



City of Tacoma City Council Minutes

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

Webinar Link: www.zoom.us/j/84834233126 Passcode: 349099

May 18, 2021

5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:02 p.m.

ROLL CALL

Present: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

All Council Members participated virtually.

FLAG SALUTE

Council Member Walker 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 Walker.

MOMENT OF SILENCE

In honor of those who have lost their lives to or have been impacted by COVID-19 and systemic racism.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [21-0467](#) Minutes of the Tacoma Creates Advisory Board, May 3, 2021.
2. [21-0490](#) Minutes of the Public Utility Board special meeting, April 28, 2021.

CONSENT AGENDA

3. [21-0494](#) Minutes of the City Council meeting, March 16, 2021.

RESOLUTIONS

4. [RES40784](#) A resolution authorizing the execution of an Interlocal Agreement with the Puget Sound Clean Water Alliance, in the amount of \$68,000 for the first year and \$25,000 annually, budgeted from the Wastewater Fund, to create an alliance to jointly address water quality issues in the Puget Sound, through December 31, 2025, with the option to renew for an additional five-year term.
[Daniel C. Thompson, Ph.D., Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]
5. [RES40785](#) A resolution authorizing the execution of a grant agreement and any associated term extensions with the Washington State Department of Commerce, in the amount of \$597,558.77; and accepting and depositing said sum into the Capital Fund, and matching funds of \$119,511.75 budgeted from the Power Fund, for a projected total of \$717,070.52, to install public electric vehicle charging infrastructure in eight downtown City facilities by May 25, 2024.
[James G. Parvey, P.E., Environmental Policy and Sustainability Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

FINAL READING OF ORDINANCES

6. [ORD28698](#) An ordinance vacating a portion of the undeveloped north side of South 62nd Street right-of-way, to be incorporated into the adjacent residential parcel to cure an encroachment by a part of the existing residence.
(Lee Pate; File No. 124.1415)
[Jeff H. Capell, Hearing Examiner]

MOTION: Deputy Mayor Blocker moved to adopt the Consent Agenda, including Resolution Nos. 40784 and 40785 and final reading of Ordinance No. 28698.

SECONDED BY: Council Member Thoms.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, including Resolution Nos. 40784 and 40785 and final reading of Ordinance No. 28698. The Consent Agenda was declared adopted.

Ayes: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

- 7. [21-0483](#) Proclaiming May 2021 as Bike Month.

Mayor Woodards proclaimed May 2021 as Bike Month and presented the proclamation to Elaina Darrington and Max Sledge, Bicycle Technicians, 2nd Cycle Tacoma.

- 8. [21-0484](#) Proclaiming May 2021 as Building Safety Month.

Mayor Woodards proclaimed May 2021 as Building Safety Month and presented the proclamation to Sue Coffman, Building Official, Planning and Development Services.

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The City Council meeting recessed at 5:16 p.m.

The City Council meeting reconvened at 5:39 p.m.

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MOTION: Council Member Ushka moved to suspend the rules to consider Item 12, Ordinance No. 28756, regarding camping on public property at this time.

SECONDED BY: Council Member Thoms.

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

Ayes: 8 - Beale, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

Absent: 1 - Blocker

12. [ORD28756](#) (Continued from the meeting of June 15, 2021) An ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.19, entitled “Use of Public Property”, to align with the amended declaration of emergency and providing a comprehensive response to public health concerns related to camping and storage of personal items on public property.
[Council Member Thoms]

MOTION: Council Member Ushka moved to continue Ordinance No. 28756 to the meeting of June 15, 2021.

SECONDED BY: Council Member Thoms.

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

Ayes: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

PUBLIC COMMENT

Public Comment began at 5:44 p.m.

The City Clerk’s Office received 42 written comments for Public Comment on Ordinance No. 28759, regarding the Tideflats Interim Regulations.

Speaking before the City Council:

1. Anna Doty, speaking on Ordinance No. 28759
2. Ben Ferguson, speaking on Ordinance No. 28759.
3. Steve Storms, speaking on Ordinance No. 28759.
4. Maddie Smith, speaking on Ordinance No. 28759.
5. Barbara Church, speaking on Ordinance No. 28759.
6. Andrew Troske, speaking on Ordinance No. 28759.
7. Jordan Royer, speaking on Ordinance No. 28759.
8. Sheri Tonn, speaking on Ordinance No. 28759.
9. Victoria Leistman, speaking on Ordinance No. 28759.
10. Kathy Hewitt, speaking on Ordinance No. 28759.
11. Nolan Hibbard-Pelly, speaking on Ordinance No. 28759.
12. Lester Pogue, speaking on Ordinance No. 28759.
13. Sarah Dunn, speaking on Ordinance No. 28759.
14. Stacy Oaks, speaking on Ordinance No. 28759.
15. Grace Hope, speaking on Ordinance No. 28759.
16. Jenna Judge, speaking on Ordinance No. 28759.
17. Deanna Seaman, speaking on Ordinance No. 28761.
18. Melissa Malott, speaking on Ordinance No. 28759.
19. Lexi Brewer, speaking on Ordinance No. 28759.

- 20. Marquis King Mason, speaking on Ordinance No. 28759.
- 21. Erin Dilworth, speaking on Ordinance No. 28759.
- 22. Ingrid Archibald, speaking on Ordinance No. 28759.
- 23. Sean Eagen, speaking on Ordinance No. 28759.
- 24. Kevin Dolan, speaking on Ordinance No. 28759.
- 25. Neal Anderson, speaking on Ordinance No. 28759.
- 26. Jonathan Pottle, speaking on Ordinance No. 28759.
- 27. Adam Davis, speaking on Ordinance No. 28759.
- 28. Ji, regarding speaking on No. 28759.
- 29. Kathy Lawhon, speaking on Ordinance No. 28759.
- 30. Bryant Mullin, speaking on Ordinance No. 28759.
- 31. Vince O'Halloran, speaking on Ordinance No. 28759.

The City Council meeting recessed at 6:34 p.m.

The City Council meeting reconvened at 6:46 p.m.

- 32. Ken Zirinsky, speaking on Ordinance No. 28759.
- 33. Eileen Netwon, speaking on Ordinance No. 28759.
- 34. Yvonna McCarty, speaking on Ordinance No. 28759.
- 35. John U. Seng, speaking on Ordinance No. 28759.
- 36. Kristin Ang, speaking on Ordinance No. 28759.
- 37. Nakanee McCord, speaking on Ordinance No. 28759.
- 38. Josef Barlow-Farrar, speaking on Ordinance No. 28759.
- 39. Katie Barlow, speaking on Ordinance No. 28759.
- 40. Juan La Torre, speaking on Ordinance No. 28759.

Public Comment ended at 7:02 p.m.

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The City Council meeting recessed at 7:02 p.m.

The City Council meeting reconvened at 7:20 p.m.

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REGULAR AGENDA

9. [21-0497](#) A motion may be considered to concur with the May 12, 2021, recommendation of the Public Utility Board, and to authorize the City’s full and final settlement of all property damage claims against the City by Robert Cruegar, Claim No. W-014-21, relating to a ruptured water main, upon payment by the City in the amount of \$36,107.53.

MOTION: Deputy Mayor Blocker moved to concur with the May 12, 2021, recommendation of the Public Utility Board, and to authorize the City’s full and final settlement of all property damage claims against the City by Robert Cruegar, Claim No. W-014-21, relating to a ruptured water main, upon payment by the City in the amount of \$36,107.53.

SECONDED BY: Council Member Thoms.

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

Ayes: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

RESOLUTIONS

10. [RES40786](#) A resolution authorizing the execution of a Collective Bargaining Agreement with the Tacoma Firefighters Union, Local 31, consisting of 422 budgeted full-time equivalent positions, retroactive to January 1, 2021, through December 31, 2022.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

MOTION: Deputy Mayor Blocker moved to adopt Resolution No. 40786.

SECONDED BY: Council Member Thoms.

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

Ayes: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

FINAL READING OF ORDINANCES

11. [ORD28759](#) An ordinance approving an extension of the Tideflats Interim Regulations, as originally approved by Amended Ordinance No. 28470 and extended by Ordinance Nos. 28542, 28583, 28619, and 28671, and Amended Ordinance No. 28696, for up to six months, and referring proposed permanent regulations to the Infrastructure, Planning, and Sustainability Committee for review and recommendation to the full City Council no later than August 31, 2021.
[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

MOTION: Council Member Beale moved to amend Ordinance No. 28759, by adding and amending the following language:

Prohibit the expansion of, and any ancillary site/facility modifications, to existing fossil fuel, chemical, mining and quarrying uses, excepting only those fossil fuel projects which have previously been reviewed by the City under the State Environmental Policy Act, and for which mitigation has been identified and fully funded or completed, and allowing renewable fuel facilities both new and expansions of existing facilities where the expansion is for renewable fuel production storage and distribution as defined by the Environmental Protection Agency's Renewable Fuels Program, until such time the Washington State renewable fuels standard is established, within all areas of the Tideflats, including the Port Maritime Industry District, M-2 Zone District, and the Shoreline District, for the full duration of this extension of the Tideflats Interim Regulations.

SECONDED BY: Council Member Walker.

The amendment had substantive changes and public comment was taken.

Speaking before the City Council:

- 1. Josef Barlow-Farrar.**
- 2. Yvonne McCarty.**
- 3. Nolan Hibbard-Pelly.**
- 4. Kathy Lawhon.**
- 5. Bett.**
- 6. Stacy Oaks.**
- 7. Barbara Church.**
- 8. Troy Goodman.**
- 9. Derek Bronson.**

- 10. Adam Davis.
- 11. Melissa Malott.
- 12. Adam Davis.
- 13. Katie Barlow.
- 14. Jennifer Keating.
- 15. Frank Boykin.
- 16. Neal Anderson.
- 17. Nakanee McCord.

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

Ayes: 4 - Beale, Ushka, Walker and Mayor Woodards

Nays: 5 - Blocker, Hines, Hunter, McCarthy and Thoms

ACTION: Roll call vote was taken on Ordinance No. 28759.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hines, Hunter, McCarthy, Thoms, Ushka, Walker and Mayor Woodards

FIRST READING OF ORDINANCES

- 12. [ORD28756](#) (Continued from the meeting of June 15, 2021) An ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.19, entitled “Use of Public Property”, to align with the amended declaration of emergency and providing a comprehensive response to public health concerns related to camping and storage of personal items on public property.
[Council Member Thoms]

Ordinance No. 28756 was continued to the meeting of June 15, 2021, earlier in the meeting.

- 13. [ORD28760](#) An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented by the Tacoma Firefighters Union, Local 31.
[Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

ACTION: Ordinance No. 28760 was set over for final reading next week.

14. [ORD28761](#) An ordinance relating to Wastewater and Surface Water Management - Regulation and Rates, amending Chapter 12.08 of the Municipal Code by repealing, reenacting, and recodifying it in its entirety; creating new subchapters to be known as Subchapter 12.08A, "General Administration", Subchapter 12.08B, "Use of Sanitary Sewer", Subchapter 12.08C, "Industrial Pretreatment Program", and Subchapter 12.08D, "Stormwater Management"; providing for the enforcement and severability; effective July 1, 2021; and adopting the Side Sewer and Sanitary Sewer Availability Manual. [Kurt Fremont, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28761 was set over for final reading next week.

15. [ORD28762](#) An ordinance amending Subchapters 12.08B, entitled "Use of Sanitary Sewer", and 12.08D, entitled "Stormwater Management" of the Municipal Code; to adopt a rate and fee schedule which will ease access for customers and clarify the distinction between rates and fees associated with storm water, wastewater, and industrial wastewater pretreatment services; if passed, this ordinance will not alter existing rates and fees, effective July 1, 2021. [Kurt Fremont, Assistant Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28762 was set over for final reading next week.

16. [ORD28763](#) An ordinance adopting the Stormwater Management Manual, effective July 1, 2021. [Merita Trohimovich, Principal Engineer; Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28762 was set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

There was no report.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Economic Development Committee

Council Member Thoms, Chair of the Economic Development Committee, reported that at the April 27, 2021, meeting, the Committee received a presentation from Tacoma Public Schools, Rainier Connect, and Community and Economic Development staff on how broadband is working for Tacoma's residents, businesses, and schools; and an update on the City's efforts to administer outdoor business options including sidewalk cafes, parklets, and street eateries. He further reported that at the May 11, 2021, meeting, the Committee held interviews for the City Events and Recognition Committee and reviewed a proposal for the Tacoma Town Center Second Amendment to the Amended and Restated Agreement. He concluded by stating the next meeting will be held on May 25, 2021, at 10:00 a.m., through Zoom, and will include a proposal on a Foss Harbor, LLC mixed-use development project.

Infrastructure, Planning, and Sustainability Committee

Council Member McCarthy, Chair of the Infrastructure, Planning, and Sustainability Committee, reported that at the April 28, 2021, meeting, the Committee received a follow-up presentation on the Six-Year Transportation Improvement Program and final proposed amendments, and an update on the Streets Initiative; and at the May 12, 2021, meeting, the Committee received presentations on the Environmental Services Department's 2021 major capital projects and the City's Climate Action Plan and Climate Adaptation Study. He concluded by stating the next meeting will be held on May 26, 2021, at 4:30 p.m., through Zoom, and will include interviews for the Planning Commission, a presentation on active transportation and bike boulevards, and discussion of the Committee's plan to address the Tideflats Interim Regulations.

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Mayor Woodards stated that Pierce County has returned to Phase 3 of the Washington State COVID-19 phased reopening plan, and encouraged everyone to get vaccinated. She further thanked State, City, and community representatives earlier in the day at the Eastside Community Center for Governor Jay Inslee's signing of twelve police accountability bills that passed in the Washington State Legislature.

ADJOURNMENT

On proper motion, the meeting was adjourned at 8:57 p.m.

Victoria R. Woodards, Mayor

Doris Sorum, City Clerk