - Licensed businesses within the Subarea, including small businesses as defined in RCW 19.85.020
  - Affected federally-recognized tribal governments whose ceded area is within one-half mile of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
  - The Tacoma Public Library
  - The Department of Ecology
  - Neighborhood Councils, qualified neighborhood community organizations, and business districts
  - The Puyallup Tribe for substantial actions defined in the Agreement between the Puyallup Tribe, Local Governments in Pierce County, the State of Washington, the United States of America, and certain taxpayers, dated August 27, 1988
  - Email notice was sent to community groups, stakeholders, and other interested parties.

(b) An initial Scoping Meeting was held on June 26, 2013, at Bates Technical College. Notice of the Scoping Meeting was mailed to:

- Property owners and renters of record within the Subarea and within 400 feet of the boundaries of the Subarea;
- Licensed businesses within the Subarea, including small businesses as defined in RCW 19.85.020
- Affected federally-recognized tribal governments whose ceded area is within on-half mile of the boundaries of the Subarea;
- Agencies with jurisdiction over future development within the Subarea;
- All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
- The Tacoma Public Library
- The Department of Ecology
- Neighborhood Councils, qualified neighborhood community organizations, and business districts
- The Puyallup Tribe for substantial actions defined in the Agreement between the Puyallup Tribe, Local Governments in Pierce County, the State of Washington, the United States of America, and certain taxpayers, dated August 27, 1988.
- The Scoping meeting notice was published in the Daily Index and The News Tribune
- Email notice was sent to community groups, stakeholders, and other interested parties.

(c) A Notice of Availability of the issuance of the Draft Subarea Plan, Draft EIS and subsequent Public Hearing, was mailed on May 15, 2014, to:

- Property owners and renters of record within the Subarea and within 400 feet of the boundaries of the Subarea;
- Licensed businesses within the Subarea, including small businesses as defined in RCW 19.85.020
- Affected federally-recognized tribal governments whose ceded area is within on-half mile of the boundaries of the Subarea;
- Agencies with jurisdiction over future development within the Subarea;
- All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
- The Tacoma Public Library
- The Department of Ecology
- Neighborhood Councils, qualified neighborhood community organizations, and business districts
- The Puyallup Tribe for substantial actions defined in the Agreement between the Puyallup Tribe, Local Governments in Pierce County, the State of Washington, the United States of America, and certain taxpayers, dated August 27, 1988.
- A notice was published in the Daily Index and The News Tribune
- Email notice was sent to community groups, stakeholders, and other interested parties.

- (d) A Notice of availability was mailed upon issuance of the Final EIS and included notice of the Final Draft Subarea Plan Planning Commission Public Hearing held on July 16, 2014. The notice was mailed in accordance with the Washington State Environmental Policy Act (SEPA) of 1971, Chapter 43.21C of the Revised Code of Washington (RCW) (as revised in 1983), and SEPA Guidelines (effective January 16, 1976 and as revised April 4, 1984), Chapter 197-10, Washington Administrative Code (WAC). On July 2, 2014, the notice was mailed to:
- Property owners and renters of record within the Subarea and within 400 feet of the boundaries of the Subarea;
  - Licensed businesses within the Subarea, including small businesses as defined in RCW 19.85.020
  - Affected federally-recognized tribal governments whose ceded area is within on-half mile of the boundaries of the Subarea;
  - Agencies with jurisdiction over future development within the Subarea;
  - All preservation and development authorities established under chapter 43.167 RCW, TMC 13.12.560(d) (2).
  - The Tacoma Public Library
  - The Department of Ecology
  - Neighborhood Councils, qualified neighborhood community organizations, and business districts
  - The Puyallup Tribe for substantial actions defined in the Agreement between the Puyallup Tribe, Local Governments in Pierce County, the State of Washington, the United States of America, and certain taxpayers, dated August 27, 1988.
  - A notice was published in the Daily Index and The News Tribune
  - Email notice was sent to community groups, stakeholders, and other interested parties.
  - **Public Notice Signs** – Public notice signs were installed throughout the Subarea prior to the initial Community and Scoping Meetings in 2013.
  - **60-Day Notices** – A “Notice of Intent to Adopt Amendment 60 Days Prior to Adoption” was sent to the State Department of Commerce on July 2, 2014 (per RCW 36.70A.106) and to the Puget Sound Regional Council on July 2, 2014 (per the Plan Review Requirements and Process in VISION 2040).
  - **Website** – The public hearing notice and all information associated with the North Downtown Subarea Plan and EIS were posted on the Planning and Development Services’ website at [www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning) “click on North Downtown Subarea Plan and EIS”.
  - **Environmental Review** – The Final Environmental Impact Statement (Final EIS) for Tacoma’s North Downtown Subarea Plan was prepared in compliance with: the State Environmental Policy Act (SEPA) of 1971 (Chapter 43.21C, Revised Code of Washington); the SEPA Rules, effective April 4, 1984, as amended (Chapter 197-11, Washington Administrative Code); and rules adopted by the City of Tacoma implementing SEPA (Tacoma Municipal Code, Chapter 13.12 Environmental Code). Whereas the City of Tacoma and Bates Technical College are co-lead agencies for SEPA compliance, the City served as the nominal SEPA Lead Agency for the North Downtown Subarea Plan EIS. Both the City and the College have determined that this EIS has been prepared in a responsible manner using appropriate methodology. As nominal SEPA Lead Agency, the City has directed the areas of research and analysis that were undertaken in preparation of this EIS. The Final EIS accompanies the proposed North Downtown Subarea Plan and should be considered in making final decisions concerning the Subarea Plan, as well as new policies and regulations, and site-specific projects proposed within the North Downtown Subarea. The FEIS was issued on July 2, 2014.

## **5. Public Hearing Comments:**

The Planning Commission conducted a public hearing on July 16, 2014, regarding the Draft North Downtown Subarea Plan and kept the record open through July 18, 2014, to receive additional written comments. Five people provided oral testimony at the public hearing and seven written comments were received during the comment period. It is also noted that staff organized a public hearing on May 29, 2014, at Bates Technical College and kept the record open through June 16, 2014 to receive additional written comments. Staff also prepared a Public Comments and Staff Responses Report which summarized public comments and staff's responses, and where appropriate, staff's suggested revisions to the Plan. The Public Comments and Responses Report was provided to the Commission at the August 6, 2014, meeting. Full-text copies of the comments received from the Planning Commission and staff-led comment periods are compiled in Exhibit E.

### **Comments received at the May 29, 2014, staff-led public hearing and associated written comment period:**

- **Marty Mattes, Director of Facilities & Operations, Bates Technical College:** Mr. Mattes expressed his general support for the Plan and process and stated that the SEPA process an important one for the college and that the Plan will aid with the Master Plan for the Downtown Bates Campus.
- **Elizabeth Burris, Chair, New Tacoma Neighborhood Council:** Ms. Burris shared general support for the Plan and process and was happy to see the inclusion of the Neighborhood USA award won by the 6<sup>th</sup> and ST. Helens intersection design in the Plan.
- **Denny Faker, Stadium Business District:** Mr. Faker supported the Plan and process and Staff's efforts. Mr. Faker also stated that there is not enough on-street parking in the district and that there is a need to at least maintain existing on-street parking.
- **Corine Dixon, Resident:** Ms. Dixon believes that it makes no sense to not require off-street parking in the Stadium area. She also expressed support for the Stadium Hillside Design Standards.
- **Ben Han, Pierce Transit:** Mr. Han stated his support for the Plan and process and stated that it reflects the City's willingness to listen.
- **Jori Adkins, Dome District:** Ms. Adkins believes that the City is in a transition phase and there is currently a push-pull effect happening with cars and transit. She is in support of the LINK extension through the subarea.
- **Ruby Chambers, Business Owner:** Ms. Chambers expressed that she is honored to have been involved with the project and that she is proud of how it's shaping the neighborhood.
- **Mr. and Mrs. Seviles, Residents:** Stated concerns about views from their Stadium Way residence that their view is shrinking, that the underbrush on the hillside is friendly to transients, but that they support a trail down the hillside.
- **Jane Moore, Resident:** Ms. Moore pointed out various typos and corrections to be made to the Plan. The majority of Ms. Moore's comments related to the Mobility Chapter of the Plan. She also provided feedback that the Pedestrian Street designation should be clarified and that sections describing intersection improvements should be updated.
- **Greg Griffith, Deputy State Historic Preservation Officer:** Mr. Griffith recommended expanding language in the plan that supports historic preservation and preservation strategies. Mr. Griffith also provided corrections to the Historic Preservation section and titles found within it.
- **Sue Comis, Sound Transit:** Ms. Comis stated that the Plan will be useful for Sound Transit's Small Starts grant application and that Sound Transit supports Recommendations M-2 regarding LOS and Recommendation M-5 regarding Adaptive Management. She also stated that Recommendation M-11 should be deleted and that Sound Transit cannot commit to share responsibility for access improvements but welcomes the City committing to improvements described. Sound Transit strongly supports Recommendation M-13 to designate the Link expansion alignment as a Transit Priority Streets and that siting and design of Link expansion will be done by Sound Transit in collaboration with the City. Lastly, Ms. Comis stated that the Plan should recognize that a specific number of parking spaces is not

as important as achieving the goals of providing multi-modal transportation system and a balance among modes. The Plan should recognize that the public right-of-way is limited and transit stops may inevitably impact some on-street parking.

- Liz Underwood, Puget Sound Regional Council: Ms. Underwood explained that Vision 2040 calls for mode split goals for regional growth centers. The provision of these goals could be addressed regional center-wide through other elements, such as the Downtown Element of the Comprehensive Plan.
- Kristina Walker, Downtown on the Go: Downtown on the Go is excited to see mobility and transportation options as a key goal in the Plan but find it problematic that a specific number of on-street parking stalls is listed as a goal [LU-5]. The organization would rather see language to the effect of: "Maintain access to businesses through parking management and a diverse set of transportation options that has a positive effect on economic development." Lastly, they encourage the inclusion of a recommendation for a Transportation Demand Management plan to ensure Adaptive Management and Mitigation Program investments are understood and utilized.
- Curt Anderson, Owner, and Corinne Dixon, Chair, One Stadium Way Condo Association: Trees along Stadium Way interfere with views and they request that the City and Metro Parks Tacoma proceed with the Vegetation Management Plan for the hillside. They desire to protect quality of life for citizens along Stadium Way corridor with its view and vegetation and to protect investment of property owners.

**Comments received at the July 16, 2014, Planning Commission public hearing and associated written comment period:**

- Department of Ecology, Southwest Regional Office: the Department of Ecology recognizes the North Downtown Plan's EIS as a non-project action and recommends that a typo in the Environmental Impact Statement on page 3.2-7 should be corrected and that the City of Tacoma should consider adopting additional policies related to the Tacoma Smelter Plume contamination.
- Curtis M. Anderson, Resident: The North Downtown Plan seems to advocate impairing efficient automobile usage by minimizing parking for the area and making Stadium Way a Transit Priority Street.
- Chris Karnes, Vice-Chair, Pierce Transit Advisory Committee: Mr. Karnes expressed concern regarding proposed Goal LU-5 which would seek to establish a specific number of on-street parking stalls in the Stadium District and urged the Commission to remove Goal LU-5. Mr. Karnes also stated that he understands concerns about customer vehicular access in the area but has never personally had a problem while walking, biking, or using the bus.
- Jane Ann Moore and Justin D. Leighton, Tacoma Transportation Commission Co-Chairs: Think the area can develop into a model neighborhood that includes facilities for pedestrians, bicycles, and transit. Having options for all modes will improve the flow of traffic and create a more vibrant area. They expressed concern about Goal LU-5 as it lists a specific number of on-street parking stalls. Also stated that managing parking includes a diverse set of solutions and transportation options and encourage Transportation Demand Management plan as a project goal.
- Andrew Austin, Policy Director, Transportation Choices: Mr. Austin expressed concern regarding proposed policy Goal LU-5 that establishes a specific number of on-street parking stalls in the North Downtown Subarea and that this policy will facilitate the introduction of angled parking. He also stated that parking should not be the number one priority; people should be and cited the Mobility Master Plan as support. Lastly, he concurs with that Tacoma Transportation Commission's recommendation to remove Goal LU-5 and to add a recommendation for a Transportation Demand Management plan in the Subarea.
- Michael Garrity, Chair, Pierce County Chapter, Washington Conservation Voters: Mr. Garrity expressed concerns regarding Goal LU-5 as it could harm long-term development of sustainable transportation options within the District. He also expressed concern that the goal could incentivize angle parking and stated that the Mobility Master Plan prioritizes pedestrians, transit users, and bicyclists over single-occupancy vehicles.

- Justin Leighton, Resident: Mr. Leighton is opposed to Goal LU-5 which would introduce a specific number of on-street parking spaces a goal of the Plan and is in favor of a parking management program for the area.
- Bill and Helen Abbott, Residents: Mr. and Mrs. Abbott expressed concern that the Link light rail construction could affect the stability of the hillside below Stadium Way.
- Jane Moore, Resident: Ms. Moore supports the plan overall and City's efforts. She also believes that parking requirements in the proposed Plan are inconsistent and that a Parking Management Plan for the subarea is needed. Ms. Moore is in favor of a pedestrian connection to Schuster Parkway from Stadium Way but has concerns about unreasonable tree removal and pointed out the need to clarify language about Pedestrian Streets.
- Denny Faker, Stadium Business District: Mr. Faker stated that the Stadium area is a dense neighborhood and there has been concern for some time about on-street parking and that 50 stalls have been lost in the last 24 months. Mr. Faker asked the City to maintain the number of stalls that currently exist with a goal of putting some back that were lost.
- Marty Mattes, Director of Facilities & Operations, Bates Technical College: Mr. Mattes stated that the SEPA process is a significant and important one for the college and that the Plan will aid with the Master Plan for the Downtown Bates Campus.

#### 6. Additional Information:

During the planning process and public outreach for the project, concerns were expressed regarding several key issues within the North Downtown Subarea. After consideration of the public comments and staff's suggested modifications, the Commission determined that additional modifications be made to the Draft Plan on these key issues, as summarized below. For a list of all revisions being made the Plan refer to Attachment A.

- On-Street Parking Within the Stadium Neighborhood. The Stadium neighborhood currently has approximately 397 on-street parking stalls according to the City's Public Works Department's preliminary parking study, completed in July 2013. As business owners, residents, and employees of businesses in the area expressed concerns that there is not adequate on-street parking to meet the area's need so Recommendation LU-5 was added to the Plan. Recommendation LU-5 states: Maintain the current number of on-street parking spaces in Stadium District with a target total of 420 spaces. However, after discussion at the August 6 meeting, the Planning Commission determined that removing a specific number of stalls from the Recommendation is appropriate given the desire to support all modes of transportation in the District. The Commission felt that language that aspired to keep as many on-street stalls as feasible while not inhibiting future transit or multi-modal improvements was more appropriate. The revised language was also deemed favorable by the Commission given the Plan's support for Transportation Demand Management and Parking Management programs, which were also supported by multiple public comments.
- Expansion of the Reduced Parking Area (RPA). The city of Tacoma adopted a Reduced Parking Area (RPA) Downtown that sets parking minimums to zero for residential and commercial uses, although accessible parking is still required. The RPA supports many of the goals for North Downtown and would eliminate a barrier to new investment and move the City toward a market-based parking system. The North Downtown Subarea Plan proposes to expand the existing RPA boundary west to Yakima Avenue and north to 6th Avenue. However, public comment was received expressing concern that the RPA boundary is not proposed to encompass the entirety of the Downtown Zoning Districts in the subarea. The RPA proposed to end at 6<sup>th</sup> Ave and to leave out portions of the Downtown Residential zoning in the St. Helens neighborhood north of 6<sup>th</sup> Ave. After discussion at the August 6<sup>th</sup> Planning Commission meeting, the Commission determined that given the residential nature and the expansion of the LINK light rail through the neighborhood, it would be appropriate to add a policy to the Plan that supports a 'revisiting' of the RPA expansion in 2020 or when the Link Light Rail expansion is in operation.

- **Stadium Business District Boundary Revision.** The Neighborhood Business District program, administered by the Community and Economic Development Department (CED), seeks to improve economic growth and redevelopment by assisting independent, local small businesses to organize into professional organizations. In order for a Business District to be recognized by the City, it must comply with criteria found in Chapter 1.47 of the Tacoma Municipal Code and Business District boundaries that typically follow the existing Mixed-Use zoning (Neighborhood Mixed-Use - NCX) in an area. Through the North Downtown Subarea Plan outreach process, the Stadium Business District requested their boundaries to be revised to reflect membership. The expanded boundaries included Tacoma General Hospital, the St. Helens neighborhood, and the McMenamain's Elks property. Through the drafting of the North Downtown Plan, staff proposed language for the Plan that described the desired, revised Stadium Business District boundaries and language that indicated that the Business District is working with CED to revise the boundaries. However, after discussion at the August 6, 2014, meeting, the Planning Commission determined that including revised boundaries for the Business District Association in the North Downtown Plan would conflict with the criteria in the Tacoma Municipal Code 1.47, which sets standards for establishing the Business District, including size limitations. As a result of discussions with the Commission, the section describing the proposed Stadium Business District Boundary Revision has been removed from the Plan.

#### **E. CONCLUSIONS:**

1. The Planning Commission concludes that the proposed North Downtown Subarea Plan and EIS are consistent with the Comprehensive Plan and part of the Downtown Regional Growth Center.
2. The Planning Commission concludes that the proposed Plan and EIS properly reflected the community's desire and will position the City well for potential funding opportunities, and are aligned with the regional vision as set forth in VISION 2040.
3. The Planning Commission concludes that the Subarea Plan accurately reflects the intent of and is consistent with the Countywide Planning Policies.
4. The Planning Commission concludes that effective implementation of the policies within the Subarea Plan should improve the attractiveness, use, and overall quality of development within the Subarea, and result in an enhanced, interconnected public access system that provides an attractive amenity for the recruitment and retention of businesses and residents to the City of Tacoma.
5. The Planning Commission concludes that the North Downtown Subarea Plan will facilitate transit-oriented development through its policies that support transit and transit agencies, transportation mode-shifting, reduced parking requirements, and complete streets.
6. The Planning Commission concludes that the Subarea Plan is the policy document that enables the actions needed to achieve the Vision of the North Downtown Subarea as it provides a long-term, coordinated framework to promote the ongoing revitalization of the area.
7. Concerning the proposed code changes associated with the North Downtown Subarea Plan, the Planning Commission concludes that the proposed amendments to the Land Use Regulatory Code will adequately address the goals and desires of the citizens of Tacoma and will improve the cohesiveness of the Code.
8. The Planning Commission further concludes that the proposed North Downtown Subarea Plan, as described above, is consistent with the Growth Management Act, will benefit the City as a whole, will not adversely affect the City's public facilities and services, and appears to be in the best interests of the public health, safety and welfare of the citizens of Tacoma.

**F. RECOMMENDATIONS:**

The Planning Commission recommends that the City Council adopt the North Downtown Subarea Plan, as set forth in Exhibit A, as a new element of the Comprehensive Plan and adopt the proposed amendments to the Tacoma Municipal Code, Chapters 13.06A Downtown Tacoma, as set forth in Exhibit B. The Planning Commission also provides the *Final Environmental Impact Statement for the North Downtown Subarea Plan, Issued July 2, 2014*, as set forth in Exhibit C, for the City Council's reference.

**G. EXHIBITS: (compiled separately from this report)**

- Exhibit A. Draft North Downtown Subarea Plan
- Exhibit B. Proposed Amendments to the Tacoma Municipal Code Chapter 13.06A
- Exhibit C. Final Environmental Impact Statement for the North Downtown Subarea Plan, Issued July 2, 2014
- Exhibit D. Minutes of the Planning Commission's Public Hearing, July 16, 2014
- Exhibit E. Written Comment Letters received on the Draft Subarea Plan

# CITY OF TACOMA LEGISLATIVE POLICY STATEMENT

**2015-16 EDITION**

DRAFT

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Transportation system utilities

**56**    **UTILITIES**

Utility rates & taxation  
Utility service  
Utility operation  
Telecommunications  
Solid Waste Utility  
    Landfill liability  
    Recycling  
Surfacewater utility (stormwater)  
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Tacoma Power  
Tacoma Water  
Tacoma Rail

## LEGISLATIVE PHILOSOPHY

The City Tacoma is a first class, charter city endowed by the State Constitution and laws, and by its citizens, with the authority to raise revenue and provide the services and facilities necessary to carry out the vision and policies set established by the City Council.

In its relationship with the State and Federal governments, the City always:

- Seeks the broadest authority for our citizens and the City Council to make decisions locally.
- Believes it has broad authority to raise revenue and works to reduce restrictions placed on revenue sources that have been specifically authorized by the State.
- Seeks options in both revenue-raising and in approaches to providing services to minimize reliance on State shared revenue so our citizens and the City Council can determine for themselves the best way to meet their needs.
- Seeks new efficiencies and partnerships that can enhance service delivery and reduce costs.
- ~~Seeks to avoid the assumption of the costs of services from other governments without adequate revenue.~~ Expects the State and Federal governments to fund the services they mandate the City provide.
- Seeks opportunities to help ~~our partners~~ other area local governments achieve success in order to further improve the community.

It is within this philosophy that the attached State and Federal legislative policies are adopted.

# **ADMINISTRATION**

## **Charter**

The citizens of Tacoma adopted a home rule charter in 1953. The Charter is regularly reviewed and has been amended by vote of the people many times. Within the framework of Federal and State law, the City should be free to exercise its authority in taxation and service delivery.

The City opposes legislation that infringes upon its autonomy, including its rights over water, power, telecommunications, and rail services.

## **Collective bargaining**

The City supports legislation that recognizes compensation and employee benefits as a proper subject for bargaining while maintaining public employers' prerogatives in managing their own operations.

The City also supports excluding essential management personnel, confidential employees and supervisory personnel from collective bargaining.

Legislation should not interfere with the City's ability to decide, with its unions, wages, hours and other conditions of employment.

## **Court consolidation**

The consolidation of municipal and district courts into one court of limited jurisdiction has been considered by the Legislature.

The City opposes a forced consolidation of its municipal court into the district court system. The municipal court, operating independently of district, is more accessible and responsive to citizens, more cost effective and efficient and dispenses justice constitutionally and appropriately. The City supports the local option of cities to maintain independent municipal courts and ~~supports further technical and financial assistance for the administration of municipal courts.~~

## **Equal Employment Opportunity**

The City is committed to programs designed to mitigate historical patterns of discrimination and prejudice against minorities and women.

The City believes that government should provide leadership in eliminating and preventing discrimination and, therefore, supports relevant programs designed to accomplish this goal.

## **Health care benefits**

The high cost of health care is an important fiscal concern to the City, both as an employer and because a substantial number of our citizens have no health care coverage.

The presumptive disease law should be reviewed. The City opposes any attempts to expand the existing law to other diseases, conditions or employee groups.

The City supports legislation that encourages development of alternative medical plans for delivery of health care. ~~The City supports efforts to include benefits for domestic partners of City employees at all levels of employment.~~

~~The voters of the City support legislative action at both the State and Federal levels to provide universal access to health care.~~ The City will continue to review this issue as implementing regulations or further legislation is developed.

## **Health department**

The Legislature has tasked counties with primary responsibility for public health. The City and Pierce County have adopted an interlocal agreement that continues the long-standing joint city-county health department model while placing greater financial and governance control with the County.

Voter initiatives substantially reduced State funding to local health departments, while at the same time the departments were faced with significant population growth and increased demands for services as well as being tasked with the preparing for the local response to potential national and international health crisis. The Legislature has made a very limited contribution to replace some of the revenue lost to local health agencies. The City supports full restoration of State funding to local health departments believes the State has an ongoing responsibility to provide financial assistance to local health departments.

The City opposes unilateral decisions by either the State or the County that would alter the operation or governance of the health department.

It is in the best interests of all levels of government that unauthorized use of prescription drugs be restricted and that such drugs are disposed of properly. The City supports ~~appropriate funding for~~ prescription drug take-back and/or safe disposal programs.

## **Liability on negligence and nuisances**

The City supports a State constitutional amendment to reinstitute the cap on non-economic tort damages as it was pursuant to the 1986 Tort Reform Act.

Where fault is attributable to every party that caused a claimant's damage, including the claimant, then judgment is entered against each defendant in an amount proportionate to that party's share of the claimant's total damage. An exception is made that where the claimant was not at fault; the defendants against whom judgment is entered shall be jointly and severally liable.

The City supports elimination of this exception. Defendants should be subject to payment of only their proportionate share of the claimant's total damages, whether or not the claimant is at fault.

The City supports legislation that will provide the ability for the City to recover litigation costs and expenses incurred to defend sidewalk liability claims where the abutting property owner knew or should have known that their sidewalk is unfit or unsafe, as well as legislation that limits the City's liability to its proportionate share of fault only.

The City has the authority to abate a public nuisance. Within this authority, the City is allowed to bring suit to recover the costs of abating the nuisance. The City may also apply a mechanic's lien against the abated property.

This limited lien authority does not adequately allow cost recovery for abating the property. There is no provision for the City to recover the administrative costs associated with abating the nuisance, and the City's authority to apply a lien against the abated property to recover its costs is limited in duration.

The City supports legislation that will allow a City to recover the administrative costs incurred in abating a public nuisance and seeks authority to apply a lien against abated property that will remain on the property until paid and has the same rank as state and local taxes.

## **Pension investment management & portability**

The State Investment Board manages the assets of the various State operated pension systems. Tacoma, Seattle and Spokane operate their own pension systems for other than public safety employees and manage their own assets.

The Legislature has considered requiring the city-operated pension systems to be managed by the State Investment Board.

The City is open to discussion with the State concerning the eventual inclusion of the City pension system under the investment management of the State Investment Board. The City opposes being required to do so.

The State has provided an exemption from public disclosure of certain information from the pension fund management firms it employs through the State Investment Board. The City also utilizes such firms and supports extending this exemption to firms employed by the City Pension Board.

Because public employees frequently move between State and local agencies during their careers, the Legislature has authorized portability between the pension systems of the cities of Tacoma, Seattle and Spokane and the various state pension systems.

The City supports portability of pensions as long as each participating entity is responsible for its individual costs.

### **Public records & open meetings**

The City respects the right of the public to have access to ~~legitimate~~ public records and documents.

The City believes its ability to recover the costs of searching for, gathering and reviewing requested documents is also in the public's interest. The City supports development of a process to allow it to charge reasonable costs.

The City tries to balance the legitimate right of the public to many public records with the rights of its employees to protect specific personal information from disclosure. The City supports legislation that will provide broader exemptions of personally identifiable information from public disclosure.

Documents that are not considered confidential or that do not relate to an investigation or on-going labor negotiations will be released as required to the public upon request.

Municipal utilities face direct competition from private sector companies that currently can use public records statutes to gather strategic business intelligence to give them a significant unfair advantage in a competitive environment. The City supports legislation to protect financial or

commercial information furnished to, or developed by, the utility as part of a proposal, bid, or negotiation for services provided by the utility.

The City supports legislation to allow public agencies to maintain the confidentiality of certain documents where there is a reasonable potential that such information could provide aid to persons intent on sabotaging vital public services.

Whenever the City conducts an investigation, whether through its police force or other branches, it will not publicly disclose the identities of those who file complaints nor other information that it considers vital to the investigation unless required to do so by law.

The State has provided an exemption from public disclosure of certain information from the pension fund management firms it employs through the State Investment Board. The City also utilizes such firms and supports extending this exemption to firms employed by the City Pension Board.

The City opposes requiring the recording of executive sessions or other restrictions on legitimate uses of executive sessions.

## **ECONOMIC & COMMUNITY DEVELOPMENT**

### **Annexation**

The City believes that annexation laws should encourage the logical development and expansion of the City to provide for a healthy and growing local economy and efficient services. The law should also prohibit unincorporated islands adjacent to City limits.

The City supports legislation that will further modify state annexation laws to reduce the administrative process of annexation, and further encourage and incentivize annexation of existing unincorporated islands. ~~A recent model that provides a temporary shift in sales tax revenue to incentivize very large annexations needs modification to recognize that most annexations involve far fewer than 10,000 people.~~

### **Arts**

The permanence and stability of Pierce County's cultural institutions are essential to our community's well-being. The arts have achieved acceptance as a sign of social and economic vitality in the region.

The City, through the Tacoma Arts Commission, supports use of the General Fund, grants, and dedicated tax sources such as hotel/motel tax (when available) as well as maintaining State appropriations for arts ~~stabilization~~ capital project funding.

Public art adds to the vitality of communities. The City supports programs such as 1 Percent for the Arts that assist with acquisition of art.

Arts education is important in encouraging and developing artistic talents as well as creating appreciation for the arts in young people. The City believes arts education is an appropriate use of state and local school funding.

## **Beltway planting**

The City supports a legislative strategy that would revise and upgrade the quality of landscaping and beltway planting along freeways, highways, local roads and non-motorized pathways to improve the overall aesthetic appearance of cities for visitors, guests, motorists and other citizens, as well as reducing greenhouse gases and contaminated storm water runoff, and assisting with the implementation of community safety programs by ensuring that landscaping schemes follow CPTED principles. (Crime Prevention Through Environmental Design).

Use of native plants and trees reduces maintenance costs for planted areas.

The City supports increased funding and stepped up implementation schedule for such landscaping in beltway plantings for all state and county highways. The City supports legislation that would require beltway planting in state and county construction.

## **Business relocation impacts**

While businesses have the right to close and relocate their operations, these decisions can have impacts to the neighborhood left behind. Some of Tacoma's older neighborhoods have suffered from business relocation decisions that have deprived large populations of essential services such as grocery stores and banks.

The impact of these relocations is compounded greatly when the departing business uses lease or sale agreements to prevent a potential competitor from using the abandoned business site. The effect of this policy is to deny a neighborhood the services of the departing business, and also to make it harder for a willing competitor to replace it while at the same time blighting the neighborhood with closed buildings.

The City supports legislation that will limit the ability of a business to restrict the use of abandoned buildings beyond one year from the date of closure of the business.

## **Fair share**

The concept of "fair share" is one where all of the communities in the state accept a measure of responsibility for hosting state and federal facilities that may be less desirable. One way of doing this is to assure that a community will only host facilities housing a number commensurate with the number of persons that community places into the State correctional and civil commitment systems. The concept includes assuring that neighborhoods within a city do not bear an unfair measure of responsibility for hosting these facilities.

The "fair share" concept also relates to where persons treated in state correctional and civil commitment facilities are released when they are not in a community based facility. Prisoners, for example, are to be released to the county in which they entered the corrections system.

The Legislature has directed State agencies to follow a "fair share" policy as far as practicable. Evidence of the use of this policy to date has shown it can work in directing to their home communities persons who might previously have been released in Pierce County.

The City strongly supports "fair share" in regard to persons with criminal histories. The problems caused in our community by the State not utilizing the "fair share" approach until recently did not occur over night and will not be corrected immediately. It is reasonable that the State will review and adjust the policy in time as it gains experience. The City expects the State to involve local government in any such reviews.

The City supports including persons released from civil commitment under programs operated by the State be subject to the "fair share" policy.

The City will oppose location of additional state correctional facilities in Pierce or south King Counties unless there is clear evidence through the use of the "fair share" policy Pierce County is putting more persons into these systems than it can house upon their release from correctional facilities.

## **Foss Waterway redevelopment**

The Foss Waterway is approximately three and one half miles of continuous shoreline adjacent to Commencement Bay and the Central Business District. The City purchased 26.8 acres of land along the Waterway in the 1990's and has spent millions of dollars cleaning the property and adjacent waters for redevelopment.

A design and development plan and an environmental master plan for redevelopment of the public parcels have been adopted.

The City expects to utilize a variety of available mechanisms to achieve redevelopment. These may include a public development authority, public-private partnerships, direct state capital budget requests, recreation and open space grants, and general obligation bonds.

The City may need to utilize other tools to achieve its desired result. These additional tools, such as tax incentives and tax increment financing, will require legislative and/or legal action or statewide voter approval.

The City supports legislative and legal efforts to achieve all appropriate mechanisms to achieve redevelopment of Foss Waterway.

## **Gambling**

The citizens of Tacoma have voted to ban non-tribal gambling in the city.

## **Growth management**

The City supports a strong emphasis on planning to better achieve goals to protect and preserve community character and urban design, improve quality of life, and minimize impacts on the environment and climate change. This support is demonstrated by the City's adoption of an award-winning mixed use center plan that embodies these goals.

The City is the appropriate level of government to define allowable land uses and other land development standards within its boundaries and can best determine a local growth strategy. Local governments can more readily react to local land use needs and trends. Some issues cross jurisdictional boundaries. Regional cooperation and coordination are appropriate for resolving these issues.

The City continues to support the Growth Management Act and believes its premise of State requirements and local determination are the appropriate response to manage growth in a coordinated and consistent manner. The City opposes amendments to GMA which weaken its mandates or undermine its ability to control sprawl.

The City believes GMA needs clarification by the Legislature concerning consistency. This includes, but is not limited to, the role of special districts. The City supports legislation that will require special districts to plan and perform activities that affect growth, development, land use, infrastructure, and services in compliance with local plans and regulations. Clarification and strengthening of consistency requirements for the provision of utilities and services by special districts, quasi-public and private providers is needed.

Local governments must maintain final decision authority on local zoning, land use, and planning. Specifically, the City opposes any effort by either the Legislature or Congress to preempt local land use or taxation authority pertaining to telecommunications infrastructure.

The City continues to support the concept that cities are the preferred places for urban growth. The county governmental structure is not equipped to serve urbanized areas and their attendant needs over the long term.

The Puget Sound Regional Council has adopted Vision 2040, the regional growth strategy for the central Puget Sound area. The City supports the ability of the region to establish its own growth and transportation planning goals. State and Federal grant programs should favor projects and plans which are consistent with the adopted regional plan.

The City supports the ability to appeal local plans and development regulations of adjacent jurisdictions to the Growth Management Hearings Board if there are inconsistencies and conflicts with the City's plans and regulations.

The City supports amendments to vesting rights to clarify that the right to develop occurs when a complete application is submitted.

Impact fees on private development were authorized by GMA to provide funds for off-site improvements for schools, transportation, parks and fire protection. The City supports impact fee authority for all off-site improvements that are required by new developments. Impact fees are not the only way for growth to pay for its costs to the community and will not by themselves provide sufficient revenue for the City to meet the infrastructure needs of expected growth. The City supports new revenue options related to development that can better cover the costs of growth related new or improved infrastructure.

The City supports the recommendations of the Land Use/Climate Change Advisory Committee which facilitate local government planning for climate change and providing additional infrastructure funding to accomplish those recommendations.

A comprehensive program allowing for the transfer of development rights could serve as another method of protecting agricultural and timber lands, wetlands and other critical areas while providing further incentives for development in urban areas.

## **Historic preservation**

The historic preservation goal of the City is to conserve, protect, rehabilitate and reuse commercial and residential properties, including neighborhoods of special historic, architectural, aesthetic and cultural value to the community. On the basis of principles of urban conservation and design, the City intends to pursue policies that maintain Tacoma's physical character, architectural presence and diversity and traditional patterns of stability and growth.

In furtherance of this goal, the City supports legislation that will continue special valuation tax incentives for the rehabilitation of historic properties and grant programs to assist preservation of historic properties.

## **Housing**

The City strongly supports legislation that will create a more effective partnership between Federal, State and local governments in addressing the needs of low-income households.

The City supports increased funding for the Housing Trust Fund/Housing Assistance Program as a source of revenue for local governments.

The City also supports legislation which will seek continued capital funding for affordable housing. A variety of proposals have come forward in recent years for creative financing of affordable housing. The City has supported these efforts and believes that State and local resources and creative tax strategies are the best methods of providing more funding for affordable housing.

The City supports the use of real estate excise tax revenues (REET) for low-income housing; the use of impact fees for preservation and replacement of low-income housing; affordable housing in each district (including downtown) throughout the City; fair housing provisions; and enhanced tenant relocation provisions when affordable housing is renovated or replaced.

Taxation of property devoted to low-income housing and mobile home parks should be permitted at current use instead of highest and best use. The City supports funding to enable tenants, nonprofit organizations, housing authorities and local governments to purchase at-risk Section 8 projects being converted to market rate rents. The City values group homes for persons covered by federal, State and local protected classes as a vital part of our neighborhoods and greater community. Racial and ethnic diversity in housing throughout the City is encouraged through principles to affirmatively further fair housing.

Properties owned and leased by nonprofits to provide permanent housing for the homeless should receive property tax exemptions. Current law only applies to shelters and transitional housing. A sales tax exemption and property tax deferral for improvements made by nonprofits to upgrade substandard housing is also needed.

Numerous affordable dwelling units are currently unavailable to potential owners or non-profit housing organizations because they have been closed under various drug elimination programs and dangerous building code enforcement actions. Rehabilitation of this housing should be encouraged through forgiveness or reduction of liens placed against the property.

The City supports the community mobilization programs such as Tacoma CARES, the Hilltop Action Coalition, and Safe Streets which assist local neighborhood revitalization and code enforcement activities.

The Tacoma Housing Authority is rebuilding the City's historic Salishan community using Federal Hope VI funds as well as local and private funds. The City took a lead role in securing the Hope VI funds and this project is the largest in the nation in terms of acreage.

The City supports completion of the project and believes there is an appropriate role for State funding assistance. The City also supports collaboration between the State and Federal governments and the Tacoma Housing Authority for like projects around the city.

The State should encourage appropriately designed construction and rehabilitation of affordable residential housing for low to moderate income families and individuals through financial and/or tax incentives to private developers.

The City supports programs that would facilitate home ownership by low- and moderate-income families and would provide a variety of affordable homes. These programs may include urban homestead programs, land trusts and tax increment financing tools as well as other options.

The Legislature has also considered proposals to override local zoning authority and force reductions in community construction standards packaged as affordable housing programs. The City opposes such efforts as both inappropriate and misdirected.

Tacoma has the highest foreclosure rate in the State. The City will look for ways to provide assistance to homeowners facing foreclosure and guard against abuse. The City supports first time homebuyer programs, especially in challenged neighborhoods.

Encouraging new downtown and mixed use center housing helps the City implement its Growth Management Act requirements to increase density and provide for affordable housing. The City has played a leadership role in the area, introducing successful property tax deferral legislation for multi-family housing that is now available to most cities in the state. The City has also introduced and supported legislation updating urban renewal statutes, providing tax increment financing and other approaches.

The City continues to support these and other development tools that encourage growth in urban centers.

The Legislature has mandated that the City must allow new manufactured houses to be located in any residential zone. The legislation does allow the City to require manufactured homes to meet any design guidelines that apply to conventional construction and to meet certain other foundation requirements.

The legislation should also allow the City to require manufactured homes placed on vacant lots to be of similar size and style to surrounding homes.

## **Library**

The City believes that it is a State responsibility to ensure an adequate level and an equitable distribution of library services, using methods that take into account the varying needs and fiscal capabilities of local government.

The Tacoma Public Library will enter into reciprocal borrowing agreements with other jurisdictions only if such an agreement can be shown to be clearly of benefit to the Tacoma Public Library and would cause no hardship to the Library.

In particular, the City will oppose any attempt to make mandatory such reciprocity, unless there is an agreed-upon, appropriate level of compensation. Reciprocal borrowing which causes a hardship or is unfunded is simply a tax shift from the "lender" jurisdiction to the "borrower" jurisdiction.

In Washington, public libraries are totally supported by local government. The City supports legislation to achieve a better balance in the intergovernmental funding of public libraries.

The City supports legislation that provides supplemental funding to libraries throughout the state. The City supports the exemption of libraries from the State sales tax on the purchase of materials to be loaned to the public; this amounts to a shift of local tax dollars directly to the State.

## **Neighborhood improvement**

Neighborhood residential and commercial areas must be prevented from deteriorating.

The City supports programs that may be developed to assist local governments in improvement of neighborhood residential and commercial area rehabilitation, through tax incentives, grants, loans and other programs.

The City supports additional incentives for revitalization of designated Community Empowerment Zones (i.e. Federal Enterprise Communities). For example, Housing Trust Fund and public works grants and loans should be targeted to the zones. State incentives should complement incentives offered by the Federal government.

### **Parks, recreation & urban forestry**

The City of Tacoma, together with the Metropolitan Park District, is in need of state assistance to improve, maintain and expand its local park system and the open space areas of the City. As the principles of the Growth Management Act are implemented, resulting in increased urban density, the need to acquire greenbelts, open space and additional park land will become increasingly important.

The state can provide assistance in the form of direct aid in acquiring park and open space land through such programs as the Washington Wildlife and Recreation Program (WWRP). The City supports full funding of these programs as well as providing expanded local tax and fee authority to permit the acquisition and maintenance of park facilities and acquisition and conservation of open space.

The Metropolitan Park District is a separate government, with its own taxing authority and its own elected governing board. While the City has provided financial assistance to the MPD in the past, it is increasingly difficult to do so and is not appropriate as a long-term funding mechanism. The City and District have entered into agreements in which the City contracts with the District for specific services and have arranged for the transfer of many City-owned park properties to the District.

The City is strongly committed to working collaboratively with the MPD to investigate alternate funding mechanisms and authority to ensure that Tacoma's parks are attractive and well maintained.

Tree planting programs have been shown to improve urban life through enhancements to air quality, shade, habitat and aesthetics.

The City supports legislation that encourages and provides funding assistance for urban forestry programs.

## **Permit fees**

The City has created an enterprise fund for the collection of building and land use permit fees with the intent of moving toward full cost recovery of expenses associated with the permitting and inspection function rather than drawing on the City's General Fund. A recent report by the State Auditor found that there was significant variation among local governments in how they determined fees for building and land use permit applications. The report recommended that the Legislature address this issue.

The City supports changes to permit fee legislation as recommended by the Auditor. Specifically, the City supports an expanded definition of the activities that can be included as an allowable expense in establishing reasonable fees. Such activities as pre-application meetings, providing information to the public, reporting, monitoring and answering inquiries should be included in the definition of allowable activities. The City also supports clarification that all direct and indirect expenses are allowable and can be recovered in whole or in part as permit fees. This includes labor, equipment, supplies, vehicles, training and internal support services. The City also seeks the authority to establish a reserve account of "working capital" to be incorporated into the fee as a reasonable expense to provide more predictable funding. The City supports a threshold of at least 10 percent and flexibility in how surplus reserves can be used to offset reduced revenues when permit activity fluctuates.

## **Pre K & K-12 Education**

Education has long been recognized as a key to successful community and economic development. The focus of this attention historically has largely been on skills training and higher education programs. City leaders are increasingly recognizing that their attention to education must begin early in a child's life.

Poverty, family instability, school failure, and childhood illiteracy contribute to serious problems such as crime and chronic unemployment in adolescence and adulthood. This, in turn, directly impacts the City's ability to provide public safety and social service programs and can work against the economic development initiatives of both the City and private sector. Successful intervention in these trouble areas during childhood- when services are less expensive and shorter term- can break this cycle and reduce the need for more expensive services such as incarceration and treatment for serious mental illness and chronic substance abuse.

The City supports funding for programs that sustain and empower families in achieving socioeconomic wellbeing. Domestic violence and other instances of family crisis can be reduced if children are instructed in

communication, financial planning, parenting, and conflict resolution skills. The City supports legislation to require such instruction in public schools.

Not all of the needs of children in pre K through grade 12 can be met exclusively by public schools or other government entities. There is certainly a role for social service agencies, increased parental involvement, and private schools in addressing these community needs.

City leaders can be catalysts in connecting these stakeholders. The State should encourage and support this activity through grants and the waiver of rules which may hinder community engagement in the schools.

The City supports legislation for Innovation Schools whose goals are to increase student achievement in high poverty schools that allow flexibility for staffing, and shared incentives for school staff communities whose students meet achievement goals.

The Supreme Court in *McCleary v. State* has determined that current funding for public schools does not meet the constitutional requirement that it is “the paramount duty” of the State to make “ample provision” for the education of all children. It is estimated that a minimum of \$1 billion in new on-going funding will be required to meet the requirements of the court decision.

Successful public schools are vital to the social and economic wellbeing of our citizens and the City as a whole, so the City supports implementing this decision as rapidly as practicable. The preferable approach would also mitigate the burden on school districts to use their local levies as they were intended- to enhance and expand programs which address the specific needs of local communities.

### **Property valuation**

An unfortunate result of current State policies on the determination of value of real property is the disinvestment in older buildings. This policy has significant societal cost as disinvestment leads to deterioration and blight. Older urban areas are faced with often large stocks of older commercial and residential buildings whose maintenance is costly. Owners, especially absentee owners, allow buildings to deteriorate through benign neglect. These unsightly and uninhabitable structures have higher than average costs to local government for public safety and code enforcement activities.

The City supports legislation which would use property valuation to encourage rehabilitation and which would make deferred maintenance less advantageous.

## **Stadia & convention centers**

Stadia and convention centers are very expensive to construct and require a significant level of maintenance and renovation to remain viable in a highly competitive environment. The City believes it is appropriate for the State to have a significant role in development of capital facilities for tourism and recreation activities. The investment in such facilities results in millions of dollars in direct and indirect spending which creates jobs and results in significant tax revenue to the state.

## **Tax incentives**

In concert with its need to have a flexible menu of revenue opportunities, the Legislature should provide local governments with as much flexibility as possible in crafting tax incentives to meet specific local economic development needs.

While some statewide economic development incentives have been very beneficial in attracting new investment and jobs, their value and impact vary significantly in different communities.

The ability to reduce or provide exemptions for sales taxes, for example, may be far more important to border communities than to cities in the Puget Sound area. Conversely, the impact of certain incentive programs, such as the high technology sales tax exemption, may be much more serious in specific cities.

The State has had a ~~tendency to create~~ history of creating designated areas in communities through competitive programs or by legislation. Empowerment zones, enterprise zones, renewal communities, international financial services zones, and most recently innovation zones are examples. The pattern is for the program to be created and then attractive cash grants or special tax rates are provided for one or two years. Subsequent legislative sessions reduce or eliminate the funding and what may have been a promising program ends, often before it has had a chance to make a difference.

The City supports a better approach to this series of short lived programs ~~that would be to~~ allow cities to craft their own incentive programs using city and State revenue streams to incentivize new development, develop new value capture tools, or otherwise facilitate major redevelopment.

The City also supports legislation that provides economic development opportunities beyond enterprise community boundaries. This legislation includes, but is not limited to: the multi-family housing tax incentive, tax

increment financing, the Main Street Act (a series of small tax incentives for neighborhood business districts), community facility financing, ~~shared state revenue for construction of convention and special event centers,~~ ~~additional shared state revenue for urban renewal and other~~ capital funding assistance for public facility improvements, and innovative approaches to property tax assessment that reduces the current incentive to allow property to remain blighted.

## **Tourism**

Tourism is one of Washington's major industries, yet the State devotes less funding for tourism development than any other state. Film production, from which Tacoma has benefited in the past, is an important part of tourism development.

The City supports State funding for tourism at a level comparable to other states our size.

## **Two-year colleges**

Tacoma is blessed with several quality higher education programs that provide the first two years of post-secondary education. Within the city, both Bates Technical College and Tacoma Community College provide a wide breadth of academic and vocational training to thousands of students each year. Clover Park Technical College and Pierce College provide service to thousands more.

Financial support for each of these institutions is a state responsibility; the City has nevertheless worked with them in the past and has an interest in making sure they are able to carry out their responsibilities. The City supports the operating and capital facility needs of these institutions.

## **University of Washington Tacoma**

Development of the UW Tacoma campus meets many community and state needs including those of providing a broad range of education opportunities, complimentary programs to those of existing private, community and technical college offerings, training and retraining opportunities for local employers, and increased accessibility to higher education.

The City supports full development of the University of Washington Tacoma curricular and capital programs. In recent years, appropriations for the campus have increasingly lagged behind the original development plan. It is important to the success of the campus that work not be halted on its development during any biennial budget cycle.

**Washington State History Museum**

The Washington State Historical Society's Washington State History Museum at Union Station is the crown jewel of State-owned cultural facilities and represents a major element in redevelopment of both downtown Tacoma and Foss Waterway. The City was a major partner in development of the Museum.

The Museum location adjacent to the University of Washington Tacoma and Thea Foss Waterway provides several natural opportunities to enhance its ability to tell the story of Washington's dramatic history. In consultation with the City and other stakeholders, the City supports the Society's efforts to further develop this site and the removal of barriers to greater public access.

## ENVIRONMENT

### Air & water pollution

Air and water quality in the City of Tacoma have improved significantly over the past two decades. This is not an accident but the result of the City's strong support for and enthusiastic adoption of high standards when it comes to cleaning and protecting the environment.

Given the City's commitment to the environment and its actions to cleanup a century of pollution from our waters, the recent increase in trains carrying crude oil and proposals to further increase such shipments and shipments of coal as well raise serious concern. Many of the tanker cars used for oil transport do not meet modern safety standards. There are also issues of crossing safety, crowding of other uses off of the mainlines in favor of the lucrative shipment of crude oil, and the ability of public safety agencies to respond to emergencies.

The City's support of Urban Waters, a partnership of the City, Port and University of Washington Tacoma providing original research on key issues on the health of the Puget Sound, is another example of the City's commitment to protecting Puget Sound the environment.

A large portion of the urban area of Pierce County is currently not in compliance with Federal air quality standards for small particulates. Wood smoke and transportation sources are the top contributors to the problem.

The City supports the work of the Puget Sound Clean Air Agency and its efforts to bring further improvement to the air quality of the region.

The City supports continued efforts by the State and Federal governments to provide financial assistance for programs which address emissions from these sources.

~~The Governor has formed the Puget Sound Partnership to provide~~ develops recommendations to integrate the work of local, state and federal governments, the private sector and citizens to protect and restore Puget Sound. This comprehensive, ecosystem approach is the best way to address the varied needs of the sound, which is one of the nation's most valuable waterways. The City supports the work of the Puget Sound Partnership.

The City supports restrictions on use of rail through the City for increased crude oil and coal transport unless accompanied by training and equipment for local public safety agencies, improved crossing safety and

assurances of access to the mainlines for other commodities and commuter rail.

### **Model Toxics Control Act**

The Model Toxics Control Act (MTCA) is a state version of the federal Superfund law (CERCLA). It was adopted by a vote of the people in 1988. It is designed to provide a process for clean-up of contaminated sites. MTCA is funded primarily by a tax on oil production. The revenue is divided into state and local accounts.

The City supports the goals of MTCA but encourages the Department of Ecology to demonstrate flexibility in working with local government on clean-ups.

The City opposes any efforts by DOE or the Legislature to use local MTCA funds for anything other than local purposes.

When oil prices have escalated, the MTCA tax generates significantly more revenue. As long as local projects are fully funded, the City supports funding other local environmental clean-ups and prevention efforts with MTCA funds during such periods. These new uses must be determined by DOE in consultation with local government and other interests.

### **State Environmental Policy Act (SEPA)**

The citizens of Washington have long regarded environmental protection as a priority. Their adoption of SEPA and the Shorelines Management Act by popular vote is evidence of this commitment.

The City supports the goals of these laws and of the Growth Management Act.

There are inconsistencies and overlaps between these statutes and, like all major policies they need periodic review to ensure that the goals are being met and that the regulatory process has not grown too cumbersome.

The City supports continued efforts by the State to increase predictability of the environmental permitting process. It is the City's goal that such predictability should strengthen economic development opportunities.

## **Sustainability**

**At the minimum, Sustainability is simultaneously an idea, a way of living, an economic goal, a manufacturing process, a lens that can be used for decision-making, and a property of an ecosystem. The City embraces all of these definitions. ~~Through~~ The City is proud of its initiatives to create a clean, safe, attractive community, reduce its carbon footprint, perform as a careful steward of the natural resources it controls, and best leverage the financial contributions of its tax and rate payers, to meet these goals. The City also believes sustainability requires use of best available science in shaping regulations and clear cost and benefit analysis.**

**The City supports legislation at the State and Federal levels that will assist in the furtherance of these goals.**

**Specifically, this includes efforts to establish caps on carbon output through one or more methods (for example: cap and trade, carbon taxes, regulatory control) and which result in reductions of carbon output over time; and programs that encourage expansion of recycling, other conservation programs, and improvements to product stewardship. The City also supports legislation which promotes transit oriented development, incentives for clean technology and green jobs, urban forestry and investment in renewable energy.**

**The City supports legislation that provides green building incentives, and which facilitate production of local, ecologically sound food production and distribution.**

**The City supports legislation that encourages use of clean fuels, including electric vehicles and their charging infrastructure.**

## **Wetlands**

Many wetlands perform an invaluable role of flood control, water filtration, wildlife habitat and important aesthetic functions.

A variety of City, State and Federal laws and regulations require the identification and protection of wetlands. The myriad of laws and regulations often lead to confusion and frustration by citizens. This issue is one which needs carefully established State guidelines paired with significant local autonomy. Coupled with this loss of ability of local government to set its own standards is the need for new tools to allow preservation of important wetlands.

The City supports legislation that provides for uniformity in how wetlands are classified and regulated. This uniformity must, however, address differences between urban and rural areas.

The real estate excise tax (REET) should be modified to allow this revenue to be used for the purchase of wetlands and other critical areas by local governments.

A comprehensive program allowing for the transfer of development rights could serve as another method of protecting valuable wetlands as well as other critical areas, while encouraging development in urban areas. The City will support these and other appropriate new revenue sources and tools to assist in the preservation of wetlands and other critical areas.

The City also supports the concept of mitigation banking. Of particular value in urbanized areas, mitigation banking generates credits for the enhancement or expansion of recognized wetland banks that can be used to fill or otherwise utilize other sensitive areas. This approach is consistent with the goal of no net loss of wetlands while allowing development that might otherwise not be permitted.

# **HUMAN RIGHTS & AT-RISK POPULATIONS**

## **Accessibility**

The passage of the Americans with Disabilities Act of 1990 places additional obligations on local governments to implement non-discriminatory policies and practices.

The City supports legislation that both mandates and funds enforcement of requirements that provide accessibility for the disabled.

## **Children & families**

City governments in Washington are finding it increasingly difficult to respond to the growing needs of children and families within the limited resources available. Local educational, social service and health care systems struggle to provide basic services to an increasing number of children and families who are poor, abused, and seriously ill or drug involved and are often without health insurance.

The City supports legislation that increases state funding for programs providing services and support for children and families. Specifically, the City supports legislation that sustains and empowers families in achieving socioeconomic wellbeing.

Domestic violence and other instances of family crisis can be reduced if children are instructed in communication, financial planning, parenting, and conflict resolution skills. The City supports legislation to require such instruction in public schools.

The City supports programs to provide prenatal and infant care, promote family stability, provide childcare resources, reduce the incidence of child abuse and neglect, and address drug and alcohol abuse.

## **Chronic inebriates**

The City, working with the community and the State Liquor Control Board, has utilized alcohol impact areas (AIA) as an important tool in reducing chronic public inebriation.

The City will oppose any efforts to weaken or restrict the authority of the Liquor Control Board as regards AIAs. The authority of the Liquor Control Board and local government must be preserved to identify and prohibit alcohol products which contribute to chronic inebriation and increase the costs of local public safety and health care agencies.

A second component of the City's effort to address chronic inebriates was the establishment of a sobering center. This facility opened in 2004 and provides warm and secure sleeping facilities as well as access to programs to help break the cycle of alcoholism.

The City has partnered with non-profit agencies to fund the sobering center. The City supports legislation providing new revenue opportunities to maintain this and other important human services.

## **Deaf services**

The deaf and hearing-impaired constitute a large population in the City of Tacoma. Efforts to contact and maintain contacts with this community are very difficult. The present state program that uses a tax on phone services to fund the purchase of TDD phone connection devices for the hearing-impaired has and will continue to enhance the ability of this group to contact the larger community. There is a need to have, at the local level, trained personnel to assist the hearing-impaired with problem-identification and solutions.

The City supports legislation that would provide funds for deaf service centers. Services would be provided from existing locations, such as the Tacoma Area Coalition of Individuals with Disabilities Center, and would not require additional local funds.

## **Discrimination & hate crimes**

Hate crimes and discriminatory attitudes are injurious to community well-being. The City embraces diversity in the areas of housing, employment, and public accommodation in all neighborhoods and works to increase opportunities for all in these areas. The City includes sexual orientation as a protected class in hate crime and anti-discrimination legislation.

The City and supports similar action at all levels of government.

## **Financial assistance programs**

Cutbacks to financial assistance programs during the recession led to significant hardship to many individuals and families and impacted local service providers funded by the City. The City encourages the State needs to continue, at current or increased levels, restore funding for financial assistance programs to pre-recession levels. The City also supports Families should retaining eligibility for as many families as possible for as long as possible.

The City ~~encourages the State to fund more supports~~ programs for transition to employment and self-sufficiency. Programs such as job training, remedial education, child care, transportation and medical services should receive even more support to help TANF (Temporary Assistance to Needy Families) recipients make the transition to work as quickly and as smoothly as possible. In implementing ~~the new~~ Work First programs, the State needs to ensure that its changes do not create greater demand for local government support of emergency shelter, emergency services, employment and training, and child care programs to assist families who are no longer receiving benefits. State funding should be provided to offset any impacts on local services. In addition, local communities should be active in the design and delivery of services.

Severe reductions in funding for the Disability Lifeline program will have a direct impact on homelessness, hunger, street crimes and other social concern for local governments throughout the state. Cutting or underfunding this program represents a significant transfer of State responsibility to local government and local social service providers.

The City believes supports this program ~~must be~~ as a top priority of State government regardless of the revenue picture because the costs of the alternatives are far greater.

To maintain or increase State funding for financial assistance programs leading to self-sufficiency may require the State to review expenditure caps. The State should also consider tax credits to businesses that hire recipients of financial assistance and identify and revise policies that represent potential barriers to work.

## **Homeless**

The institutional "revolving door" phenomenon of the homeless mentally ill creates an ever-increasing and disproportionately large percentage of homeless persons who gravitate to the streets and services in downtown Tacoma. There are also those among the City's homeless population who are there for economic reasons and even a few who choose that way of life.

The City, along with the City of Lakewood and Pierce County, have adopted "The Road Home," a ten-year plan for ending chronic homelessness in Pierce County. Implementation of this plan is not dependent on action by the State, but the State certainly has a role in providing affordable housing, providing services to the homeless and in providing appropriate resources to local government to carry out this plan.

The City has also implemented the Housing First program which bans living in encampments and provides supportive housing to those persons who choose to leave the streets. Many of those helped by this program have mental health or substance abuse issues. The City has used a portion of its mental health-chemical dependency tax authority to fund this program.

The City supports legislation to assure continued funding for Housing First.

The City supports an increase in state funding for a full continuum of subsidized and supportive housing. This includes, but is not necessarily limited to: emergency shelters, domestic violence housing programs, and transitional housing as well as legislation that provides funding for acquisition, rehabilitation, construction and capacity building for local entities serving the homeless. At the Federal level, HUD should permit the broadest possible use of funds designated for local government to support ~~Housing First~~ and other programs aimed at providing shelter for the homeless as other housing programs, including health care and mental health services.

## **Human rights**

The City believes that each human being should be treated with respect and accorded fair opportunity for employment, housing, and access to services.

Domestic violence and sexual assault prevention programs ~~should be expanded and given greater funding~~ are in increasing demand. Shelters of all types need additional funds for the maintenance of current structures and the construction of new facilities to meet demand. Coordinated response networks need help in tracking offenders and assisting battered families to stop the violence and offer aid to victims.

For the children of these families, the City supports the strengthening of laws to allow little or no contact time with abusive parents.

The City ~~also advocates~~ supports changes in the law so that domestic violence and hate crime cases can be prosecuted when the State has witnesses to the act, but the primary victim will not testify for fear of retribution from the offender or the community.

~~The City requires additional resources for local enforcement of State and Federal law.~~

## **Medical cannabis & recreational marijuana**

In 1998 Washington voters adopted Initiative 692 which permitted doctors to authorize limited amounts of cannabis as a treatment for persons suffering from certain terminal or debilitating conditions. ~~Current regulations covering the conditions that must be met for eligibility of a patient and the amount of the drug a patient is allowed over a specific period of time, and how the patient can safely and legally acquire the medical cannabis are vague and confusing for patients, providers and law enforcement. Further, medical cannabis is often distributed to patients in an edible form which is not regulated like other food products through local health departments. More recently, voters approved Initiative 502 which~~ legalized the purchase and private use of marijuana and established a process for commercial grow operations and retail sales outlets. The medical cannabis law was not amended by the later initiative. The result is confusion with licensed recreational marijuana retail operations and a largely unregulated series of medical cannabis dispensaries. Initiative 502 has also highlighted other issues that need attention such as access to banking services for retail operations.

The City ~~believes~~ supports the goals of the both laws is to protect a qualifying patient's persons safe and legal access to the product, including confidence that edible products were prepared under proper regulation.

The City supports legislation harmonizing the medical cannabis statutes with the newer recreational sales initiative so that both types of users of cannabis have the safe access that Washington voters have approved. ~~this specific goal and believes patients and the community at large will best be served if the State refines its current policy and has Federal support for it.~~

The City also supports legislation or regulatory changes to allow retail marijuana businesses to have access to banking services.

The City also supports the Gregoire-Chaffe petition to the Drug Enforcement Administration seeking reclassification of cannabis from a Schedule 1 to a Schedule 2 drug to allow medical cannabis to be prescribed like other drugs and sold in licensed pharmacies.

## **Seniors**

Individuals aged 60 years and older are a growing percentage of our population. Many are frail and vulnerable. They are in need of a variety of services to assist them to live independently in the community. These services include: senior information and assistance and case management to assist with economic security, employment and training, home maintenance, home repair services, respite care, day health care, health care, mental health, legal assistance, transportation, housing, and elder abuse services. There is also a need for senior activity centers and meal programs to increase socialization, education and enhance good health. These services are important because they are cost effective and important to a senior citizen's ability to live in the community. In addition, a support system is provided to decrease isolation and loneliness, one of the primary causes of a senior's loss of independence.

The City supports legislation that will fund and increase services to bolster independence, including revision of regulations and policies that exclude older workers from access to the work force. In addition, all federal and state funded programs for seniors should be supported and continued.

## **Working poor**

Adequate wages and benefits in the local workforce reduce the need for social service and criminal justice expenditures.

The City supports increased funding and opportunities for worker training including on-going funding for local employment and training consortia. Interest from the Unemployment Trust Fund is an appropriate funding source for such programs.

With unemployment and underemployment at historically high levels, the City supports legislation targets at opportunities for the working poor.

Washington voters have endorsed the State minimum wage and the need to keep it tied to the cost of living. The City supports this approach.

The Federal government has failed to address immigration reform. This inaction has resulted in continued uncertainty for undocumented workers in Tacoma and across the nation, increased the burden on local law enforcement, and resulted in some cities and states taking unilateral actions.

The City supports comprehensive immigration reform that includes protection of human and civil rights of both citizens and non-citizens, support for city and state governments that are paying for the current broken system, use of new technology to match foreign workers with jobs that are going unfilled, reducing the obstacles to citizenship for the estimated 10 million undocumented workers in the country; and increasing border security where needed.

## **REVENUE, BUDGET & FINANCE**

### **Capital facilities revenue**

Capital facilities in cities include the grand, such as convention centers and stadia, and the unseen such as sewers and water lines. Streets, bridges, fire stations, parks and office buildings are also important parts of municipal infrastructure.

Financing these important facilities has become increasingly difficult for local government. Initiatives and legislative actions have reduced capital revenues. New growth pays for only a portion of the new infrastructure it demands, and does not provide a means to maintain or replace older infrastructure. Without new revenue sources the City will not be able to repair its infrastructure or meet the obligations of expected population growth.

Most utility infrastructure is paid through rates. Impact fees and the real estate excise tax are among the limited revenue options cities have to pay for non-utility capital facilities. The City has dedicated other revenues, such as fees for street vacations, to the purchase of open space and transportation improvements. The only other major revenue source for infrastructure is voter approved bonds or levies paid by property taxes.

The City has repeatedly introduced infrastructure funding legislation itself as well with other cities and the Association of Washington Cities, the business community, other levels of local government, and other interests to advance funding ideas for local government infrastructure.

~~The Legislature has recognized the need to assist with local government infrastructure and has considered a wide variety of options in recent years.~~

~~There have also been discussions in recent years to fundamentally change the Public Works Trust Fund and to merge the various infrastructure programs into a comprehensive infrastructure bank.~~

The city supports the following revenue and policy options:

- Reforming the Public Works Trust Fund by restoring its revenue sources, streamlining its processes, and allowing the Trust Fund Board to expand uses for its loan program and make other modernizations.
- Establishing Community Facilities Financing. This tool, used in many other states, is similar to a local improvement district. It can be used to provide funding for infrastructure needed for economic development projects through voluntary property tax assessments.
- Fix street utility authorization. The concept of paying for residential streets and arterials as a utility and charging citizens and businesses a fee based on their use of the transportation infrastructure is not new. The current law was found unconstitutional some years ago but an appropriate fix has been developed and this option should be restored to local governments that choose to use it.
- Strengthening tax increment financing, and/or adopting other value capture tools to more closely follow the model used in most states while retaining protections so that such tools are not used to move existing jobs and tax base from one community to another.
- Eliminating the variations in allowed uses for the two local option real estate excise taxes (REET); Allowing REET to be used for purchase of wetlands and other critical area lands; Authorizing a new local option REET or a credit against the state share of the tax in lieu of impact fees.
- Establishment of an infrastructure bank model as long as it offers both loan and grant programs for a variety of needs and does not slow the already lengthy approval process.

- Establishment of a viable funding mechanism to ensure LID success in low income mixed use centers in the City.

## **Finance & accounting**

The City supports legislation that make it easier, and less costly, for the City to perform its accounting and financial procedures.

The City supports legislation that increases the variety and flexibility of financing mechanisms.

The City supports efforts to eliminate archaic statutory requirements for certifications, redundant reviews, and similar mandates that merely add costs and delays to the City's business processes.

## **General fund revenue**

It is an increasing challenge for the City to provide basic services within the limits of available existing local revenue sources. It has also become more difficult for the State to continue its historic role of providing shared revenue to local government. The combination of these challenges requires changes in the relationship between the State and cities.

~~These basic services include criminal justice programs such as police, prosecution and municipal courts. The state and Federal governments have a clear interest in assisting local government with criminal justice costs.~~

~~Tacoma's challenges are not unique. Older urban and suburban cities, newly incorporated communities, and counties have all experienced some level of financial stress in recent years. The answer for all of these communities cannot come at the expense of other local governments.~~

The City believes the best way for both the State and local government to be able to address revenue needs and properly structure basic services to meet the unique needs of each city is to establish fiscal home rule as an option for the cities that are willing and able to utilize it. In return for being granted the increased flexibility to raise revenue and spend what is collected as local elected officials determine, a city would agree to forgo receiving any further shared operating budget revenue from the State. Transportation shared revenue and grant programs and capital budget member requests and grant programs are not included in the fiscal home rule equation.

The City supports establishment of fiscal home rule for cities in return for ending receipt of certain operating budget shared revenue.

~~The Legislature recently provided local government with some additional general revenue options. More needs to be done. The City supports legislation that will increase, expand, or favorably restructure its revenue-raising ability. In consideration of the continued growth in demand for services that exceed revenue growth and inflation, Under fiscal home rule, the City's supports includes, but is not limited to, the following revenue options policies:~~

- The City has broad authority to raise revenue.
- ~~Give local governments i~~ Increased local option flexibility in all specific State-authorized areas of taxing authority taxes. This includes removing rate caps, non-supplant language, and restrictions on how revenue is spent.
- ~~Allow the City to tax its municipal electric utility and all other energy providers at the Charter approved limit rather than the state cap of six percent.~~
- Provide incentives to local governments to consider consolidation of services.
- ~~Eliminate remaining non-supplanting language and restrictions on use of certain revenues in local option tax authority. This language excessively limits City Council discretion regarding funding priorities.~~
- ~~Continued direct appropriation or a new dedicated revenue source to assist local government with criminal justice costs.~~
- ~~Allow cities, with voter approval, to restructure the property tax collected within the city to reflect a fee for service model.~~
- Provide a fix so that voter approved permanent EMS levies are not subject to the tax rate impacts of the 1 percent cap on property tax revenue.
- Critically examine State tax exemptions that reduce revenue to both State and local government.

Local and state tax revenues have been impacted by the growth of internet sales. These sales reduce sales tax collections but can also impact business and property tax revenue as local retail stores struggle to compete with untaxed online sales. The City supported Washington's adoption of destination based sales tax distribution as part of a national effort to secure Congressional action to

authorize the taxation of interstate online sales. Many major retailers- both brick and mortar and online- have embraced this concept.

The City supports Congressional approval of ~~such~~ the Main Street Fairness legislation. The City supports continued State mitigation from the change to destination based sales tax distribution for negatively impacted cities for a reasonable period of time.

The City is committed to making its tax collection and regulatory processes as simple to understand and comply with as possible. ~~The City is open to discussion of greater collaboration between cities and the State Department of Revenue concerning the collection of municipal B&O taxes. The City must be provided solid revenue safeguards as part of any proposal and the City must retain full authority concerning its business tax rates, exemptions, audits, thresholds and categories. The City also supports reforms of the State B&O tax similar to those enacted by the City in recent years. In the meantime, the City intends to complete its work with other cities to develop an online web-based portal to simplify tax calculation and payment for businesses.~~

The City supports collaboration with the State to make securing business and regulatory licenses as simple a process as possible. The City is willing to work with stakeholders concerning license fees and requirements, and collection of needed regulatory data. The City will oppose legislation authorizing State determination of local tax regulation or mandating State collection of local taxes. The City will oppose any effort to capture or divert its revenue to other governments.

## Local transportation revenue

Motor vehicle fuel taxes provide a dedicated revenue source for State transportation needs. Property taxes provide a dedicated revenue source for county transportation needs. Cities are the only general purpose governments in Washington that have not had a dedicated transportation revenue source since the Legislature re-enacted Initiative 695, capping vehicle license fees at \$30.

Meanwhile, the population in urban areas in Washington has exploded over the last 15 years and total miles driven have increased dramatically, particularly in the central Puget Sound area.

The City supported the adoption of the 5 cent gas tax in 2003 and the 9.5 cent gas tax and fees in the 2005 Transportation Partnership Act. These two funding programs will result in State expenditure of over \$600 million in freeway construction in Tacoma and an additional \$400 million in the rest of Pierce County. The I-5 and SR-16 projects in Tacoma funded with this revenue are very important, but so are the City arterials that feed those State highways and the residential streets that feed the arterials.

~~Unfortunately, other previously approved local options have been removed by court decisions or initiatives or generate very little revenue in most cities.~~ The need for additional local transportation funding options is critical. Without new revenue sources the City will not be able to meet the infrastructure needs of the population growth expected over the next several years.

The Legislature has approved a promising transportation funding tool for local government. The City ~~supports~~ has implemented its Transportation Benefit District (TBD) authority which provides for a mix of revenue sources and significant local flexibility.

The TBD option does not eliminate the need for other new and realistic local transportation funding options that can be enacted to meet specific local needs.

In particular, the City supports adoption of constitutional fixes to street utility legislation.

The City also supports full funding of the Transportation Improvement Board and FAST corridor freight mobility projects.

The City also supports changes to State and Federal grant programs to incentivize local governments to engage in mobility master planning and adoption of ordinances encouraging construction of complete streets (streets which support multiple transportation modes).

## **Unfunded mandates & other State & Federal budget impacts**

Mandates from the Federal and State governments are rarely accompanied with adequate new revenues or taxing authority, but instead force the City to reduce funding levels for other services.

Other budget decisions made by Congress and the Legislature can have a significant effect on local government.

For example, reduction in funding of Community Development Block Grants and other funds used to meet social needs causes a direct increase in the number of recipients of those programs seeking revenue from City government and local agencies. Reduced housing assistance causes increases in homelessness that local governments must address. Failure to adequately fund corrections programs fills local jails and can result in the release of dangerous felons to City streets. Reduced staffing at state mental institutions leads directly to increases in the number of uncared-for persons in the community. Reduced funding for education at the pre-school, K-12, 2-year, 4-year, and graduate program level reduces economic opportunity for local citizens.

Congress passed legislation prohibiting unfunded mandates and the voters of Washington have twice approved restrictions on the ability of the state to impose unfunded mandates.

The City opposes efforts by Congress and the Legislature to balance budgets by shifting responsibilities to cities.

## **PUBLIC SAFETY**

### **Administrative warrants**

For several years, fire departments in Washington conducted inspections of buildings to identify and correct fire and safety code violations that might result in increased risk of injury or death to occupants and firefighters.

The Washington Supreme Court ruled in *McGrady v. Seattle* that the Legislature has never specifically authorized judges to issue administrative search warrants to allow fire departments to conduct these inspections. The result of this ruling has been the loss of a significant tool used in protection of our communities.

The City supports legislation that clearly grants to judges the authority to allow local fire departments to use administrative search warrants for the purpose of conducting routine fire and life safety code inspections.

### **Cost recovery for services**

The City provides certain public safety services to special purpose districts without collecting fees from those districts.

Some of these services are highly specialized and are necessary only because of the existence of the special purpose district. All City taxpayers support the cost of development and maintenance of these specialized services yet receive no direct benefit from them.

The City supports legislation that would require special purpose districts to bear their fair share of such costs.

## **Domestic violence**

Crime statistics indicate that more than half of reported violent crime is domestic violence. The City has made addressing this issue a top priority.

The City has devoted financial resources to combating domestic violence, has been at the vanguard in terms of amending its laws to toughen penalties, and has pioneered cooperative relationships with other governments to address the issue.

Frequently, victims of domestic violence have no place to go to seek refuge from the abuser. Local shelters do an outstanding job, but are frequently full. In some cases, the abusing partner has tracked the victim to the shelter and thereby reduced the effectiveness of the security.

The City believes the state can help local governments make a difference in addressing domestic violence through changes in the Victim/Witness Assistance Program.

The Victim/Witness Assistance Program is administered by the Department of Labor and Industries. Specifically, the City supports use of program funds to pay for shelter and, when necessary, relocation for the victim and his or her children. The City also supports use of fines assessed to convicted abusers to be allocated to the program for use in paying for shelter and/or relocation costs for victims and children.

## **Fire codes**

Municipalities such as Tacoma contain older buildings that do not have needed fire safety features such as fire sprinklers and fire alarms.

In the past, legislation has been introduced to exempt these buildings from any local ordinance requiring retrofit of the fire and life safety features.

The City strongly supports local autonomy for the development and implementation of standalone ordinances. The City rejects the concept of the Fire Code as the maximum requirement allowed to local governments.

## **Firearms & other weapons**

Violence in our communities threatens the very fabric of society. Violence attendant to youth gang activities, domestic abuse, or other causes is aggravated by the easy access our society gives to firearms. The constitutional right to bear arms, as is the case of all constitutional rights, does not come without responsibility or the ability of society to reasonably regulate that right.

The State of Washington has precluded local governments from adopting regulations which restrict the sale or possession of firearms. Yet it is local government that most frequently must deal with the costs and consequences of the rapid increase in the number of firearms in our communities.

The City supports legislation to allow local governments, at their option, to restrict the access of persons carrying firearms in government buildings where judicial or quasi-judicial proceedings are held as well as schools, parks, and other public areas.

Trigger locks are effective, low cost devices which have proven to reduce the incidence of accidental shootings.

The City supports legislation requiring that trigger lock mechanisms be sold with all firearms sold in Washington, or that local governments be permitted to mandate the sale of trigger lock mechanisms with all firearms sold within their jurisdictions.

The City has a long-standing policy to destroy forfeited and unclaimed firearms and lead the effort to change state law that required auction of all such weapons.

The City strongly supports the ~~current law which provides~~ a local option for law enforcement agencies to destroy forfeited and unclaimed firearms.

~~Tacoma supports legislation that upgrades the crime of carrying a concealed weapon, including a loaded shotgun or rifle in a vehicle, to a gross misdemeanor.~~

The City has banned the sale of martial arts weapons and certain kinds of knives which were being made easily available to children in neighborhood stores.

The City opposes any attempt to restrict its ability to regulate martial arts weapons and certain knives.

## **Fireworks**

It is the current policy of the City of Tacoma to prohibit the sale and discharge of common fireworks inside the city.

The fireworks industry has repeatedly attempted to preempt the ability of local government to adopt fireworks regulations. This effort included restricting the ability of the City to regulate the importation of fireworks through the port.

As Tacoma is the primary port of entry for fireworks in Washington, and because the quantity of fireworks imported is significant, the ability of the City to place reasonable regulations on such imports is necessary to the safety of the citizens of Tacoma.

The City opposes legislation that restricts either its ability to determine whether common fireworks will be sold or its ability to regulate the importation of fireworks through the port.

In addition, because the City finds that illegal fireworks significantly contribute to the fire problem within Washington, the City believes the state should consider the limitation of imports that are subsequently sold contrary to state law.

The City also supports changes in state law regarding the burdensome and costly consequences to local and state government agencies that seize fireworks for violations of various laws. The storage and retention rules placed on government for seized fireworks are such that its extremely high cost prevents agencies whose duty it is to protect the public from carrying out their responsibilities.

## **Hazardous materials**

Municipalities and fire districts are first responders to hazardous materials releases. It is important to be capable of reducing environmental damage if there is this type of incident. The City is required to provide special training, equipment and medical records on all employees who respond to these incidents.

Hazardous material generators and transporters should offset the cost of this service. They could be charged a per-ton fee to provide funds for municipalities and fire districts to offset costs of training, equipment, personnel and medical service for our employees.

## **Juvenile justice**

The City is precluded by law from enacting tougher penalties for juvenile crime and from addressing the issue of parental accountability.

While the City does not have the responsibility for operating juvenile court, and the juvenile and adult detention centers, the City does bear its own burden from the increases in juvenile crime because much of the crime committed by juveniles occurs in the City, whether or not the juvenile actually resides here.

The City's role in juvenile justice is in support of programs which preclude the need for juveniles to enter the system and/or reduce their chances of recidivism. To this end, the City provides funding and supports additional resources focused on efforts to target gangs and divert youth from gang activity. The City also believes youth activity centers, after school sports in middle schools, and other programs provide positive environments for youth and reduce the overall cost of the juvenile justice system. The City believes collaboration between the State, schools, local government, and community organizations are required to advance these preventative programs.

The City supports restoration of both the rights and accountability of parents for the actions of their children.

Acknowledging that in some circumstances children run away from home to escape abusive situations, the City also supports restoring the offenses of running away and truancy and providing protective facilities where required.

The City vigorously opposes any effort to make cities financially responsible for juvenile justice prosecution or detention. The City supports providing counties with adequate revenues to fulfill their juvenile justice responsibilities.

## **Misdemeanor presence rule**

Common law in Washington provides that a police officer may not arrest a person for a misdemeanor or gross misdemeanor unless that offense is committed in the officer's presence.

The strict interpretation of this rule prevents police officers from transferring probable cause for an arrest to another officer or using the cumulative knowledge of all officers involved in an investigation in determining whether there was probable cause to make an arrest.

Under such circumstances an officer who witnessed a crime but was unable to make an arrest (because he or she was undercover or in a surveillance position) could radio to another officer who was in a position to arrest the suspect based upon the probable cause of the first officer. The cumulative knowledge rule would allow one officer, who may witness an event that in and of itself is insufficient probable cause for arrest to combine his or her knowledge with that of another officer which, when combined, provide probable cause sufficient for an arrest.

The development of this common-law provision was as a result of 19th-century abuses in which those arrested sometimes died awaiting trial. Few offenses were classified as misdemeanors at that time and there was little of the protection that exists today such as speedy trial rules, prohibitions on physical abuse by governmental authorities, and regulations on the quality of confinement in jails.

The City supports allowing for transfer of probable cause and the use of the cumulative knowledge rule for misdemeanor and gross misdemeanor offenses.

## **Traffic enforcement cameras**

Traffic safety has been a priority of the citizens of Tacoma for many years. The City has developed a comprehensive program to address excess speed, violation of traffic control signals, and other traffic safety issues. This approach uses traditional traffic enforcement officers, traffic enforcement cameras, electronic speed notification signs, and traffic calming techniques. The City has established a separate fund within its operating budget to easily track the costs of traffic enforcement and the revenue generated by tickets.

The Legislature has authorized local government to use traffic enforcement cameras in limited situations, including red light enforcement at certain intersections and speed control in school zones. In addition, Tacoma has been given temporary authorization to use a speed control camera in one non-school area. The overall result of this program has been a reduction in traffic fatalities and injury accidents.

Traffic enforcement cameras have proven to be a success in reducing instances of speeding and violation of traffic signals.

The City supports the use of traffic enforcement cameras and believes their use should be expanded beyond the limitations currently imposed by the Legislature.

## **Trauma care**

The Legislature adopted new fees on automobile titles and certain traffic infractions in an attempt to raise funds to compensate hospitals for a portion of the costs of trauma care. Left unaddressed is how local communities are expected to meet their share of the costs of uncompensated trauma care.

The plan for statewide trauma centers also adds to the present training and certification requirements for firefighter/paramedics and increases the amount and type of equipment that need to be carried on trauma units. Again, no funding has been provided to the City to meet these additional requirements.

The City strongly supports the concept of designated trauma centers strategically located throughout the state.

The additional costs resulting from this concept must not be borne by local government but rather by state government. The City also supports financing at a region-wide level or on a reimbursement basis.

## **TRANSPORTATION & PUBLIC WORKS**

### **Alternative construction methods**

The Legislature has authorized a number of cities, ~~certain~~ counties, and ~~certain~~ state agencies to utilize ~~the~~ alternative construction processes. The design/build, design/bid/build and other alternative construction process can be a cost effective tool for large and/or complex projects required by local government.

~~In conventional bidding, a City specifies the quantity and quality while the price varies.~~

This authority is scheduled to sunset unless renewed by the Legislature. The City supports renewal of this authority, preferably on a permanent basis.

### **Dangerous buildings**

The City has the authority to lien properties to recover its cost of demolishing unfit structures. The City cannot recover the administrative costs it incurs if the property owner demolishes the structure. Recovery of costs is justified because the legal process of abating unfit structures and associated costs are the results of unreasonable problems created by property owners and all costs of abatement should not be considered a part of normal government business.

The City supports legislation that will allow a City to lien property to recover its administrative costs in the determination that a structure is unfit for human habitation or other use.

Such a lien only would be allowed after the full legal process, including exhaustion of any rights to appeal. While the City can place a lien on the property for demolition costs, the City cannot foreclose on its lien.

The City supports legislation to allow local government to foreclose on liens and gain control of the property. Current law should also be amended to give the City clear authority to use properties acquired in this manner for low income housing.

Dangerous buildings are also a drain on public resources and are often a blight which reduces surrounding property values.

The City supports legislation that addresses these concerns by allowing local government to enter into voluntary agreements with property owners for low interest loans that allow such blighted properties to be restored.

### **Ferry service**

The State is contemplating additional passenger ferry service in Puget Sound.

The City supports state planning and funding of ferry service from Tacoma to other Puget Sound cities and outlying areas.

### **Mini-maxi building codes**

Cities have authority under Washington law to establish their own building and fire codes. The State building and fire code, established by the Building Code Council, serves as a minimum code level.

Tacoma and most other large cities have adopted their own codes which often exceed the requirements of the minimum State code. These changes reflect differing community standards and circumstances.

The Legislature has frequently considered legislation that would establish the State minimum building code as the maximum allowed, stripping cities of the ability to define their own community standards. Attempts have also been made to require the state Building Code Council to approve local codes that exceed the state minimum.

The City opposes any effort to eliminate the ability of local elected officials to determine the standards for community health and safety and turn such authority over the Legislature or an appointed State board.

## **Regional transportation**

An improved transportation system, including an expandable and regional rail component, is important for continued economic development and to provide for the efficient movement of people and goods throughout the central Puget Sound area. Freight mobility projects can include improvements to State highways, but often improvements are also needed just off the State system, on local arterial streets. High-speed ground transportation is an important component of this system that can also ameliorate the need for new airport facilities. Addressing the needs will require new revenue.

The City supports the four-county central Puget Sound area accepting additional responsibility for its own unique transportation needs. Many of the projects required in this region are so expensive they would each easily consume most of the new revenue provided by any statewide revenue package.

The City supports regional transportation funding legislation that includes the four-county area of central Puget Sound, that provides for a seat at the table for cities in the planning and project selection process, that provides for realistic and varied tax options, that maintains an appropriate level of state support in all of the projects, and that fast tracks projects where right-of-way, permits, and other funding is already in place.

The City opposes allowing any one part of the region to proceed with "regional" funding on its own.

Transportation problems in the Puget Sound region all stem from a shortage of funding. The agencies that provide much of the funding and operation of major components of the transportation infrastructure in the region were created by local citizens in response to local and regional needs. The agencies communicate regularly and work well together.

The City opposes directives from the Legislature for changes to governance of local transit agencies, Sound Transit, the Puget Sound Regional Council, and ports.

The City believes the core HOV system in the Puget Sound area is a state funding responsibility. Funding for the remaining unbuilt Tacoma portion of this system should be maintained.

Completion of SR-167 from Puyallup to the Port of Tacoma has been identified by the Legislature as a "mega project." The City believes completion of this project should be a top priority.

So long as other "mega projects" in the region are fully funded and without design compromise, the City supports the same treatment for SR-167. The City supports the use of tolling on SR-167 if it is determined to be necessary.

A new transportation revenue package is vital. Both the successful Nickel and Partnership tax increases were fully utilized for bond payments for new project construction. The remaining "core" 23 cent gas tax is used for operation and maintenance of the State's highway system, including the ferry service. This A new revenue package must include funding for completion of the current I-5/SR-16 HOV project and SR-167. The package must also begin planning and design work for extension of HOV lanes the entire length of I-5 in Pierce County and fund other projects to reduce congestion in the Joint Base Lewis-McChord area. The package should fund freight mobility projects such as improvement to the I-5 Port of Tacoma Road exit and funding for the City to improve Port of Tacoma Road to heavy haul arterial configuration. The package must also provide shared revenue or new revenue options to local government, including local transit agencies.

The City supports adoption of a new transportation revenue package.

Building a three-county multi-modal, high-capacity regional transportation system is a complex, expensive and long process. The City believes Sound Transit has done a fair job in meeting the mission voters in the three counties have twice authorized. There are bound to be setbacks in the process. Some of the difficulties Sound Transit has encountered were foreseeable and avoidable, but others were not.

The City continues to support the Sound Move project and Sound Transit. The City will oppose efforts by the Legislature to second guess or otherwise change either the Sound Move plan or Sound Transit.

Passenger rail service through Tacoma will increase and is an important part of the regional transportation system both for the Puget Sound area as well as the I-5 corridor from British Columbia to Oregon. The City supports State and Federal funding for the providers of this service for track and crossing improvements where it will intersect high volume City arterial streets. ~~A recent study has determined the need to move Tacoma's Amtrak station to Freighthouse Square as part of the improvements to regional rail. A transportation revenue package needs to fund this relocation.~~

The Federal government assesses a Harbor Maintenance Tax on all imports arriving at US ports, including the Port of Tacoma. This revenue is primarily used to pay for dredging of river ports, canals, and harbors susceptible to the need for maintenance dredging. The natural deep water ports on Puget Sound receive

little benefit from this tax yet increasingly compete with cargo imported to untaxed Canadian ports that is trucked into the US.

The City supports recent reform of the Harbor Maintenance Tax to exempt allow Puget Sound ports that do not require maintenance dredging to recover a portion of the tax for use for other harbor improvements or to reimburse shippers for the fee in certain circumstances, or by imposing the tax on imports passing through Canadian ports, or by at the least making the funds available for critical freight transportation needs of the Port of Tacoma and the other Puget Sound ports.

## **Regional transportation facilities**

Major transportation facilities such as new airports, ferry landings, bridges, and interjurisdictional highways are usually extremely difficult to site but are nevertheless necessary for the continued mobility and economic vitality of the region.

The regional planning organization (RPO), the Puget Sound Regional Council, is an appropriate forum for regional policy decisions and data collection but because of its close connection to local government, is not the appropriate agency to make decisions related to siting of major transportation facilities.

The Growth Management Act also makes demands on local government for siting of essential public facilities but has not adequately addressed how conflicts are to be resolved.

The City supports creation of a state level forum of some type to make these decisions so long as the forum provides for local government involvement in the process and does not duplicate the policy and data collection role of RPOs.

## **Regulatory reform**

The City supports the concept of regulatory reform and encourages Congress and the Legislature to engage in an on-going process to examine Federal and State regulations for duplication and conflict.

## **Right of way**

State and local governments are stewards of the public's rights-of-way. Rights-of-way are public property of substantial economic value and of critical importance to local communities and their residents. The public has a right to fair compensation for occupancy and use of its property by private companies. Absent adequate oversight by the City, telecommunications providers' and other private interests' use of rights-of-way has significant potential to impact adversely the safe and efficient use of City streets, sidewalks, and other public infrastructure. The City must retain the right to manage and control this infrastructure and to establish rules and regulations related to telecommunications private service providers' entry into, compensation for use of, and behavior in the public rights-of-way. To do otherwise is to have the taxpaying public subsidize the operations of these private businesses. This principle should also apply when a ~~telecommunications company is~~ private

interests are required to relocate its facilities to accommodate street or sidewalk construction or other public works. Local governments, electric utilities, and telecommunications companies have negotiated an approach to support joint trench agreements over the past few years to share costs and to minimize the adverse impact on the rights-of-way.

The City opposes any attempt to reduce or otherwise limit its control of public rights of way or to be fairly compensated for their use by private interests.

### **Tacoma-Eastern Railroad**

The City has acquired the former Chehalis-Western Railroad right of way, track, rolling stock and other facilities and equipment.

~~It is the intent of the City to utilize this rail line for freight connections between the Frederickson area and the port industrial area and to permit operation of a tourist-oriented excursion train.~~

The track is in poor condition and is in need of rehabilitation to permit efficient freight service, which will create an income stream to allow further track improvement.

The City supports continued funding of appropriate state rail rehabilitation and assistance accounts to permit this project to receive an adequate share of those resources.

### **Traffic congestion & safety**

Traffic congestion on arterials and freeways in Tacoma is increasing rapidly.

This issue is of concern to the City because our citizens and visitors are injured in accidents and City public safety resources are frequently pressed into service on I-5. Further, the efficient movement of goods and services is impacted from the congestion of normal operation of the freeway, and particularly when one or more accidents slow traffic even more. Safety is also related to maintenance and repair of important transportation infrastructure, particularly bridges.

Reconfiguration of I-5 through Tacoma to add HOV lanes is underway and will assist this problem. The current project is not scheduled for final work until after 2020 and ends at S. 38<sup>th</sup> St. No funding for planning or design work beyond that point has been identified. Work to add HOV capacity, whether through new

construction or conversion of existing lanes, is vital along the entire length of I-5 in Pierce County, particularly in the vicinity of Joint Base Lewis-McChord.

The City supports legislation which prioritizes improvement of the movement of passengers and freight along I-5.

### **Transportation planning**

The Growth Management Act acknowledges the strong link between land use and transportation.

The City supports legislation that would provide additional funding and technical assistance for local transportation planning for the following areas: multimodal transportation systems with an emphasis on nonmotorized uses, mobility, and complete streets; coordination of transportation and land use planning with higher priorities given to regionally designated centers; adequate transportation services and facilities identified through neighborhood planning processes; and mitigation of traffic impacts on neighborhoods generated by State facilities of regional significance such as the Tacoma Narrows Bridge.

### **Transportation system utilities**

Cities face increasing financial demands on limited general fund resources and are finding it impossible to adequately fund street maintenance and infrastructure improvements. A recent estimate by the Public Works Department indicated that Tacoma's unfunded infrastructure needs may be in excess of \$700 million. No one funding mechanism can help close this gap.

The State has a dedicated revenue source in the gas tax for State transportation needs. Counties have a dedicated revenue source in the road levy for unincorporated area transportation projects. Cities, where the majority of the population lives and the majority of all jobs are located, do not have a dedicated revenue source for transportation. New tools are needed.

The City supports legislation that would allow the City Council to create a street utility as a method to establish equitable, street user-fees. The utility should be funded by assessing trip generation fees based on the number of vehicular trips generated from each parcel of property within the city limits or another mechanism that assess fees based on use of streets.

# UTILITIES

## Utility rates & taxation

The City supports legislation that would strengthen the ability of publicly owned utility systems to provide necessary utility services at the lowest cost consistent with available resource supply, prudent operating practices, and with appropriate consideration for the environment.

The City opposes legislation that would impose or mandate price/rate forms or structures.

The City opposes legislation that would in any way limit, tax, or otherwise impose operational or economic sanctions against the implementation and operation of municipal telecommunications services.

The City opposes legislation that would prohibit or limit the ability of the City to tax its own publicly owned utility systems. The City will not oppose legislation that provides tax relief for our operations or our customers.

The City opposes legislation that would impair a City's ability to receive a reasonable rate of return by means of a tax, from its municipal electric utility's operational revenues, irrespective of whether such revenues are derived from customers located within or outside of the City.

The City supports programs that assist meeting energy costs for individuals who qualify on the basis of need, including state financial assistance if provided through existing State taxes or revenue. Any State assistance program should recognize and credit existing utility programs that provide such assistance. Consequently, the City opposes legislation that would impose any new taxes on utility customers without acknowledging and crediting existing utility assistance for low-income customers.

The City supports efforts to adopt a State Constitutional Amendment to reinstitute the cap on non-economic tort damages as it was pursuant to the 1986 Tort Reform Act.

The City supports continuation of Federal tax exemptions on bonds issued by public utilities to finance the acquisition or development of municipal energy and water facilities, contract capacity, and resources.

The City supports legislation that would encourage the City or its electric customers to use renewables. However, the City opposes legislation that

would require the City or its electric customers to subsidize or fund the substitution of petroleum or natural gas for electricity.

The City supports legislation that creates a uniform, "level-playing field" based property/in-lieu of tax on generating facilities owned by electric utilities and independent power producers. Currently four different and distinct approaches are applied to public utility districts, municipal owned generation facilities built before March 17, 1955, and those built after 1955.

Any legislation that seeks to accomplish the deregulation of electric utilities in the State of Washington that includes a public purpose tax must recognize and credit the existing local public purpose programs and expenditures of electric utilities. The City will oppose any public purposes tax that ignores existing local programs and requires the creation of a state-wide centralized program that manages and disburses funds rather than allowing for local control.

The City opposes any new state taxes or connection fees on utility customers in order to fund state programs that could be more equitably funded through general tax revenues or state debt financing.

## **Utility service**

The City has witnessed the failures associated to date with electricity industry restructuring. The California experiment negatively impacted utilities and their customers in the Pacific Northwest. The citizens of Tacoma have chosen to own and operate an electric utility and this represents the highest form of retail customer choice. Based on the evidence to date, the City cannot support electric restructuring elements that raise costs, remove consumer protections, erode local control and public purposes support. The City intends to participate actively in any efforts to further deregulate electric service in order to protect its customers.

The City opposes legislation (unrelated to the Growth Management Act) that would restrict or limit the service areas of publicly owned utility systems or the ability to provide service to consumers located in those areas.

The City supports continuation of the current utility lien law for commercial accounts.

The City also supports new legislation that would grant municipal utility information sharing and to establish a lien to ensure payment of municipal utilities at closing of property sales.

The City supports legislation that grants utilities the ability to use unclaimed customer credit balances for assisting low-income customers.

The City opposes legislation that would restrict the Department of Public Utilities telecommunications options.

The City opposes legislation that would restrict or prevent its municipal utility operations from providing expanded products and services.

The City supports legislation that will enable a government-agency to market a computer data base such as Geographic Information System (GIS) data, and derivative products from the database such as quarter section maps drawn on a plotter, for the purpose of offsetting the investment needed to build such a data base. Such legislation would make a clear distinction between what is a "public record" under the Public Disclosure Act and what is a valuable data base that could potentially be used by private businesses for their own gain.

In the energy marketplace of today, the commodities of natural gas and electricity are inextricably mixed, therefore, the City supports the concept that any legislation that contemplates the deregulation of the retail electricity utility industry should similarly also address the retail gas utility industry.

## **Utility operations**

The City supports legislation that would result in assistance to local municipalities in developing, upgrading and maintaining their infrastructure needs, with the understanding the projects will be fairly apportioned to the whole state and all municipalities.

Consumer owned utilities will face direct competition from private sector companies that currently can use the freedom of information statutes to gather strategic business intelligence to give them a significant unfair advantage in a competitive environment; therefore, the City supports legislation to protect financial or commercial information furnished to, or developed by, the utility as part of a proposal, bid, or negotiation for services provided by the utility.

The City supports legislation that would limit the City's exposure to liability for strictly governmental or utility actions.

The City supports legislation that would provide State authorization for local government programs relating to minority and women's business enterprises in the supply contracting areas similar to that relating to construction contracts.

The City supports legislation to amend the Public Disclosure Law exemptions, to allow public agencies to maintain the confidentiality of certain documents where there is a reasonable potential that such information could provide aid to persons intent on sabotaging vital public services. The City supports legislation that protects proprietary information for government entities providing retail and/or wholesale competitive services.

## **Telecommunications**

Since the passage of the Federal Telecommunications Act of 1996 ("Telecom Act"), the City has welcomed the promise of increased services and competition in this traditionally non-competitive industry. However, with the entrance of telephone companies ("telcos") into the cable television market, some via Internet Protocol-based video services ("IPTV"), a new regulatory challenge is beginning to emerge wherein the telcos assert they are not subject to the franchise requirements of the federal Cable Act based on their use of IPTV technology to deliver video content. It is the City's position that the Cable Act definitions of "cable service" and "cable system" are technology neutral with respect to the

transmission protocol used to deliver video content, and that telcos offering IPTV are therefore required to enter into cable franchise agreements with the City.

The City has significant interests relating to emerging changes in the regulatory environment and the rapid pace of technological change. More specifically, the City's interests are grounded in the City's legal responsibility for activities in, and the use of the City's rights-of-way. These interests include the responsibility for safe and efficient pedestrian and vehicular transport, as well as the ability to properly manage, maintain and control other public infrastructure located in the rights-of-way (e.g. water, sewer, etc.). Thus, the City's ability to manage and control use of the rights-of-way by telecommunications providers is essential to ensuring a level playing field for all who want to do business in our City and need access to the rights-of-way.

The promise of increased competition in the telecommunications industry must not lead to the sacrifice of legitimate management and control of public property or the ability of local government to impose taxes, manage the rights-of-way, receive rights-of-way compensation, and treat all like providers in a fair and non-discriminatory manner under the law.

New telecommunications technologies provide exciting new business opportunities and services to citizens. The law should not play favorites among technologies by exempting some from taxation or franchise requirements. Such exemptions create unfair competition and may cause revenue losses to local government -- municipal revenues that are essential to support vital public services enjoyed by all local residents and businesses. Voice over Internet Protocol ("VoIP") and IPTV are two examples of services that should be treated just like their equivalents, traditional cable and telephone services.

Taxation of telecommunications industries is a legitimate exercise of government, though this taxation should not work to discourage new technologies or services. In response to uncertainty about how to tax cellular services, for example, the federal, State and local governments have worked together to develop a model of procedures and definitions for taxation of cellular telephones. Given the wireless industry's tremendous and continuous growth, it cannot seriously be argued that taxation of wireless has had any negative impact on the cellular industry. Similar to when we addressed cellular phones as a new technology, the City is open to working with the federal and State governments and with other cities to ensure uniform definitions and applications of taxes to new technologies relating to telecommunications.

The Telecom Act prohibits local governments from taxing direct broadcast satellite ("DBS") services. State taxation of this service is allowed. The City supports State taxation on DBS services. The revenue from such a tax should be shared with local government.

**The City opposes any effort by the federal or State government to preempt local land use, zoning, or rights-of-way regulation of telecommunications facilities. Rights-of-way disputes between telecommunications companies and local governments should be resolved in local jurisdictions, not by the FCC or state PUCs. The federal and State governments should avoid adopting broad policy statements or decisions that implicate other matters of local interest, such as cable television public, educational or governmental ("PEG") access facilities and support, without first having full and complete dialogue with the local jurisdiction.**

**The City has found it desirable to build a telecommunications infrastructure to serve one or more of its utilities and other governmental functions, and to ensure a competitive marketplace for video, voice and data services for Tacoma citizens and businesses.**

**The City opposes any legislation that attempts to restrict or prevent the construction or operation of such a municipally-owned system.**

## **Solid Waste Utility-**

### **Recycling**

The City recognizes that the management of solid waste has become a critical problem due to increasing volumes, limited disposal capacity and the costs and environmental concerns associated with siting new disposal facilities. A long-range solution to this problem will require cooperative and innovative efforts by State and local governments and the private sector. The volume of solid waste and the cost of its management could be significantly reduced by effective recycling and waste reduction programs.

The City supports legislation that would increase recycling, including the development of markets for recycled materials. The City also supports waste reduction legislation that would reduce or eliminate the use of non-recyclable material including electronic waste and new requirements on packaging that reduces the volume and toxicity of non-recyclable materials. This legislation should include either statewide requirements, or effective local option authority. State efforts to assist and fund recycling and waste reduction at the local level should recognize the traditional role of municipal governments and allow local decision making and flexibility to address solid waste management and recycling needs.

### **Landfill liability**

In 1991, the City signed a consent decree in Federal Court that governs operations of the City's sanitary landfill and actions the City must take to assure cleanup. By definition, the consent decree means there can be no permanent loss to nearby property owners resulting from contamination emanating from the landfill because the landfill presents no current danger to human health and the environment and once the conditions of the decree are met, all contaminants will be contained on site.

Under federal law (CERCLA), no one is allowed to challenge an approved consent decree unless the remediation has been fully completed. Liability legislation does not contain a specific exclusion from strict liability for landfills.

Under state common law, the operation of municipal solid waste landfills is not an "ultra hazardous" activity. As such, cities are not strictly liable for any loss suffered as a proximate result of their operation.

The City supports legislation to specifically exempt landfills from strict liability if they are operating under Federal Court orders or some other objective measurement of proper operation.

### **Surfacewater utility (stormwater)**

The City has been a leader in the control and clean-up of stormwater for many years. The City's nine watersheds are served by 500 miles of pipe and 22,000 catch basins as well as many retention and detention ponds and pump stations. The City also constructed the Urban Waters facility where city scientists work with staff from the University of Washington Tacoma and the Puget Sound Partnership on issues relating to preventing pollution from reaching the sound.

The City is a Phase 1 jurisdiction under the National Pollutant Discharge Elimination System permit program. This permit establishes requirements the City must meet concerning the discharge of stormwater into Puget Sound. It falls to the City to carry out the requirements of this permit through source control and other regulatory means that are imposed on public and private development.

Legislation to assist local government meet their permit obligations under the NPDES program has been considered by the Legislature. The City supports this legislation and believes a fee on those substances that contribute to the pollution of surfacewater is the appropriate funding mechanism for this program. In providing assistance to local government to carry out this program, the State should recognize that no single approach will work everywhere. As long as the goal to clean stormwater and reduce pollutants is met, then local governments should be allowed flexibility.

The City also believes Model Toxics Control Account (MTCA) funds are an appropriate source for assisting with stormwater control and cleanup projects in those years when the local account has fully funded eligible Brownfield clean-up projects and has surplus funds because of increases in the price of crude oil.

The Legislature has seen fit to delay implementation of permit requirements for Phase 2 cities and counties, while Phase 1 jurisdictions must move forward to implement new permit requirements. This has the effect of making the cost of redevelopment in Tacoma more expensive than in other cities, which makes it very difficult for the City to meet other State goals concerning infill development in urban areas and increasing residential density.

The City supports grant programs to assist with stormwater requirements be directed first to Phase 1 jurisdictions, as well as innovative projects that

deal with stormwater in a basin wide approach, and other utility-based projects that can relieve individual property owners of site specific permit requirements.

## **Wastewater Utility-**

### **Alternative treatment techniques**

Modification of the statutory definition of All Known Available and Reasonable Treatment (AKART) to allow consideration of modified discharge limits, alternative treatment technologies and cost benefit analyses would stimulate innovation and reduce costs.

The City supports such legislation would offer the possibility for communities to benefit from innovative technologies rather than locking communities into old technologies at unnecessarily higher costs.

### **Biosolids**

It is desirable to have the Department of Ecology (DOE) take a strong role in biosolids permitting to better provide assurance to citizens that regulations regarding biosolids recycling are adequate for their safety and well-being and the actual applications are being done correctly. The DOE biosolids program requires adequate funding so that it can ensure consistency in permitting and utilization.

The City supports the beneficial use of biosolids is sound policy for a sustainable environment. The City is committed to producing and distributing excellent quality biosolids products in a manner consistent with the National Biosolids Partnership Code of Good Practice. The City is also committed to proactively identifying and meeting the needs of our customers and community.

Tacoma currently maintains about 60 biosolid application sites averaging 20 acres in size. Doing an environmental checklist and processing a Declaration of Non-Significance for each site takes time and money while accomplishing little. The City is required to follow all EPA, DOE and local regulations which under EPA 40 CFR part 503 are fully protective of human health and the environment. The City supports adding biosolids application to land as a categorically exempt action in the State Environmental Policy Act (SEPA).

**9201**

**General philosophy**

The City is interested in legislation that allows public utilities to compete without unfair encumbrances and restrictions in what is becoming a competitive marketplace. The City also is interested in maintaining and protecting its source and distribution systems and its local decision-making ability regarding rates, rate structure and other operational policies. The City supports increased customer choice only if it is demonstrated that measurable benefits will be provided to all electric customers. Electricity is vital to our economy and quality of life; therefore, we will participate actively in any efforts to further deregulate electric service in order to protect our customers.

adopted 12/11/01

amended 12/3/02

**9205**

**Generation**

The City supports legislation that would make positive changes in State law in the public interest to facilitate the acquisition, construction and operation of cost-effective energy resources.

The City opposes any legislation that makes general predeterminations or restrictions on the use of the State's waterways, either for power generation or municipal water supply. This includes arbitrary requirements for fishery protection, minimum flows that do not consider site specific characteristics or existing water rights.

The City supports legislation that would limit the duplication of jurisdictions for structural safety at federally licensed hydroelectric projects.

The City supports legislation that will amend State law related to municipal hydroelectric project impact fee payments to counties, so that municipal hydro projects are treated the same as a project owned by a public utility district.

amended 12/14/93

amended 11/29/94

amended 12/5/95

amended 1/7/97

amended 12/9/97

amended 12/8/98

**9210**

**Transmission and distribution**

The City opposes legislation that would place unreasonable limits on the construction and maintenance of transmission and distribution lines and substations.

Distribution service is a natural monopoly because a single supplier can provide these services at the lowest total cost to all customers; therefore, the City supports legislation to continue the regulation of power distribution by their current entities.

The City opposes legislation that would mandate all utilities to categorically relocate their facilities along state highways: 1) upon franchise renewal; 2) whenever road improvements are made; or 3) upon major reconstruction of existing facilities.

amended 1/7/97  
amended 12/9/97  
amended 12/7/99

**9215**

**Licensing**

The City opposes legislation that preempts or otherwise restricts implementation of existing state or federal licenses, agreements, permits or other instruments or accords relative to fish, wildlife and recreation mitigation programs associated with municipal power generation.

amended 12/14/93  
amended 12/5/95  
amended 12/9/97

**9225**

**Conservation**

The City supports continuation of State tax exemptions for local investments in conservation and renewable energy sources for public and private utilities.

The City supports the adoption and enforcement of cost-effective standards for new construction. The City also supports legislation that would encourage the adoption and use of energy-efficient products and practices.

amended 12/9/97

amended 12/3/02

**9230**

**Recreation**

The City supports legislation that will permit increased public recreational access to the natural environment by strengthening and improving laws that protect from liability those landowners who make land available for recreational use by the public.

adopted 12/7/99

**9250**

**Low-income programs**

The City opposes legislation to authorize additional taxes on utility customers to provide funding for financial assistance for energy costs to individuals who qualify on the basis of need.

amended 12/9/97

9305

**Water quality**

The City supports legislation that would strengthen and encourage the efforts of municipalities to maintain water quality in protected watersheds so that water continues to meet State and Federal safe drinking water standards without the need for filtration facilities.

The City supports legislation to amend the Public Disclosure Act to allow public agencies to maintain the confidentiality of certain documents related to public health and safety issues.

The City also supports legislation that would protect vulnerable groundwater supplies from contamination.

The City opposes legislation that would withdraw primacy for implementing the Federal Safe Drinking Water Act from the State and award it to the Environmental Protection Agency.

The City supports legislation that would provide for necessary resources to support drinking water programs by the Department of Health.

amended 12/14/93

amended 11/29/94

amended 1/7/97

amended 12/8/98

amended 12/11/01

**9315**

## **Planning and Resource Development**

The City opposes legislation that would in any way prejudice Tacoma's municipal fresh water supply or water services provided by Tacoma.

The City supports legislation that would direct the establishment of statewide standards for use of reclaimed wastewater. The City opposes legislation that would impair or adversely affect the ability of a municipal water supplier to use existing rights, or to develop new water rights, because of mandated use of reclaimed water.

The City supports legislation that would facilitate efficient and effective regional and basin-wide water resource planning and management.

The City opposes legislation that would permit the development of permanent out-of-state transport of the natural water resources of the state.

The City supports legislation that would encourage and financially support the development of water resource management plans in the Central Puget Sound region.

The City supports legislation that would clarify current municipal water utility authority and ensure the protection of the City's water rights.

The City opposes any legislation that makes general pre-determinations of restrictions on the use of the State's waterways, either for power generation or municipal water supply. This includes arbitrary requirements for fishery protections, recreation, minimum flows that do not consider site specific characteristics, or modifications of existing water rights.

The City supports legislation that would facilitate the issuance of state water rights and the necessary permits for facilities to meet the growth needs of the state as identified in the Growth Management Act plans based on population projections assigned by the Office Financial Management.

The City supports legislation that would provide financial support to regional water supply projects of significant economic importance.

The City opposes legislation that would impair or diminish municipal water rights established before adoption of the Surface Water Code (1917), or that would grant management authority for such rights to a state agency.

9325

**Conservation**

The City supports legislation that would support conservation and water management efforts by all water user groups.

The City also supports legislation that would encourage the use of water-efficient appliances and fixtures through tax credits or low-income financial assistance.

amended 12/14/93

amended 11/29/94

amended 1/7/97

amended 12/11/01

**9605**

**Operation**

The Department of Public Utilities operates a short line, switch engine railroad known as the Tacoma Municipal Belt Line Railway (Tacoma Rail). This railroad operates within the harbor area of Tacoma, providing switching service between shippers, local businesses, and the intercontinental railroads.

The City is opposed to legislation that directly impacts its ability to maintain service to its customers and its ability to maintain control of expenditures.

The City supports repeal of the Federal Employer's Liability Act (FELA).

The City supports cost-effective and reasonable safety regulations.

The City recognizes that rail transportation of freight and goods is the most effective and efficient way to move freight and provides for less pollution and more efficient use of fuel resources. The present rail infrastructure is not being used to its capacity. The City supports measures which would provide incentives for moving more freight on rail rather than increasing the number of trucks transporting freight on highways and freeways.

The City supports privatization of the railroad retirement system.

amended 12/14/93

amended 11/29/94

**City of Tacoma 2013-2014  
City Council Forecast**

Date	Meeting	Subject	Department
<b>September 9, 2014</b>	Study Session	Legislative Policy Statement	GRO
		Tacoma Link Expansion Potential Station Locations	PW/GRO
		Closed Session - Labor Negotiations	HR
	City Council Meeting		
<b>September 16, 2014</b>	Joint Utility Board Study Session		
	Committee of the Whole	Council Consideration Request-Neonicotinoid Insecticides	CM Campbell
	City Council Meeting		
<b>September 23, 2014</b>	Study Session	Affordable Housing	PDS/CED
	City Council Meeting		
<b>September 30, 2014</b>	Study Session	Minimum Building and Structure Code Update (tentative)	NCS
		Budget Timeline Walkthrough	Finance (Budget)
	City Council Meeting		
<b>October 7, 2014</b>	Study Session (2:00 p.m. start)	2015/2016 Preliminary Budget Presentation	Finance (Budget)
	Committee of the Whole	CANCELLED	
	City Council Meeting		
<b>October 14, 2014</b>	Joint Utility Board Study Session	TPU's 2015/2016 Preliminary Budget	TPU
	Study Session	Budget Work Session - Environmental Services	ESD
	City Council Meeting		
<b>October 21, 2014</b>	Study Session	Budget Work Session-Gen Fund Revenues/Cost Drivers	HR and Retirement
	Committee of the Whole		
	City Council Meeting		
<b>October 28, 2014</b>	Study Session	3rd Quarter Financial Report	Finance (Budget)
		Budget Work Session-Library, NCS and CED	Library, NCS, & CED
	City Council Meeting	Fines for Excessive False Alarms (tentative)	TFD
<b>November 4, 2014</b>	Study Session	Budget Work Session - Fire and Police	Fire & Police
		Rapid Removal Graffiti Pilot Evaluation/Recommendation	NCS
	Committee of the Whole		
	City Council Meeting		
<b>November 11, 2014</b>		CANCELLED	
<b>November 18, 2014</b>	Study Session	Budget Work Session-PDS, PAF, PW, Capital Facilities	PDS,PAF,PW, Budget
	Committee of the Whole		
	City Council Meeting		
<b>November 25, 2014</b>	Study Session	Budget Work Session-Municipal Court, IT, Non-Dept	Muni Ct, IT, Finance
		Human Services Funding Recommendations	NCS
	City Council Meeting		
<b>December 2, 2014</b>	Study Session	Budget Work Session - Wrap Up Discussion	Council
	Committee of the Whole		
	City Council Meeting	2015-16 Biennial Budget Ordinance First Reading	Finance
		Human Services Funding Recommendations	NCS
<b>December 9, 2014</b>	Joint Utility Board Study Session		
	Closed Session		
<b>December 16, 2014</b>	Study Session		
	Committee of the Whole		
	City Council Meeting		
<b>December 23, 2014</b>		CANCELLED	
<b>December 30, 2014</b>		CANCELLED	

# Council Committee Report

(Subject to Change)

Economic Development Committee	
<b>Committee Members:</b> Campbell (Chair), Boe, Walker, Mello, Alternate -Thoms <b>Executive Liaison:</b> Nadia Chandler Hardy; Staff Support - Anita Gallagher	<b>2nd, 4th, and 5th Tuesdays</b> 10:00 a.m. Room 248
<b>CBC Assignments:</b>	<ul style="list-style-type: none"> <li>• Tacoma Arts Commission</li> <li>• Greater Tacoma Regional Convention Center Public Facilities District</li> <li>• Foss Waterway Development Authority</li> <li>• City Events and Recognition Committee</li> </ul>
<b>September 9, 2014</b> Report from Foss Waterway Seaport  First and Second Quarter 2014 Economic Indicators Report	<b>Su Dowie, Executive Director, Foss Waterway Development Authority;</b> <b>Wesley Wenhardt, Foss Waterway Seaport</b>  <b>Debbie Bingham, International Program Development Specialist, Community and Economic Development</b>
<b>Future:</b> <b>September 23, 2014</b> Neighborhood Business District Program Review Draft Recommendations  <b>September 30, 2014</b>	<b>Shari Hart, Economic Development Specialist, Community and Economic Development</b>

Government Performance and Finance Committee	
<b>Committee Members:</b> Lonergan (Chair), Campbell, Thoms, Strickland, Alternate-Ibsen <b>Executive Liaison:</b> Andy Cherullo; Staff Support - Christina Watts	<b>1st, 3rd, and 5th Wednesdays</b> 4:30 p.m. Room 248
<b>CBC Assignments:</b>	<ul style="list-style-type: none"> <li>• Public Utility Board</li> <li>• Board of Ethics</li> <li>• Audit Advisory</li> <li>• Civil Service Board</li> </ul>
<b>September 17, 2014</b> Joint Meeting with Fiscal Sustainability Task Force (Tacoma Main Library)	<b>Tadd Wille, Budget Officer, Office of Management and Budget</b>
<b>Future:</b> <b>October 1, 2014</b> <i>Tentatively Cancelled</i> <b>October 15, 2014</b> August Monthly Financial Report  FileLocal Update	<b>Susan Ramirez, Assistant Finance Director, &amp; Ebony Peebles, Office of Management and Budget</b>  <b>Danielle Larson, Tax and License Manager</b>

Infrastructure, Planning and Sustainability Committee	
<b>Committee Members:</b> Mello (Chair), Boe, Walker, Ibsen, Alternate-Campbell <b>Executive Liaison:</b> Nadia Chandler Hardy; Staff Support - Julie Stoltman	<b>2nd and 4th Wednesdays</b> 4:30 p.m. Room 16
<b>CBC Assignments:</b>	<ul style="list-style-type: none"> <li>• Sustainable Tacoma Commission</li> <li>• Planning Commission</li> <li>• Board of Building Appeals</li> <li>• Transportation Commission</li> </ul>
<b>September 10, 2014</b> Construction Contracts Review  Andrian Road Water Association Acquisition	<b>Kurtis Kingsolver, Director of Public Works</b>  <b>Ryan Flynn, Senior Principal Engineer, Tacoma Water</b>
<b>Future:</b>	
<b>September 24, 2014</b> 2015 Growth Management Act Update and Annual Amendment  Organics to Energy Program	<b>Peter Huffman, Director, Planning and Development Services; Brian Boudet, Planning Division Manager, PDS</b>  <b>Jim Parvey, Senior Principal Engineer, Environmental Services</b>
<b>October 8, 2014</b> Six Year Transportation Plan - Second/Final Review  Transportation Commission Annual Report	<b>Jennifer Kammerzell, Engineer, Public Works</b>  <b>Josh Diekmann, Assistant Division Manager, Public Works Engineering; Jennifer Kammerzell, Engineer, Public Works</b>

# Council Committee Report

(Subject to Change)

<i>Neighborhoods and Housing Committee</i>	
<b>Committee Members:</b> Walker (Chair), Boe, Ibsen, Lonergan, Alternate-Woodards	<b>1st and 3rd Mondays</b> <b>4:30 p.m.</b>
<b>Executive Liaison:</b> T.C. Broadnax; Staff Support - Genesis Gavino	<b>Room 248</b>
<b>CBC Assignments:</b>	<ul style="list-style-type: none"> <li>• Landmarks Preservation Commission</li> <li>• Tacoma Housing Authority</li> <li>• Tacoma Community Redevelopment Authority</li> </ul>
<b>September 15, 2014</b> Update on Land Use Code Development RE: Affordable Housing Minimum Buildings and Structure Code Update	<b>Elliott Barnett, Associate Planner, Planning and Development Services</b> <b>Lisa Wojtanowicz, Division Manager, Neighborhood and Community Services</b>
<b>Future:</b>	
<b>October 6, 2014</b> Encampment Removal and Site Hardening Update I-705 "Jungle" Positive Community Monitoring Project (Tentative) PATH Team Expansion Historic Nominations (Tentative)	<b>Colin DeForrest, Homeless Services Manager</b> <b>Colin DeForrest, Homeless Services Manager</b> <b>Kim Dodds, Neighborhood and Community Services</b> <b>Reuben McNight, Historic Preservation Officer</b>
<b>October 20, 2014</b> Rapid Removal Graffiti Evaluation/ Recommendation (tentative) Noise Code Update	<b>Allyson Griffith, Program Development Specialist, Community Based Services</b> <b>Lisa Wojtanowicz, Division Manager, Neighborhood and Community Services</b>

<i>Public Safety, Human Services, and Education Committee</i>	
<b>Committee Members:</b> Woodards (Chair), Campbell, Lonergan, Strickland, Alternate-Mello	<b>2nd and 4th Thursdays</b> <b>4:30 p.m.</b>
<b>Executive Liaison:</b> Nadia Chandler-Hardy; Staff Support - Genesis Gavino	<b>Room 248</b>
<b>CBC Assignments:</b>	<ul style="list-style-type: none"> <li>• Citizen Review Panel</li> <li>• Human Services Commission</li> <li>• Human Rights Commission</li> <li>• Commission on Disabilities</li> <li>• Library Board</li> </ul>
<b>September 11, 2014</b> TFD Cares Program Update TFD Fines for Excessive False Fire Alarms/911 Education TPD Mental Health Co-Responder program	<b>Chief Duggan, Tacoma Fire Department</b> <b>Chief Duggan, Tacoma Fire Department</b> <b>Kim Dodds, NCS and Captain Taylor, TPD</b>
<b>Future:</b>	
<b>September 25, 2014</b> Metal Theft Update	<b>Bryan M. Jackson, Licensing Manager, Department of Licensing</b>
<b>October 9, 2014</b> Mental Health/CD Program Evaluation  Updates on MH/CD Program Funding Plan 2015-2016	<b>Pamela Duncan, NCS Contract Services Manager</b>  <b>Pamela Duncan, NCS Contract Services Manager</b>

# 2014 TRANSPORTATION IMPROVEMENT BOARD FUNDING REQUEST

	Project	Description	Grant Request	Local Match	Match Source	Requesting Department
1	Browns Point Boulevard	Construct 1,200 feet of missing link sidewalk between McMurray Road and Shorecliff Drive/33rd Street NE	\$239,035	\$100,000	REET (CEDD Neighborhood Funds)	PW
2	Puyallup River Bridge F16D Replacement	Replace section F16D located on the east side of the Puyallup River. The TIB grant request is to provide the City match funds required for the previously submitted BRAC grant.	\$3,246,000	\$0	N/A	PW
3	Pearl Street Improvements at Point Defiance Park	Construct a roundabout at the intersection of Pearl Street at the entrance to Point Defiance Park. The project is a partnership with Metro Parks and Environmental Services.	\$1,717,821	\$798,881	Environmental Services Regional Stormwater Facility funding	PW
4	Port of Tacoma Road East 11th Street to Lincoln Ave. (This breaks the proposed Port of Tacoma Road, East 11th Street to Marshall Avenue, project into two phases.	Replace existing pavement with cement concrete pavement, install a new traffic signal, create a pedestrian path, improve lighting and drainage.	\$3,594,100	\$363,400	Heavy Haul Industrial Corridor permit funds	PW

