



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

May 07, 2024

5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:12 p.m.

ROLL CALL

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

Absent: 1 - Ushka

Council Member Walker participated virtually.

FLAG SALUTE

Council Member Bushnell 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 Bushnell.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [24-0477](#) Minutes of the Public Utility Board study session, April 10, 2024.
2. [24-0478](#) Minutes of the Public Utility Board meeting, April 10, 2024.

AGENDA MODIFICATIONS

Mayor Woodards stated that tonight's agenda will be modified to remove Ordinance No. 28964, regarding eminent domain in connection with the East Portland Avenue Project, from the agenda.

MOTION: Deputy Mayor Hines moved to suspend Rule 4A of the Rules of Procedure of the Council of the City of Tacoma to consider Item 16, Ordinance No. 28964, at this time.

SECONDED BY: Council Member Daniels.

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

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

Absent: 1 - Ushka

16. [ORD28964](#) An ordinance declaring the public necessity for, and providing for the acquisition by eminent domain, certain property located along East Portland Avenue between East 56th Street and East 64th Street, for right-of-way necessary to construct the pedestrian, signal safety, and road improvements in connection with the East Portland Avenue Project.
[Susie Rogers, Principal Real Property Officer; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

MOTION: Deputy Mayor Hines moved to remove Ordinance No. 28964 from the agenda, at the request of staff.

SECONDED BY: Council Member Daniels.

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

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

Absent: 1 - Ushka

CONSENT AGENDA

3. [24-0479](#) Minutes of the City Council study session, October 31, 2023.

PURCHASE RESOLUTIONS

4. [RES41417](#) A resolution awarding a contract to Active Construction Inc., in the amount of \$883,883.00, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of \$1,016,465.45, budgeted from the Transportation Capital Fund, for upgrades to signals and pedestrian crossings at the intersection of South 21st and South “C” Streets - Specification No. PW23-0264F.
[Jon Kulju, PMP, Project Manager; Ramiro A. Chavez, P.E. PgMP, Director,

Public Works]

RESOLUTIONS

5. [RES41418](#) A resolution setting Tuesday, May 21, 2024, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the proposed Six-Year Comprehensive Transportation Improvement Program amended for the years 2024 and 2025-2030.
[Jennifer Kammerzell, Assistant Division Manager; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]
6. [RES41419](#) A resolution authorizing the execution of a grant agreement with the Washington State Department of Commerce, in the amount of \$3,000,000, and accepting and depositing said sum into the Cheney Stadium Fund, for capital repairs and improvements to Cheney Stadium, from July 1, 2023, through June 30, 2027.
[Adam Cook, Director, Tacoma Venues and Events]

PAYMENTS

7. [24-0488](#) Date Range - 04/08/2024 to 04/21/2024
Payroll in the amount of \$21,653,173.22; Payments in the amount of \$20,389,207.88; for a total of \$42,042,381.10.

MOTION: Deputy Mayor Hines moved to adopt the Consent Agenda, including Resolution Nos. 41417 through 41419.

SECONDED BY: Council Member Daniels.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, including Resolution Nos. 41417 through 41419. The Consent Agenda was declared adopted.

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

Absent: 1 - Ushka

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

8. [24-0494](#) Proclaiming May 6-10, 2024, as Affordable Housing Week.

Deputy Mayor Hines proclaimed May 6-10, 2024, as Affordable Housing Week and presented the proclamation to Amanda DeShazo, Executive Director, Tacoma-Pierce County Affordable Housing Consortium.

9. [24-0495](#) Proclaiming May 2024 as Asian and Pacific Islander Heritage Month.

Council Member Bushnell proclaimed May 2024 as Asian and Pacific Islander Heritage Month and presented the proclamation to Mariama Suwaneh, Assistant Director, Office of Equity and Human Rights; Joe Franco, Assistant to the Director, Public Works; Bucoda Warren, Senior Policy Analyst, City Manager's Office; Cheryl Lee, Executive Director, Korean Women's Association; and Lua Pritchard, Executive Director, Asia Pacific Cultural Center.

10. [24-0496](#) Proclaiming May 2024 as Historic Preservation Month.

Mayor Woodards proclaimed May 2024 as Historic Preservation Month and presented the proclamation to Jay Baersten, Vice Chair, Landmarks Preservation Commission.

11. [24-0497](#) Proclaiming May 2024 as Hunger Awareness Month.

Mayor Woodards proclaimed May 2024 as Hunger Awareness Month and presented the proclamation to Lianna Olds, Deputy Director, Emergency Food Network.

PUBLIC COMMENT

Public comment began at 5:49 p.m.

The City Clerk's Office received four written comments for public comment, regarding Ordinance No. 28966.

Speaking before the City Council:

1. Michele Reich, speaking on Asian and Pacific Islander Heritage Month.
2. Cathie Urwin, speaking on Ordinance No. 28966.
3. Heidi Stephens, speaking on Ordinance No. 28966.
4. Barry Gall, speaking on unknown.
5. Robert Bowers, speaking on unknown.

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The City Council meeting recessed at 6:00 p.m., and reconvened at 6:06 p.m.

Public comment ended at 6:06 p.m.

REGULAR AGENDA

12. [24-0510](#) A motion may be considered to authorize the City's full and final settlement of all claims against the City in the matter of Thoeun Derme v. City of Tacoma, et al.; and Philip Nichols (Cross Claim Plaintiff) v. City of Tacoma, et al. (Cross Claim Defendants), Pierce County Superior Court Cause No. 23-2-04549-7, related to a motor vehicle collision, upon payment by the City in the amount of \$250,000 to settle Plaintiff Derme's claims; and \$55,000 to settle the cross claim filed by Philip Nichols against the City.

MOTION: Council Member Daniels moved to authorize the City's full and final settlement of all claims against the City in the matter of Derme v. City of Tacoma, et al.; and Nichols (Cross Claim Plaintiff) v. City of Tacoma, et al. (Cross Claim Defendants), Pierce County Superior Court Cause No. 23-2-04549-7, related to a motor vehicle collision, upon payment by the City in the amount of \$250,000 to settle Plaintiff Derme's claims; and \$55,000 to settle the cross claim filed by Nichols against the City.

SECONDED BY: Council Member Rumbaugh.

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

Ayes: 7 - Bushnell, Daniels, Diaz, Hines, Rumbaugh, Scott and Walker

Absent: 2 - Ushka and Mayor Woodards

PURCHASE RESOLUTIONS

13. [RES41420](#) A resolution awarding a contract to R.L. Alia Company, in the amount of \$6,689,184.65, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of \$7,692,562.35, budgeted from various departmental funds, for the reconstruction of East 64th Street between McKinley Avenue and Portland Avenue - Specification No. PW23-0036F.
[Chris Storey, Principal Engineer; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

MOTION: Council Member Daniels moved to adopt Resolution No. 41420.

SECONDED BY: Council Member Rumbaugh.

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

Ayes: 7 - Bushnell, Daniels, Diaz, Hines, Rumbaugh, Scott and Walker

Absent: 2 - Ushka and Mayor Woodards

RESOLUTIONS

14. [RES41421](#) A resolution authorizing the extension of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Stadium Vue35, LLC, for the extension of their original Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with Encompass Property Management, LLC, located at 219-223 North “J” Street in the Stadium Mixed-Use Center, for 12 additional years.
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Council Member Daniels moved to adopt Resolution No. 41421.

SECONDED BY: Council Member Rumbaugh.

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

Ayes: 7 - Bushnell, Daniels, Diaz, Hines, Rumbaugh, Scott and Walker

Absent: 2 - Ushka and Mayor Woodards

15. [RES41422](#) A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Brown Homes LLC, for the development of ten multi-family market and regulated rate rental housing units, located at 1401 East 29th Street in the Lower Portland Avenue Mixed-Use Center.
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Council Member Daniels moved to adopt Resolution No. 41422.

SECONDED BY: Council Member Rumbaugh.

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

Ayes: 7 - Bushnell, Daniels, Diaz, Hines, Rumbaugh, Scott and Walker

Absent: 2 - Ushka and Mayor Woodards

FINAL READING OF ORDINANCES

16. [ORD28964](#) An ordinance declaring the public necessity for, and providing for the acquisition by eminent domain, certain property located along East Portland Avenue between East 56th Street and East 64th Street, for right-of-way necessary to construct the pedestrian, signal safety, and road improvements in connection with the East Portland Avenue Project.
[Susie Rogers, Principal Real Property Officer; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

Ordinance No. 28964 was removed from the agenda earlier in the meeting.

17. [ORD28965](#) An ordinance amending Chapter 10.28 of the Municipal Code, relating to the Transportation Benefit District, by amending Section 10.28.020, entitled “Transportation Benefit District - Statement of Purpose”, and Section 10.28.060, entitled “Use of Funds”, to clarify language to enhance the usage of funds within the benefit district.
[Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

ACTION: Roll call vote was taken on Ordinance No. 28965. The Ordinance was declared passed by the following vote:

Ayes: 6 - Bushnell, Daniels, Diaz, Hines, Rumbaugh and Walker
Absent: 3 - Scott, Ushka and Mayor Woodards

18. [ORD28966](#) An ordinance amending Title 13 of the Municipal Code, relating to the Land Use Regulatory Code, by amending various chapters, to create an Urban Design Project Review permit, establish an Urban Design Board, and amend certain development and design standards of mixed-use and downtown zoning districts.
[Stephen Antupit, Senior Planner; Peter Huffman, Director, Planning and Development Services]

ACTION: Roll call vote was taken on Ordinance No. 28966. The Ordinance was declared passed by the following vote:

Ayes: 5 - Bushnell, Daniels, Hines, Rumbaugh and Walker
Absent: 4 - Diaz, Scott, Ushka and Mayor Woodards

FIRST READING OF ORDINANCES

19. [ORD28967](#) An ordinance amending Chapter 12.10 of the Municipal Code, related to Water - Regulations and Rates, by amending Section 12.10.400, entitled “Rates - Inside and outside City limits”, effective July 1, 2024.
[Andrew Zaremba, Utilities Economist; Scott Dewhirst, Water Superintendent]

ACTION: Ordinance No. 28967 was set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

City Manager Elizabeth Pauli stated that Tacoma was named “Best City” by South Sound Magazine.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Government Performance and Finance Committee

Deputy Mayor Hines, Chair of the Government Performance and Finance Committee, reported the April 16, 2024, meeting was cancelled; at the special meeting on April 23, 2024, the Committee received a monthly budget update, and a presentation on proposed water rate additions to Tacoma Municipal Code Chapter 12.10; and the May 7, 2024, meeting included presentations on short-term rentals, Planning and Development Services fee schedule updates, and the Tacoma Public Utilities residential customer satisfaction study. He concluded by stating the next meeting will be a joint Audit Advisory Board held in a hybrid format on May 21, 2024, at 10:00 a.m., and will include Public Utility Board interviews, the Moss Adams 2023 audit exit conference, and the State Auditor's Office 2022 accountability audit exit conference and 2023 financial audit entrance conference.

Infrastructure, Planning, and Sustainability Committee

Council Member Walker, Chair of the Infrastructure, Planning and Sustainability Committee, reported the meeting on April 10, 2024, included Landmarks Preservation Commission interviews, and proposed amendments to the parking enforcement code; the April 24, 2024, meeting included a presentation on the City's residential and commercial Call-2-Haul program, noting a proposal to expand the program to multi-family units; and that the May 8, 2024, meeting has been cancelled. She concluded by stating the next meeting will be held in a hybrid format on May 22, 2024, at 4:30 p.m., and

will include Planning Commission interviews, and a presentation on options to increase deconstruction and salvage efforts.

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MOTION: Council Member Daniels moved to excuse Council Member Ushka from the meeting.

SECONDED BY: Council Member Rumbaugh.

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

Ayes: 5 - Bushnell, Daniels, Hines, Rumbaugh and Walker

Absent: 4 - Diaz, Scott, Ushka and Mayor Woodards

ADJOURNMENT

On proper motion, the meeting was adjourned at 6:28 p.m.

Victoria R. Woodards, Mayor

Nicole Emery, City Clerk

