



City of Tacoma City Council Minutes

747 Market Street, First Floor, Tacoma WA 98402

City Council Chambers

November 13, 2018

5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:10 p.m.

ROLL CALL

Present: 8 - Beale, Blocker, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

Absent: 1 - Hunter

Council Member Hunter arrived at 5:11 p.m.

FLAG SALUTE

The flag salute was led by Council Member Blocker.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [18-1320](#) Minutes of the Landmarks Preservation Commission, April 11, 2018.
2. [18-1321](#) Minutes of the Landmarks Preservation Commission, May 2, 2018.

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Council Member Hunter arrived here, at 5:11 p.m.

CONSENT AGENDA

RESOLUTIONS

3. [RES40158](#) A resolution setting Thursday, December 20, 2018, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a westerly portion of East D Street, lying south of East 18th Street, for marina and Johnny’s Dock parking. (Pacific Harbor Landing, LLC; File No. 124.1391)
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Ibsen moved to adopt the Consent Agenda, including Resolution No. 40158.

SECONDED BY: Council Member Mello.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, including Resolution No. 40158. The Consent Agenda was declared adopted.

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

4. [18-1317](#) Proclaiming Wednesday, November 14, 2018 as Tacoma GIS Day.

Mayor Woodards proclaimed Wednesday, November 14, 2018 as Tacoma GIS Day and presented the proclamation to Ms. Jennifer Ward, Principal Planner and Chair of the GIS Advisory Team.

5. [18-1329](#) Recognizing the 50th Anniversary of the Fair Housing Act.

Mayor Woodards recognized the 50th Anniversary of the Fair Housing Act and presented the recognition to Mr. Davon White, Fair Housing Center of Washington, and Mr. James Fisher, Tacoma-Pierce County Association of Realtors.

PUBLIC COMMENT

Public Comment began at 5:20 p.m.

Speaking before the City Council:

1. Daniel Villa, 350 Tacoma, speaking on Ordinance No. 28542.
2. Melissa Malott, Citizens for a Healthy Bay (CHB), speaking on Ordinance No. 28542.
3. Kenneth Coble, CHB, speaking on Ordinance No. 28542.
4. Todd Hay, Sustainable Tacoma Commission, speaking on Ordinance No. 28542.
5. Carol Kindt, 350 Tacoma, speaking on Ordinance No. 28542.
6. Tom Pierson, Tacoma-Pierce County Chamber of Commerce, speaking on Ordinance No. 28542.
7. Meredith Neal, Manufacturing Industrial Council, speaking on Ordinance No. 28542.
8. Jenn Adrien, Tacoma-Pierce County Economic Development Board (EDB), speaking on Ordinance No. 28542.
9. Sarah Cornet, Washington Physician's for Social Responsibility and Protect Tacoma Tidelands Coalition, speaking on Ordinance No. 28542.
10. Ron Morrison, resident, speaking on Ordinance No. 28542.
11. Jori Adkins, 301 Puyallup Avenue, speaking on Ordinance No. 28542.
12. Donna Seay, resident, speaking on Ordinance No. 28559.
13. Chris Heer, Tacoma Tenants Organizing Committee (TTOC), speaking on Ordinance No. 28559.
14. Caitlin Gornick, TTOC, speaking on Ordinance No. 28559.
15. Molly Nichols, TTOC, speaking on Ordinance No. 28559.
16. Carl Anderson, 909 North "I" Street, speaking on Ordinance No. 28559.
17. Alex Scheel, 1407 South Moorlands Drive, speaking on Ordinance No. 28559.
18. Troy Goodman, 4130 East 11th Street, speaking on Ordinance No. 28542.
19. Mark Martinez, Pierce County Building Trades Council, speaking on Ordinance No. 28542.
20. Mike Webb, 1215 North "K" Street, speaking on Ordinance No. 28542.
21. Kevin Tedrick, 1555 Fawcett Avenue South, speaking on Ordinance No. 28542.
22. Victoria Leistman, Sierra Club, speaking on Ordinance No. 28542.
23. Evette Mason, Port of Tacoma, speaking on Ordinance No. 28542.
24. Lance Orloff, resident, speaking on Ordinance No. 28559.
25. LaDonna Robertson, resident, speaking on Ordinance No. 28542.
26. Kyle Jolibois, 431 Broadway, speaking on Ordinance No. 28542.
27. Todd Iverson, International Longshore and Warehouse Union, Local 23, speaking on Ordinance No. 28542.

28. Bruce Kendall, EDB, speaking on Ordinance No. 28542.
29. Kat Wood, resident, speaking on Ordinance No. 28542.
30. Rachel Shinabarger, resident, speaking on Ordinance No. 28542.
31. Stacy Oaks, 350 Seattle, speaking on Ordinance No. 28542.
32. Mitchell Shook, Advanced Stream, speaking on Ordinance No. 28553.
33. Malakay Betor, 3001 North Mason Avenue, speaking on Ordinance No. 28559.
34. Erin Dilworth, CHB, speaking on Ordinance No. 28542.
35. Debra Simmons, 3228 South Union Avenue, speaking on Ordinance No. 28559.
36. Austin Hayes, TTOC, speaking on Ordinance No. 28559.
37. Grace Sullivan, 350 Tacoma, speaking on Ordinance No. 28542.
38. Nanette Reetz, resident, speaking on Ordinance No. 28542.
39. Bill Adamson, 6000 Main Street Southwest, Lakewood, speaking on Ordinance No. 28542.
40. Tanya Webking, resident, speaking on Ordinance No. 28559.
41. Alfred Kirk, 216 Puyallup Avenue, speaking on Ordinance No. 28559.
42. Brian Skiffington, TTOC, speaking on Ordinance No. 28559.
43. Rebecca Ponzio, Washington Environment Council, speaking on Ordinance No. 28542.
44. Patty Rose, Pierce County Central Labor Council, speaking on Ordinance No. 28559.
45. Kathy Lawhon, resident, speaking on Ordinance Nos. 28542 and 28559.
46. Ryan Kinning, resident, speaking on Ordinance No. 28542.
47. Andrea Shapiro, TTOC, speaking on Ordinance No. 28559.
48. Shirley Low, resident, speaking on Ordinance Nos. 28542 and 28559.
49. John Carlton, resident, speaking on Ordinance No. 28542.
50. Cathy Carruthers, resident, speaking on Ordinance No. 28542.
51. Jade Monroe, resident, speaking on Ordinance No. 28542.
52. Steve Way, 350 Tacoma, speaking on Ordinance No. 28542.
53. Elly Claus-McGahan, Citizens' Climate Lobby, speaking on Ordinance No. 28542.
54. Chrissy Cooley, Protect Tacoma Tidelands, speaking on Ordinance No. 28542.
55. Ariana Haidari, resident, speaking on Ordinance No. 28542.
56. Tal Edman, 5018 North 42nd Street, speaking on Ordinance No. 28542.
57. Vanna Sing, Tacoma Healing Awareness Community, speaking on Ordinance No. 28542.
58. Sarah Howe, resident, speaking on Ordinance No. 28559.
59. Amy Tower, Tenants Union of Washington State, speaking on Ordinance No. 28559.
60. Janet Higbee-Robinson, 350.org, speaking on Ordinance No. 28542.
61. Heather Pierce, Rental Housing Association of Washington, speaking on Ordinance No. 28559.

62. Taylor Shanaham, Tacoma-Pierce County Association of Realtors, speaking on Ordinance No. 28559.
63. Justin Camarata, resident, speaking on Ordinance No. 28559.
64. Nikie Walters, resident, speaking on Ordinance No. 28542.
65. Oneida Arnold, resident, speaking on Ordinance Nos. 28542 and 28559.
66. Zephyra Burt, 627 North Pine Street, speaking on Ordinance No. 28559.
67. Marilyn Kimmerling, 4414 North 34th Street, speaking on Ordinance Nos. 28542 and 28559.
68. Barb Church, 6402 1st Street Court Northeast, speaking on Ordinance No. 28542.
69. Aji Piper, 10208 30th Avenue Southwest, Shoreline, speaking on Ordinance No. 28542.
70. Dorothy Walker, 3608 Forest Beach Drive Northwest, Gig Harbor, speaking on Ordinance Nos. 28542 and 28559.
71. Carole Sue Braaten, 2410 Berry Lane East, Fife, speaking on Ordinance No. 28542.
72. Alan Makayev, resident, speaking on Ordinance No. 28559.
73. Kristin Ang, resident, speaking on Ordinance No. 28542.
74. Amanda DeShazo, Tacoma-Pierce County Affordable Housing Consortium, speaking on Ordinance No. 28559.
75. David Bluhm, resident, speaking on Ordinance No. 28542.
76. Norma Ramirez, resident, speaking on Ordinance No. 28542.
77. Alton McDonald, resident, speaking on Ordinance No. 28559.
78. Deirdre Wilson, resident, speaking on Ordinance No. 28542.

Public Comment ended at 8:12 p.m.

REGULAR AGENDA

RESOLUTIONS

6. [RES40159](#) A resolution approving changes to the Tacoma Power Electric Rate and Financial Policy.

[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

MOTION: Deputy Mayor Ibsen moved to adopt Resolution No. 40159.

SECONDED BY: Council Member Mello.

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

Ayes: 8 - Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

Absent: 1 - Beale

7. [RES40160](#) A resolution approving changes to the Water Rate and Financial Policy.
[Sean Senescall, Rates and Financial Planning Manager; Scott Dewhirst, Water Superintendent]

MOTION: Deputy Mayor Ibsen moved to adopt Resolution No. 40160.

SECONDED BY: Council Member Mello.

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

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

FINAL READING OF ORDINANCES

8. [ORD28542](#) An ordinance approving a six-month extension of the Tideflats Interim Regulations as originally approved by Amended Ordinance No. 28470.
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

MOTION: Council Member Mello moved as a substitute, Substitute No. 1 of Ordinance No. 28542.

SECONDED BY: Deputy Mayor Ibsen.

ACTION: Voice vote was taken and failed. The motion failed.

Ayes: 3 - Beale, Ibsen and Mello

Nays: 6 - Blocker, Hunter, McCarthy, Thoms, Ushka and Mayor Woodards

MOTION: Council Member Mello moved as a substitute, Substitute No. 2 of Ordinance No. 28542.

SECONDED BY: Deputy Mayor Ibsen.

ACTION: Voice vote was taken and failed. The motion failed.

Ayes: 3 - Beale, Ibsen and Mello

Nays: 6 - Blocker, Hunter, McCarthy, Thoms, Ushka and Mayor Woodards

ACTION: Roll call vote was taken on Ordinance No. 28542.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

9. [ORD28543](#) 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: Roll call vote was taken on Ordinance No. 28543.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

10. [ORD28544](#) An ordinance authorizing an increase in the 2019 general property tax revenue collection in terms of both dollars and percentage.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Roll call vote was taken on Ordinance No. 28544.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

11. [ORD28545](#) 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: Roll call vote was taken on Ordinance No. 28545.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

12. [ORD28546](#) An ordinance authorizing an increase for the 2019 Emergency Medical Services property tax levy in terms of both dollars and percentage.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Roll call vote was taken on Ordinance No. 28546.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

FIRST READING OF ORDINANCES

13. [ORD28547](#) An ordinance amending Chapter 12.08 of the Municipal Code, relating to Wastewater and Surface Water Management - Regulation and Rates, to adjust rates and charges for services provided by the Wastewater and Surface Water Utilities for the years 2019 and 2020.
[Dan Thompson, Ph.D., Business Operations Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28547 was set over for final reading next week.

14. [ORD28548](#) An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, to adjust rates and charges for services provided by the Solid Waste Utility for the years 2019 and 2020.
[Lewis Griffith, Solid Waste Management Division Manager;
Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28548 was set over for final reading next week.

15. [ORD28549](#) An ordinance amending Chapters 3.06 and 3.09 of the Municipal Code, relating to Alarm Systems and Fire Code Permits and Fees, by adding a new Section 3.06.005, entitled “Fire False Alarms” and revising fees for commercial fire protection systems compliance and building inspections.
[Teresa Green, Fire Department Manager; James P. Duggan, Fire Chief]

ACTION: Ordinance No. 28549 was set over for final reading next week.

16. [ORD28550](#) An ordinance amending Chapter 6B.50 of the Municipal Code, relating to Ambulances, by adding a new Section 6B.50.070, entitled “Penalty for Non-Emergent Lift Assistance at Licensed Care Facilities,” to issue a penalty charge for non-emergent patient lift assistance performed by the Fire Department or its contractors, effective February 1, 2019.
[Teresa Green, Fire Department Manager; James P. Duggan, Fire Chief]

ACTION: Ordinance No. 28550 was set over for final reading next week.

17. [ORD28551](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, for two rate adjustments, effective April 1, 2019 and April 1, 2020.
[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28551 was set over for final reading next week.

18. [ORD28552](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, by adding a new Section 12.06.371, entitled “Electric Vehicle Fast Charge - Schedule FC,” to establish a temporary rate schedule to test rates that would facilitate economic sales of energy to electric vehicle fast charging sites, effective January 1, 2019 through December 31, 2031.
[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28552 was set over for final reading next week.

19. [ORD28553](#) An ordinance amending Chapter 12.13 of the Municipal Code, relating to Click! Network TV Products, to revise prices by 9.8 percent for Click! Network Cable TV services, and \$5 per service tier for the wholesale ISP Advantage service, effective January 1, 2019.
[Tenzin Gyaltzen, Click! General Manager; Chris Robinson, Power Superintendent]

ACTION: Ordinance No. 28553 was set over for final reading next week.

20. [ORD28554](#) An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for two rate adjustments, effective January 1, 2019 and January 1, 2020.
[Sean Senescall, Rates and Financial Planning Manager; Scott Dewhirst, Water Superintendent]

ACTION: Ordinance No. 28554 was set over for final reading next week.

21. [ORD28555](#) An ordinance authorizing the reissuance of Tacoma Municipal Belt Line 8807 series freight switching tariff, to ensure reliable rail services at cost of service rates, effective January 1, 2019.
[Dan McCabe, Rail Section Manager; Dale King, Rail Superintendent]

ACTION: Ordinance No. 28555 was set over for final reading next week.

22. [ORD28556](#) An ordinance adopting the 2019-2020 Biennial Operating Budget.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Ordinance No. 28556 was set over for final reading next week.

23. [ORD28557](#) An ordinance approving the 2019-2024 Capital Facilities Program of the Comprehensive Plan, and approving the 2019-2020 Capital Budget.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Ordinance No. 28557 was set over for final reading next week.

24. [ORD28558](#) An ordinance amending Chapter 1.29 of the Municipal Code, relating to the Human Rights Commission, to add source of income as a protected class.
[Andreta Armstrong, Human Rights Manager; Diane Powers, Director, Office of Equity and Human Rights]

ACTION: Ordinance No. 28558 was set over for final reading next week.

25. [ORD28559](#) An ordinance amending Title 1 of the Municipal Code, relating to Administration and Personnel, by adding a new Chapter 1.95, entitled “Rental Housing Code,” to increase the number of days a landlord must give a tenant before terminating a tenancy; require additional notification for increased rent; require landlords to pay tenant relocation assistance; and require landlords to provide tenants with information relevant to the rental agreements, landlords, and rental properties, effective February 1, 2019.
[ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator; Diane Powers, Director, Office of Equity and Human Rights]

MOTION: Council Member Beale moved to amend Exhibit “A” of Ordinance No. 28559, at page 9, line 3, to replace the words “10 percent or more” with the words “any amount”; and further, by amending page 9, line 4, to remove the words “for any period or month during the preceding 12-month period,” to read as follows:

1.95.060 Notice to increase rent requirements. A landlord is required to provide a minimum of 60 days’ prior written notice whenever the periodic or monthly housing costs to be charged a tenant will increase by any amount over the periodic or monthly rental rate charged the same tenant for the same housing unit.

SECONDED BY: Deputy Mayor Ibsen.

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

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

ORD28559 An ordinance amending Title 1 of the Municipal Code, relating to Administration and Personnel, by adding a new Chapter 1.95, entitled “Rental Housing Code,” to increase the number of days a landlord must give a tenant before terminating a tenancy; require additional notification for increased rent; require landlords to pay tenant relocation assistance; and require landlords to provide tenants with information relevant to the rental agreements, landlords, and rental properties, effective February 1, 2019. [ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator; Diane Powers, Director, Office of Equity and Human Rights]

MOTION: Deputy Mayor Ibsen moved to amend Exhibit “A” of Ordinance No. 28559, at page 12, line 19, Section 1.95.090.A.2, to add the words “including reprisals or retaliatory actions against tenants good faith and lawful rights to organize,” at the end of the sentence, to read as follows:

1.95.090 Compliance and enforcement.

A. Compliance.

* * *

2. A landlord is prohibited from engaging in reprisals or retaliatory actions pursuant to RCW 59.18.240 and 59.18.250, as they exist or are hereinafter amended, including reprisals or retaliatory actions against a tenant’s good faith and lawful rights to organize.

SECONDED BY: Council Member Mello.

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

Ayes: 9 - Beale, Blocker, Hunter, Ibsen, McCarthy, Mello, Thoms, Ushka and Mayor Woodards

ACTION: Ordinance No. 28559, as amended, was set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

CITIZENS' FORUM

Citizens' Forum began at 10:07 p.m.

Speaking before the City Council:

1. Carol Kindt, 350 Tacoma, speaking on the Tideflats Subarea Plan.
2. Kyle Jolibois, 431 Broadway, speaking on liquefied natural gas (LNG) on the Tideflats.
3. Ron Morrison, 2405 North Stevens Street, speaking on hazards at the Port of Tacoma.
4. Marilyn Kimmerling, 4414 North 34th Street, speaking on LNG.
5. Nikie Walters, resident, speaking on Initiative No. 1631 and LNG.
6. Jose Chavez, resident, speaking on transparency, the Port of Tacoma, and Click! Network rates.
7. Caryn Robertson, resident, speaking on homelessness.
8. Alton McDonald, New Century Justice Network, speaking on police accountability and harassment.
9. Al Switzer, resident, speaking on the 6th Avenue Santa Parade.
10. Kristy Rawley, resident, speaking on the 6th Avenue Santa Parade.

Citizens' Forum ended at 10:29 p.m.

REPORTS BY THE CITY MANAGER

There was no report.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Infrastructure, Planning, and Sustainability Committee

There was no report.

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Council Members Blocker and Thoms provided information on the 6th Avenue Santa Parade.

ADJOURNMENT

On proper motion, the meeting was adjourned at 10:31 p.m.

Victoria R. Woodards, Mayor

Doris Sorum, City Clerk