



City of Tacoma City Council Minutes

747 Market Street, Tacoma, WA 98402, Council Chambers
Dial: 253-215-8782 Meeting ID: 848 3423 3126
Webinar Link: www.zoom.us/j/84834233126 Passcode: 349099
November 15, 2022
5:00 PM

CALL TO ORDER

Council Member Blocker called the meeting to order at 5:01 p.m.

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MOTION: Council Member Walker moved to appoint Council Member Blocker to serve as presiding officer of the Council while the Mayor attends the meeting virtually.

SECONDED BY: Council Member Hines.

ACTION: Voice vote was taken and carried. The motion was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

ROLL CALL

Present: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

Mayor Woodards participated virtually.

FLAG SALUTE

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

The flag salute was led by Council Member Diaz.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

There were no items filed in the City Clerk's Office.

CONSENT AGENDA

1. [22-1244](#) Minutes of the City Council study session, July 12, 2022.

FIRST READING OF ORDINANCES

2. [ORD28840](#) An ordinance vacating a portion of Commerce Street, lying north of the Sound Transit right-of-way near South Tacoma Way, and south of South 25th Street, for a private walkway as part of a residential housing development.
(Cornus House LLC; File No. 124.1430)
[Jeff H. Capell, Hearing Examiner]
3. [ORD28841](#) An ordinance reclassifying an approximately seven-acre parcel, located at 4901 South 25th Street, from an R2-STGPD to a C2-STGPD, to allow for the development of 133 senior affordable housing units.
(DPS LLC; File No. LU22-0155)
[Jeff H. Capell, Hearing Examiner]

MOTION: Council Member Walker moved to adopt the Consent Agenda, including first reading of Ordinance Nos. 28840 and 28841.

SECONDED BY: Council Member Hines.

MOTION: Council Member Walker moved to accept the Findings, Conclusions, and Recommendations of the Hearing Examiner for Ordinance Nos. 28840 and 28841.

SECONDED BY: Council Member Hines.

ACTION: Voice vote was taken and carried. The motion was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, and setting Ordinance Nos. 28840 and 28841 over to a date to be determined. The Consent Agenda was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

There were no proclamations, recognitions, presentations, or announcements.

PUBLIC COMMENT

Public Comment began at 5:06 p.m.

The City Clerk's Office received 30 written comments for Public Comment on Ordinance No. 28856, regarding the Biennial Operating Budget; and Ordinance No. 28857, regarding the Capital Facilities Program and Capital Budget.

Speaking before the City Council:

1. Michele Reich, speaking on Ordinance Nos. 28841 and 28856.
2. Devin Rydel Kelly, speaking on Ordinance No. 28856.
3. James Williams, speaking on Ordinance No. 28856.
4. Kathy Lawhon, speaking on Ordinance Nos. 28841, 28842, 28848, and 28854.
5. Licentia Immortalis, speaking on Ordinance No. 28854.
6. Bunchy Carter, speaking on Ordinance No. 28854.
7. Troy Hashagen, speaking on Ordinance No. 28856.
8. Stacy Oaks, speaking on Ordinance No. 28856.
9. Amanda DeShazo, speaking on Ordinance No. 28856.
10. Jolinda Stephens, speaking on Ordinance No. 28856.
11. Addo Aequitas, speaking on Ordinance No. 28856.
12. Brinley, speaking on Ordinance No. 28856.
13. Lisa, speaking on Ordinance No. 28856.
14. Steve Jones, speaking on Ordinance No. 28856.
15. Theresa Evans, speaking on Ordinance No. 28848.
16. Marilyn Kimmerling, speaking on Ordinance No. 28856.

Public Comment ended at 5:34 p.m.

REGULAR AGENDA

RESOLUTIONS

4. [RES41063](#) A resolution approving changes to the Tacoma Power Electric Rate and Financial Policy.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]
- MOTION: Council Member Walker moved to adopt Resolution No. 41063.**
- SECONDED BY: Council Member Hines.**
- ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**
- Ayes:** 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards
- Absent:** 1 - Ushka
5. [RES41064](#) A resolution approving changes to the Water Rate and Financial Policy.
[Jodi Collins, Assistant Water Division Manager; Scott Dewhirst, Water Superintendent]
- MOTION: Council Member Walker moved to adopt Resolution No. 41064.**
- SECONDED BY: Council Member Hines.**
- ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**
- Ayes:** 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards
- Absent:** 1 - Ushka

- 6. [RES41065](#) A resolution approving the General Government Fee Schedule for special and miscellaneous services, to include charges to the public for various departmental services.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

MOTION: Council Member Walker moved to adopt Resolution No. 41065.

SECONDED BY: Council Member Hines.

ACTION: Voice vote was taken and carried. The Resolution was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

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- 25. [22-1194](#) This is the date set for the second public hearing by the City Council on the proposed 2023-2024 Biennial Operating Budget.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

The public hearing began at 5:45 p.m.

The City Clerk’s Office received 30 written comments for the public hearing.

Speaking before the City Council:

1. Laura Svancarek, Downtown On the Go.
2. Yixuan Pan, University of Washington Tacoma.
3. Monica Salazar, resident.
4. Karen Garcia, resident.
5. Ariel Vasquez, resident.
6. Troy Serad, Transportation Commission.
7. Steven Bird, resident.
8. Parker Hill, resident.
9. Robert Ford, resident.
10. Amber Weilert, resident.
11. Michele Reich, resident.
12. Kerry Hill, resident.
13. Barret Carpenter, resident.
14. Ileana Areiza, resident.
15. Tracy Oster, Downtown On the Go.
16. Devin Rydel Kelly, resident.
17. Jonathan Pottle, resident.

- 18. Marilyn Kimmerling, resident.
- 19. Theresa Evans, resident.
- 20. Heidi Stephens, resident.
- 21. Sean Arent, Tacoma Democratic Socialists of America.
- 22. Holly Rydel Kelly, resident.
- 23. Kathy Lawhon, resident.
- 24. Eve Bond, resident.
- 25. Laurie Arnold, resident.
- 26. Sally Perkins, resident.
- 27. Jamika Scott, resident.
- 28. Caroline Swinehart, resident.
- 29. Liz Ryan, resident.

The public hearing ended at 6:44 p.m.

26. [22-1195](#)

This is the date set for the second public hearing by the City Council on the proposed 2023-2024 Capital Budget and 2023-2028 Capital Facilities Program.

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

The public hearing began at 6:44 p.m.

The City Clerk’s Office received one written comment for the public hearing.

Speaking before the City Council:

- 1. Heidi Stephens, resident.
- 2. Amelia Escobedo, resident.
- 3. Kathy Lawhon, resident.

The public hearing ended at 6:50 p.m.

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The City Council meeting recessed at 6:50 p.m.

The City Council meeting reconvened at 7:03 p.m.

FIRST READING OF ORDINANCES

7. [ORD28842](#)

An ordinance authorizing Tacoma Rail to update the Rail Rate Policy to include a Volume Investment Fund.

[Dale King, Rail Superintendent; Jackie Flowers, Director, Tacoma Public Utilities]

ACTION: Ordinance No. 28842 was set over for final reading next week.

8. [ORD28843](#) An ordinance authorizing the reissuance of Tacoma Municipal Belt Line (TMBL) 8807 series freight switching tariff and TMBL 6004 series demurrage tariffs, effective January 1, 2023, and a switching tariff supplement, effective January 1, 2024. [Dale King, Rail Superintendent; Jackie Flowers, Director of Utilities]

ACTION: Ordinance No. 28843 was set over for final reading next week.

9. [ORD28844](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.176, entitled "Prepaid small general service - Schedule PB", to allow for payment of electric service in advance of usage, effective April 1, 2023. [Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28844 was set over for final reading next week.

10. [ORD28845](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.374, entitled "Electric Vehicle Public Charging Provided by Tacoma Power - Schedule EVPC", to replace the existing fee structure of \$2 per five hours to \$0.21 per kilowatt hour, effective January 1, 2023. [Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28845 was set over for final reading next week.

11. [ORD28846](#) An ordinance amending various sections of Chapters 12.01 and 12.06A of the Municipal Code, relating to Utility Charges and Electrical Code, to update language regarding fees and permitting requirements, effective April 1, 2023. [Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28846 was set over for final reading next week.

12. [ORD28847](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, effective April 1, 2023, and April 1, 2024; amending Section 12.06.225, to remove an out-of-date contract requirement, effective April 1, 2023; and amending Section 12.06.300, to adjust the cost for additional poles for private off-street lighting, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28847 was set over for final reading next week.

13. [ORD28848](#) An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for two rate system average adjustments, effective January 1, 2023, and January 1, 2024.
[Jodi Collins, Assistant Water Division Manager; Scott Dewhirst, Water Superintendent]

ACTION: Ordinance No. 28848 was set over for final reading next week.

14. [ORD28849](#) An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, to adjust the 2023 and 2024 rates and charges, effective January 1, 2023, and January 1, 2024.
[Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28849 was set over for final reading next week.

15. [ORD28850](#) An ordinance amending the Official Schedule of Stormwater Utility and Wastewater Utility Service Rates and Fees, effective January 1, 2023, and January 1, 2024.
[Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28850 was set over for final reading next week.

16. [ORD28851](#) An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, by adding a new Chapter 6A.130, entitled "Local Solid Waste Customer Excise Tax", to impose a local solid waste excise tax; and amending Section 6A.10.020, to update tax definitions, effective April 1, 2023.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Ordinance No. 28851 was set over for final reading next week.

17. [ORD28852](#) An ordinance authorizing an increase in the Ad Valorem general property tax revenue collection in terms of both dollars and percentage for the general property tax levy in 2023.

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

ACTION: Ordinance No. 28852 was set over for final reading next week.

18. [ORD28853](#) An ordinance fixing the amount of the Ad Valorem tax levies necessary to identify the amount of the estimated revenues from property tax levies to match estimated expenditures for debt service and other funding requirements.

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

ACTION: Ordinance No. 28853 was set over for final reading next week.

19. [ORD28854](#) An ordinance authorizing an increase for the Emergency Medical Services property tax levy in terms of both dollars and percentage.

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

ACTION: Ordinance No. 28854 was set over for final reading next week.

20. [ORD28855](#) An ordinance fixing the amount of the Emergency Medical Services levy necessary to identify the amount of the estimated revenues from the property tax levy to match estimated expenditures for debt service and other funding requirements.

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

ACTION: Ordinance No. 28855 was set over for final reading next week.

21. [ORD28856](#) A substitute ordinance adopting the 2023-2024 Biennial Operating Budget.

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

MOTION: Council Member Walker moved as a substitute, Substitute Ordinance No. 28856 Exhibit "A".

SECONDED BY: Council Member Hines.

Proposed Substitute Ordinance No. 28856 Exhibit "A" had substantive changes and public comment was taken.

No individuals addressed the City Council.

ACTION: Voice vote was taken and carried. The motion was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

ACTION: Substitute Ordinance No. 28856 was set over for final reading next week.

22. [ORD28857](#) An ordinance adopting the 2023-2028 Capital Facilities Program of the Comprehensive Plan, and adopting the 2023-2024 Capital Budget. [Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Ordinance No. 28857 was set over for final reading next week.

23. [ORD28858](#) An ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.180, entitled “Interference with Health Care Facilities or Providers”, to ensure public health and safety for persons seeking health care services. [Council Member Diaz]

ACTION: Ordinance No. 28858 was set over for final reading next week.

24. [ORD28859](#) An ordinance amending various chapters in Title 1, relating to Administration and Personnel; Title 6, relating to the Tax and License Code; and Title 16, relating to Cable Systems, Open Video Systems, Telecommunications Systems and Private Communications Systems of the Municipal Code, for protection against discrimination based on an individual’s actual, potential, perceived, or alleged pregnancy outcomes. [Council Member Diaz]

ACTION: Ordinance No. 28859 was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS

25. [22-1194](#) This is the date set for the second public hearing by the City Council on the proposed 2023-2024 Biennial Operating Budget.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

The public hearing was held earlier in the meeting.

26. [22-1195](#) This is the date set for the second public hearing by the City Council on the proposed 2023-2024 Capital Budget and 2023-2028 Capital Facilities Program.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

The public hearing was held earlier in the meeting.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

There was no report.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Infrastructure, Planning, and Sustainability Committee

Council Member Walker, Chair of the Infrastructure, Planning, and Sustainability Committee, reported at the October 26, 2022, meeting, the Committee received a presentation on the 2023-2028 Capital Facilities Program and began the discussion for the consideration of a moratorium in the South Tacoma Groundwater Protection District; and on November 9, 2022, the Committee conducted interviews for the Landmarks Preservation Commission and continued the discussion for the consideration of a moratorium in the South Tacoma Groundwater Protection District. She concluded by stating the next meeting will be a special meeting and will be held in a hybrid format on November 30, 2022, at 4:30 p.m., and will include further discussion for the consideration of a moratorium in the South Tacoma Groundwater Protection District.

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MOTION: Council Member Walker moved to excuse Deputy Mayor Ushka from the meeting.

SECONDED BY: Council Member Hines.

ACTION: Voice vote was taken and carried. The motion was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Walker and Mayor Woodards

Absent: 1 - Ushka

ADJOURNMENT

On proper motion, the meeting was adjourned at 7:43 p.m.



Victoria R. Woodards, Mayor



Doris Sorum, City Clerk