



WEEKLY REPORT TO THE CITY COUNCIL

December 14, 2023

Members of the City Council
City of Tacoma, Washington

Dear Mayor and Council Members:

ITEMS OF INTEREST

1. **On March 1, 2024, the Environmental Services Department will host a film festival, [Ground to Sound Film Festival](#) presented in collaboration with Foster's Creative and in partnership with University of Washington Tacoma.** This festival aims to promote environmental stewardship by leveraging the power of community activism through the medium of film. Participants are invited to submit short films, ranging from 2 to 6 minutes, that effectively communicate the pressing necessity of preventing stormwater pollution. Such pollution poses a threat to our invaluable ecosystems and the environment we hold dear, making this festival a platform to inspire awareness and action.
2. Community and Economic Development Department, Equity in Contracting & Workforce Programs Manager Kacee Woods provides the attached **Equity in Contracting amendment Ordinance No. 28931, relating to Tacoma Municipal Code Chapter 1.07. The first reading will be on December 19, 2023.**
3. Police Chief Avery Moore provides the attached **Weekly Crime Report.**
4. Please see the attached City of Tacoma **Weekly Meeting Schedule.**
5. City-funded Temporary and Emergency Shelter Performance: The City posts weekly information about its Temporary and Emergency Shelter locations including current census, number of available beds, and exits to housing. This information can be found at: https://cityoftacoma.org/UserFiles/Servers/Server_6/File/NCS/weeklydataupdate.pdf .
6. Encampment Outreach: The City's Homeless Engagement and Alternatives Liaison Team (formerly the Homeless Outreach Team) performs encampment outreach throughout the week to provide individuals opportunities to connect to shelter, behavioral health, substance use, and employment services. **For the week of December 4 - 8, 2023, staff visited sixteen locations. This resulted in forty-six (twenty-five new, twenty-one repeat) individuals being contacted and referred to community services, and fourteen individuals accepting shelter.**

7. **Aspen Court Transition: Aspen Court (8620 South Hosmer), operated by Low Income Housing Institute (LIHI), began the process of transitioning from shelter to permanent supportive housing August 1, 2023.** LIHI is working with the current residents to transition out of the Aspen Court and into permanent housing or other temporary solutions by December 31, 2023. After this date, LIHI will begin renovation work on the building to convert the building from use as an Emergency Shelter to Permanent Supportive Housing. Since opening in December 2021, LIHI has served 253 individuals, with 90 of the clients having been connected to permanent housing.

In August 2023, there were 95 residents at the site, and **as of this week there are 53 residents on-site; this is a decrease of three residents since the last report on December 7, 2023.** LIHI has increased case management and temporary financial assistance (deposits, transportation, storage costs, etc.) during this period and will bring in additional supportive services to help with the transition. Neighborhood and Community Services continues to meet with LIHI weekly to assess operational needs and will continue to support LIHI during this transition. **The City is committed to ensuring that every resident has access to an alternative shelter location should they accept services available, and the shelter system has capacity to accommodate any resident who does not transition to housing options by December 31, 2023.**

STUDY SESSION / WORK SESSION

8. **The City Council Study Session of Tuesday, December 19, 2023, will be conducted as a hybrid meeting.** This meeting can be attended in-person at the Tacoma Municipal Building, Council Chambers located at 747 Market Street on the 1st floor or be heard by dialing (253) 215 – 8782 or through Zoom at: www.zoom.us/j/89496171192 and entering the meeting ID 894 9617 1192; passcode 89659 when prompted. This meeting will be broadcast on TV Tacoma and Facebook. **Please note, the December 26, 2023, and January 2, 2024, Study Session and City Council meetings are cancelled.**

Discussion items will include: (1) **Alternative Response Quarterly Update**; (2) **Homeless Services and Strategy Update**; (3) **Tacoma Police Department Crime Dashboard**; (4) **Other Items of Interest – Letter to the Charter Review Committee Regarding City Council Recommendations for Charter Review Consideration**; (5) **Agenda Review and City Manager’s Weekly Report.**

On our first agenda item, staff from the Tacoma Police Department, Tacoma Fire Department and Neighborhood and Community Services will provide **an alternative response quarterly update.**

On our second agenda item, staff from Neighborhood and Community Services will provide the Council with an update on the **City’s homeless services and strategy.**

On our third agenda item, staff from the Tacoma Police Department will provide **an overview demonstration, and examples of the Tacoma Police Crime Dashboard.** The dashboard was developed in conjunction with a consultant and finalized through the collaborative efforts of the Police Department's Crime Analysis Unit, Professional Standards Division, and the Information Technology Department.

Under other items of interest, the following item will be discussed:

- **Letter to the Charter Review Committee Regarding City Council Recommendations for Charter Review Consideration**

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

MARK YOUR CALENDARS

10. You are invited to the below events:

- **Coffee With Your Council Member, District 1 Council Member John Hines – Saturday, December 16, 2023, 10:30 a.m. – 12:00 p.m.**, Tacoma Public Library Wheelock Branch, 3722 North 26th Street, Tacoma, WA 98407.
- **Council Member Olgy Diaz Town Hall - Saturday, December 16, 2023, 11:00 a.m. - 12:00 p.m.**, at the University of Washington Tacoma, Milgard Hall 110 (1900 Commerce Street, Tacoma). Council Member Diaz seeks community input to create a collective action plan for the four years ahead. There will be refreshments and child activities provided for event attendees. The community is encouraged to [register in advance](#).
- **Dr. Martin Luther King, Jr. Day Celebration Returns in 2024 – Monday, January 15, 2024, 11:00 a.m.**, Greater Tacoma Convention Center (GTCC) 1500 Commerce Street, Tacoma, WA 98402. The City of Tacoma's Events and Recognitions Committee (CERC) announces the Dr. Martin Luther King, Jr. Day Celebration! The annual event includes community service awards, recognizing excellence with the Lifetime Service Award and the Emerging Leader Award, as well as a celebratory program and community outreach fair.

This year's event theme is Dr. Martin Luther King, Jr. Day Celebration: A Community Blueprint- Building Block by Block. **The program will highlight the present and the future of Dr. King's impacts and will feature local performers and speakers who work and volunteer to ensure the community embodies equity, hope, and continuing to rise no matter the challenges faced.**

Sincerely,



Elizabeth Pauli
City Manager



City of Tacoma

City Council Action Memorandum

TO: Elizabeth Pauli, City Manager
FROM: Kacee Woods, Program Manager, Community and Economic Development
Jeff Robinson, Director, Community and Economic Development
COPY: City Council and City Clerk
SUBJECT: Request for Ordinance to Amend Title 1.07 for Equity in Contracting Code – First Reading
December 19, 2023
DATE: December 5, 2023

SUMMARY AND PURPOSE:

The Community and Economic Development Department is requesting approval of the proposed amendments of Tacoma Municipal Code Chapter 1.07, relating to Equity in Contracting, to replace outdated elements of the former Small Business Enterprise (SBE) Program, and clarify expectations around review of the program.

BACKGROUND:

This Department's Recommendation is Based On:

- Experience from Equity in Contracting Program Implementation
- Recommendation from City Attorney's Office, Finance Procurement and Payables Division, Equity in Contracting Advisory Committee, Internal Stakeholders, and EIC Program Staff

In 1998, the City of Tacoma created the Small Business Enterprise (SBE) Program as a response to the State of Washington's Initiative-200 policy. The SBE program was a race and gender-neutral attempt to increase the volume of subcontracts for all small businesses. In 2018, the City's consultant, Griffin & Strong completed a Disparity Study of contracts let by the City of Tacoma from 2012 – 2016. That study found statistically significant disparities between the available and utilized quantity of Minority Owned Businesses (MBEs) and Women Owned Businesses (WBEs). The City of Tacoma responded to the findings by creating a task force comprised of Community Members, Contractors, and Organized Labor. The task force recommended implementing suggestions from the Disparity Study, including a new program that addresses Minority & Women Owned Businesses (MWBs) specifically.

In late 2019, with Ordinance 28625, the City approved the Equity in Contracting Program, which replaced the SBE Program, as Chapter 1.07 of the Tacoma Municipal Code. The program began implementing new requirements on public work and improvement projects in early 2020. At the time of adoption of the Equity in Contracting Program, staff advised of the likelihood of a need for future changes based on experience with program implementation.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

The proposed revisions are based on the experience of the Equity in Contracting Program's customers, which include external contractors, the departments upon which Equity in Contracting requirements are placed, as well as the experience of City departments charged with implementation. The revisions were vetted internally with stakeholders across several departments, including Legal, Finance Procurement and Payables Division, Public Works, Environmental Services, Tacoma Water, and others. Externally, revisions were vetted with the Council appointed members of the Equity in Contracting Advisory Committee, as well as stakeholders from the Tacoma Anchor Network, including Tacoma Public Schools and Metro Parks.



2025 STRATEGIC PRIORITIES:

These changes are part of the process to create more equitable contracting opportunities in Tacoma. It will also support contract compliance in City wide contracting, and not just in certain areas. In addition, the changes will ensure local employment practices are being adhered to, creating more job opportunity for those living in Tacoma

Equity and Accessibility:

Please state how this legislation will reduce racial and other inequities, disparities, or discrimination to under-represented communities. Please state what positive impacts on equity, equality, diversity or inclusion, if any, would result from enacting this legislation.

Economy/Workforce: *Equity Index Score:* High Opportunity

Increase positive public perception related to the Tacoma economy.

Increase the number of Tacoma households that have livable wage jobs within proximity to the city.

Civic Engagement: *Equity Index Score:* High Opportunity

Increase the percentage of residents who believe they are able to have a positive impact on the community and express trust in the public institutions in Tacoma.

Livability: *Equity Index Score:* High Opportunity

Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

Explain how your legislation will affect the selected indicator(s).

The Equity in Contracting Program increases access to contracting opportunities for Minority Business Enterprises (MBEs), Women’s Business Enterprises (WBEs), Small Business Enterprises (SBEs), and Disadvantaged Business Enterprises (DBEs).

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1.Do nothing	N/A	Lack of clarity with reference to outdated elements of program
2.Adopt as presented	Increased clarity on expectations around review and sustainability of the program	N/A

EVALUATION AND FOLLOW UP:

- Equity in Contracting Program Staff will provide annual reporting to the City Council and Tacoma Public Utilities Board on utilization of MBEs, WBEs, SBEs, and DBEs on the City’s public work and improvement projects.
- Equity in Contracting Program Staff will review results of the current Disparity Study, and understand and implement recommended remedies as deemed appropriate.



City of Tacoma

City Council Action Memorandum

- Equity in Contracting Program Staff will periodically review the program to assess overall program effectiveness.
- Equity in Contracting Program Staff will continue to engage with internal and external stakeholders, as well as the Equity in Contracting Advisory Committee for feedback on overall program effectiveness.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends Council approval of the proposed revisions to TMC 1.07. Next steps include formal adoption of Equity in Contracting Program Regulations, approved by the Community and Economic Development Director.

FISCAL IMPACT:

There is no fiscal impact.

Are the expenditures and revenues planned and budgeted in this biennium's current budget?

YES

Are there financial costs or other impacts of not implementing the legislation?

NO

Will the legislation have an ongoing/recurring fiscal impact?

NO

Will the legislation change the City's FTE/personnel counts?

NO

ATTACHMENTS:

- Exhibit A - TMC 1.07



Req. #23-1223

ORDINANCE NO.

1 AN ORDINANCE relating to equity in contracting: amending Chapter 1.07 of
2 the Tacoma Municipal Code, relating to Equity in Contracting, by
3 amending various sections, and by repealing Section 1.07.050, entitled
4 "Approval as a Certified Business", to replace outdated elements of the
5 former Small Business Enterprise Program and clarify expectations for
6 review of the program.

7 WHEREAS in 1998, the City of Tacoma ("City") created the Small
8 Business Enterprise ("SBE") program as a response to the state of
9 Washington's Initiative-200 policy, and

10 WHEREAS the SBE program was a race and gender-neutral attempt to
11 increase the volume of subcontracts for all small businesses, and

12 WHEREAS in 2018, the City's consultant, Griffin & Strong, completed a
13 Disparity Study of contracts from 2012 – 2016, that found statistically significant
14 disparities between the available and utilized quantity of Minority Owned
15 Businesses and Women Owned Businesses, and

16 WHEREAS the City responded to the findings by creating a task force
17 comprised of community members, contractors, and organized labor, and the
18 task force recommended implementing ideas from the Disparity Study,
19 including a new program that specifically addresses Minority & Women Owned
20 Businesses, and

21 WHEREAS in 2019, under Ordinance 28625, the City approved the
22 Equity in Contracting Program, which replaced the SBE Program, as
23 Chapter 1.07 of the Tacoma Municipal Code, and in early 2020, the program
24 began implementing new requirements on public work and improvement
25 projects, and
26



1 WHEREAS these changes are part of the process to create more
 2 equitable contracting opportunities and will also ensure local employment
 3 practices are being adhered to, creating more job opportunities for those living
 4 in the City of Tacoma; Now, Therefore,

5 BE IT ORDAINED BY THE CITY OF TACOMA:

6 Section 1. That the City Council hereby adopts the Recitals of this
 7 Ordinance as its formal legislative findings.

8 Section 2. That Chapter 1.07 of the Tacoma Municipal Code is hereby
 9 amended, by amending various sections, and by repealing Section 1.07.050,
 10 "Approval as a Certified Business", as set forth in the attached Exhibit "A."
 11

12 Section 3. That the City Clerk, in consultation with the City Attorney, is
 13 authorized to make necessary corrections to this ordinance, including, but not
 14 limited to, the correction of scrivener's/clerical errors, references, ordinance
 15 numbering, section/subsection numbers, and any references thereto.
 16

17 Passed _____

18
 19
 20 _____
 Mayor

21 Attest:

22
 23 _____
 City Clerk

24 Approved as to form:

25
 26 _____
 Deputy City Attorney



EXHIBIT "A"
CHAPTER 1.07
EQUITY IN CONTRACTING

Sections:

- 1.07.010 Policy and purpose.
- 1.07.020 Definitions.
- 1.07.030 Discrimination prohibited.
- 1.07.040 Program administration.
- 1.07.050 ~~Repealed.~~
- 1.07.060 Program requirements.
- 1.07.070 Evaluation of submittals.
- 1.07.080 Contract compliance.
- 1.07.090 Program monitoring.
- 1.07.100 Enforcement.
- 1.07.110 Remedies.
- 1.07.120 Unlawful acts.
- 1.07.130 Severability.
- 1.07.140 Review of program.

* * *

1.07.020 Definitions.

Terms used in this chapter shall have the following meanings unless defined elsewhere in the Tacoma Municipal Code ("TMC"), or unless the context in which they are used clearly indicates a different meaning.

1.07.020.B

A. "Bid" means an offer submitted by a Respondent to furnish Supplies, Services, and/or Public Works in conformity with the Specifications and any other written terms and conditions included in a City request for such offer.

B. "Bidder" means an entity or individual who submits a Bid, Proposal or Quote. See also "Respondent."

1.07.020.C

"Certified Business" means an entity that has been certified as a Disadvantaged Business Enterprise ("DBE"), Small Business Enterprise ("SBE"), Minority Business Enterprise ("MBE"), Women Business Enterprise ("WBE"), or Minority and Women's Business Enterprise ("MWBE") by the Washington State Office of Minority and Women's Business Enterprise.

"City" means all Departments, Divisions and agencies of the City of Tacoma.

"Contract" means any type of legally binding agreement regardless of form or title that governs the terms and conditions for provision of supplies, services or public works to the City. Contracts include the terms and conditions found in Specifications, Bidder or Respondent Submittals, and purchase orders issued by the City.

"Contractor" means any Person that presents a Submittal to the City, enters into a Contract with the City, and/or performs all or any part of a Contract awarded by the City, for the provision of Public Works, or Non-Public Works and Improvements, Supplies or Services.

1.07.020.G

"Goals" means the annual level of participation by Certified Businesses in City Contracts as established in this chapter, the Program Regulations, or as necessary to comply with applicable federal and state nondiscrimination laws and regulations. Goals or requirements for individual Contracts may be adjusted

Deleted: Approval as a Certified Business.

Deleted: and meets the criteria set forth in Section 1.07.050 (2) of this chapter and has been approved as meeting that criteria by the Community and Economic Development Department Program Manager.

Deleted: procurement of Public Works and Improvements and/or Non-Public Works and Improvements Supplies and Services

Deleted: A "Contract" as used in this chapter shall include an agreement between the City and a non-profit entity to perform construction-related services for Public Works. A "Contract" does not include: (1) awards made by the City with federal/state grant or City general funds monies to a non-profit entity where the City offers assistance, guidance, or supervision on a project or program, and the recipient of the grant awards uses the grant moneys to provide services to the community; (2) sales transactions where the City sells its personal or real property; (3) a loan transaction where the City is acting as a debtor or a creditor; (4) lease, franchise; (5) agreements to use City real property (such as Licenses, Permits and Easements) and, (6) banking and other financial or investment services.



as provided for in this chapter or in regulations and shall not be construed as a minimum for any particular Contract or for any particular geographical area.

1.07.020.N

* * *

1.07.050 Repealed.

1.07.060 Program requirements.

A. The program shall meet the following requirements:

1. Establishment of Annual Goals.

The Program Regulations adopted pursuant to this chapter shall state reasonably achievable cumulative annual goals for utilization of Certified Businesses in the provision of supplies, services, and public works procured by the City. Cumulative annual goals for the participation of Certified Businesses in City contracts shall be based on the number of qualified Certified Businesses operating within the Tacoma Public Utilities Service Area. The dollar value of all contracts awarded by the City to Certified Businesses in the procurement of supplies, services, and public works shall be counted toward the accomplishment of the applicable goal.

2. Application to Contracts.

The Program Manager shall establish department/division specific requirements for Certified Business participation in City contracts in accordance with this chapter and the Program Regulations.

B. Exceptions:

City departments/divisions or the Program Manager may request an exception to one or more of the requirements of this chapter as they apply to a particular Contract or Contracts. Exceptions may be granted in any one or more of the following circumstances:

1. Emergency:

The supplies, services and/or public works must be provided with such immediacy that neither the City nor the contractor can comply with the requirements herein. Such emergency will be deemed documented whenever a waiver of competitive solicitation for emergency situations is authorized under Tacoma Municipal Code Chapter 1.06.257 or as may be hereinafter amended.

2. Not Practicable:

The Contract involves special facilities or market conditions or specially tailored or performance criteria-based products, such that compliance with the requirements of this chapter would cause financial loss to the City or an interruption of vital services to the public. Such circumstances must be documented by the department/division awarding the Contract and approved by the senior financial manager or, for Contracts where the estimated cost is over \$500,000 (excluding sales tax), approved by the Board of Contracts and Awards (“C&A Board”).

3. Sole source:

The supplies, services, and/or public works are available from only one feasible source, and subcontracting possibilities do not reasonably exist as documented by the department/division awarding the Contract and approved by the senior financial manager or, for Contracts where the estimated cost is over \$500,000 (excluding sales tax), approved by the C&A Board.

4. Government purchasing.

The Contract or Contracts are the result of a federal, state or inter-local government purchasing agreement and the use of such agreement in lieu of a bid solicitation conducted by the City is approved by the senior financial manager.

Deleted: “Non-Public Works and Improvements” means all competitively solicited procurement of Supplies and/or Services by the City not solicited as Public Works.¶

Deleted: Approval as a Certified Business.

Deleted: A. The Program Manager shall approve an entity as a Certified Business if all of the following criteria are satisfied.¶

1. The entity is certified as a DBE, SBE, MBE, WBE, or MWBE through the state of Washington’s Office of Minority & Women Business Enterprises; and¶

2. The entity can demonstrate that it also meets at least one of the following additional requirements.¶

a. The personal residence of the owner is located within the City of Tacoma or Tacoma Public Utilities Service Area, or¶

b. The entity’s business offices are located in any county of the Tacoma Public Utilities Service Area or any county adjacent to Pierce County, or ¶

c. When the work is performed outside of Pierce County, the entity’s business offices may be located in an adjacent county in which the work is performed, or ¶

d. Such additional information as the Program Manager or designee may require.¶

3. When another governmental entity has an equivalent business classification process, the City may enter into an interlocal cooperative agreement for mutual recognition of certifications. ¶

B. Appeals. ¶

The applicant may appeal any approval determination by the Program Manager under this chapter to the Director. The appeal must be made in writing and must set forth the specific reasons for the appeal. The Director shall make a decision on the appeal request within a reasonable time, which decision shall be final unless further appeal is made to the Hearing Examiner. In that event, the Hearing Examiner Rules of Procedure for Hearings, Chapter 1.23 TMC, shall be applicable to that appeal proceeding.¶

Deleted: of Annual Goals

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5. Lack of Certified Businesses:

An insufficient number of qualified contractors exist to create any utilization opportunities as documented by the Program Manager.

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C. Waiver:

If, after receipt of Submittals but prior to Contract award, it is determined that due to unforeseen circumstances, a full or partial waiver of requirements is in the best interests of the City, the Director or Superintendent of the department/division awarding the Contract may request in writing that the City Manager or designee, on behalf of General Government, or the Director of Utilities or designee, on behalf of the Department of Public Utilities, approve such waiver.

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Waivers may be granted only after determination by the City Manager or Director of Utilities that compliance with the requirements of this chapter would impose unwarranted economic burden on, or risk to, the City of Tacoma as compared with the degree to which the purposes and policies of this chapter would be furthered by requiring compliance.

1.07.070 Evaluation of submittals.

A. All submittals for supplies, services, or public works and improvements contracts shall be evaluated for attainment of the Certified Business requirements established for that Contract in accordance with this chapter and the Program Regulations.

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B. The determination of Certified Business usage and the calculation of Certified Business requirements per this section shall include the following considerations:

1. General.

The dollar value of the Contract awarded by the City to a Certified Business in the procurement of supplies, services, or public works shall be counted toward achievement of the annual goal.

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2. Supplies.

A Contractor may receive credit toward attainment of the Certified Business requirement(s) applicable to the Contract for expenditures for supplies obtained from a Certified Business; provided such Certified Business assumes the actual and contractual responsibility for delivering the supplies with its resources. The contractor may also receive credit toward attainment of the Certified Business goal for the amount of the commission paid to a Certified Business resulting from a supplies contract with the City; provided the Certified Business performs a commercially useful function in the process.

Deleted: public works and improvements c

3. Services and Public Works subcontracts.

Any Contract awarded to a Certified Business or a bidder that utilizes a Certified Business as a subcontractor shall receive credit toward attainment of the Certified Business requirement(s) applicable to the Contract based on the percentage of Certified Business usage stated in the bid. A contractor that utilizes a Certified Business as a subcontractor to provide services or public works shall receive a credit toward the contractor's attainment of the Certified Business requirement applicable to the contract based on the value of the subcontract with the Certified Business.

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4.

C. Evaluation of competitively solicited submittals for public works and improvements and for services when a requirement has been established for the contract to be awarded shall be as follows:

Deleted: . Brokers, Fronts, or Similar Pass-Through Arrangements. ¶
Certified Business acting as brokers, fronts, or similar pass-through arrangements (as such terms are defined in the Program Regulations) shall not count toward the requirement attainment unless the activity reflects normal industry practices and the broker performs a commercially useful function.

1. When contract award is based on price.

The lowest priced bid submitted by a responsive and responsible bidder will be reviewed to determine if it meets the requirement. Certified Businesses may self-count utilization or self-performance on such bids if they will perform the work for the scope the requirement is based upon. The Program Regulations may establish further requirements and procedures for self-utilization or self-performance by a bidder who is a Certified Business.



a. If the low bidder meets the stated Certified Business requirements, the bid shall be presumed the lowest and best responsible bid for contract award.

b. Any bidder that does not meet the stated Certified Business requirements shall be considered a non-responsible bidder unless a waiver of one or more of the requirements of this chapter is granted, in the City's sole discretion, pursuant to the criteria and processes in Tacoma Municipal Code 1.07.060.C.

2. When contract award is based on qualifications or other performance criteria in addition to price, solicitations shall utilize a scoring system that promotes participation by certified contractors. The Program Regulations may establish further requirements and procedures for final selection and contract award, including:

- a. Evaluation of solicitations for Architectural and Engineering (A&E) services;
- b. Evaluation and selection of submittals in response to requests for proposals; and
- c. Selection of contractors from pre-qualified roster(s).

1.07.080 Contract compliance.

A. The contractor awarded a contract based on Certified Business participation shall, during the term of the contract, comply with the requirements established in said contract. To ensure compliance with this requirement following contract award, the following provisions apply:

- 1. Any substitutions for or failure to utilize or termination of Certified Businesses projected to be used must be approved in advance by the Program Manager. Substitution of one Certified Business with another shall be allowed where there has been a refusal to execute necessary agreements by the original Certified Business, a default on agreements previously made or other reasonable excuse; provided that the substitution does not increase the dollar amount of the bid.
- 2. Where it is shown that no other Certified Business is available as a substitute and that failure to secure participation by the Certified Business identified in the solicitation is not the fault of the respondent, substitution with a non-Certified Business shall be allowed; provided, that, the substitution does not increase the dollar amount of the bid.
- 3. If the Program Manager determines that the contractor has not reasonably and actively pursued the use of replacement Certified Business, such contractor shall be deemed to be in non-compliance.

B. Record Keeping.

All contracts shall require contractors to maintain relevant records and information necessary to document compliance with this chapter and the contractor's utilization of Certified Businesses, and shall include the right of the City to inspect such records.

* * *

1.07.110 Penalties.

A. Upon receipt of a determination of contractor violation by the Program Manager, the City Manager or Director of Utilities, as appropriate, may take the following actions, singly or together, as appropriate:

- 1. Forfeit the contractor's bid bond and/or performance bond;
- 2. Publish notice of the contractor's noncompliance;
- 3. Cancel, terminate, or suspend the contractor's contract, or portion thereof;
- 4. Withhold funds due contractor until compliance is achieved; and/or
- 5. Recommend disqualification of eligibility for future contract awards by the City (debarment) per Section 1.06.279 TMC;
- 6. Any other appropriate action, including a monetary penalty as such penalties may be specified in Program Regulations.

Deleted: Remedies.

Deleted: appropriate action including, but not limited to,



1 B. Prior to ~~imposing~~ of any of the foregoing ~~penalties~~, the City shall provide written notice to the
 2 contractor specifying the violation and the City's intent to exercise such remedy or remedies. The notice
 3 shall provide that each specified remedy becomes effective within ten business days of receipt unless the
 4 contractor appeals said action to the Hearing Examiner pursuant to Chapter 1.23 TMC.

5 C. When non-compliance with this chapter or the Program Regulations has occurred, the Program
 6 Manager and the department/division responsible for enforcement of the contract may allow continuation
 7 of the contract upon the contractor's development of a plan for compliance acceptable to the Director.

8 * * *

9 **1.07.140 Review of program.**

10 This chapter shall be in effect ~~until such point in time that~~ the City Council shall determine, ~~after third~~
 11 ~~party analyses,~~ whether substantial effects or lack of opportunity of ~~Certified Businesses~~ remain true in
 12 the relevant market and whether, and for how long, some or all of the requirements of this chapter should
 13 remain in effect.

14 ~~The Department Director or their designee shall review this chapter with City Council standing~~
 15 ~~committee on a biennial basis in order to determine whether adjustments or revisions are required and~~
 16 ~~present those proposals to the City Council for approval.~~

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Deleted: remedies

Deleted: through and until December 31, 2024, unless

Deleted: at an earlier date that the requirements of this chapter are no longer necessary. If this chapter has not been repealed by July 1, 2024, the City Council shall determine by the end of that year

Deleted: MWBEs and/or SBEs



Citywide Weekly Briefing for 04 December 2023 to 10 December 2023

The data is not National Incident Based Reporting System (NIBRS) compliant. Do not compare the results with any report using that standard. The data is dynamic and is subject to change and/or revision. The number of distinct offenses listed on a report are counted. This does not represent reports or individuals. All data is compared to last year for the same number of days or date range. Small numbers may cause large percent increases and decreases. Beginning 1 October 2022, there was a change in how TPD reports certain Aggravated Assaults and Destruction offenses.

Offense Breakdown	7 Days		28 Days		Year to Date		7 Days	28 Days	YTD
	05-Dec-2022	04-Dec-2023	14-Nov-2022	13-Nov-2023	01-Jan-2022	01-Jan-2023			
	11-Dec-2022	10-Dec-2023	11-Dec-2022	10-Dec-2023	10-Dec-2022	10-Dec-2023			
Persons	84	69	328	281	4627	4155	17.9% ▼	14.3% ▼	10.2% ▼
Assault	75	63	292	259	4199	3788	16.0% ▼	11.3% ▼	9.8% ▼
Homicide (doesn't include Negligent/Justifiable)	1	1	5	2	40	28	0.0%	60.0% ▼	30.0% ▼
Kidnapping/Abduction	4	0	9	4	79	83	100.0% ▼	55.6% ▼	5.1% ▲
Sex Offenses, Forcible	4	5	22	16	308	254	25.0% ▲	27.3% ▼	17.5% ▼
Property	527	376	2134	1557	27392	23307	28.7% ▼	27.0% ▼	14.9% ▼
Arson	1	3	14	8	239	117	200.0% ▲	42.9% ▼	51.0% ▼
Burglary/Breaking and Entering	32	39	139	113	2330	1494	21.9% ▲	18.7% ▼	35.9% ▼
Counterfeiting/Forgery	1	1	4	2	72	43	0.0%	50.0% ▼	40.3% ▼
Destruction/Damage/Vandalism of Property	110	95	466	450	7052	6155	13.6% ▼	3.4% ▼	12.7% ▼
Fraud	20	7	72	26	651	537	65.0% ▼	63.9% ▼	17.5% ▼
Larceny/Theft	183	135	742	536	10627	8007	26.2% ▼	27.8% ▼	24.7% ▼
Motor Vehicle Theft	159	81	585	353	5061	5830	49.1% ▼	39.7% ▼	15.2% ▲
Robbery	14	9	52	41	716	591	35.7% ▼	21.2% ▼	17.5% ▼
Stolen Property	7	6	57	23	586	452	14.3% ▼	59.6% ▼	22.9% ▼
Society	12	12	40	39	437	480	0.0%	2.5% ▼	9.8% ▲
Drug/Narcotic	2	4	13	17	118	180	100.0% ▲	30.8% ▲	52.5% ▲
Pornography/Obscene Material	1	0	2	0	34	13	100.0% ▼	100.0% ▼	61.8% ▼
Prostitution	0	0	0	0	4	5	0.0%	0.0%	25.0% ▲
Weapon Law Violations	9	8	25	22	281	282	11.1% ▼	12.0% ▼	0.4% ▲
Citywide Totals	623	457	2502	1877	32456	27942	26.6% ▼	25.0% ▼	13.9% ▼

Last 7 Days

<p>Notes:</p> <ul style="list-style-type: none"> There was 1 Homicide offense during the last 7 days. 69.8% (44/63) of the Assaults were coded Simple Assault. There were 37 DV-related offenses. 75.7% (28/37) of the DV-related offenses were Persons. 44.4% (28/63) of the Assaults were DV-related. DV-related Offenses: 36 ↗ 37 There was 1 Gang-Related offense(s) during the last 7 days. Theft from Motor Vehicle: 33 ↗ 62 	<p>Top 5 Locations - Compared to last year</p> <ul style="list-style-type: none"> 4502 S Steele St: 27 ↘ 14 1909 S 72nd St: 0 ↗ 7 5400 N Pearl St: 0 ↗ 7 9 Clark Pl: 0 ↗ 6 1202 N Pearl St: 0 ↗ 6 	<p>Top 5 Offense Locations - Compared to last year</p> <ul style="list-style-type: none"> Parking Lot: 105 ↗ 111 Single Family Residence: 108 ↘ 75 Street/Right Of Way: 150 ↘ 71 Apartment: 51 ↘ 44 Other Business: 19 ↘ 14
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Sector 1 Weekly Briefing for 04 December 2023 to 10 December 2023

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Offense Breakdown	7 Days		28 Days		Year to Date		7 Days	28 Days	YTD
	05-Dec-2022	04-Dec-2023	14-Nov-2022	13-Nov-2023	01-Jan-2022	01-Jan-2023			
	11-Dec-2022	10-Dec-2023	11-Dec-2022	10-Dec-2023	10-Dec-2022	10-Dec-2023			
Persons	25	19	72	63	1103	1039	24.0% ▼	12.5% ▼	5.8% ▼
Assault	22	18	62	59	989	942	18.2% ▼	4.8% ▼	4.8% ▼
Homicide (doesn't include Negligent/Justifiable)	1	0	2	0	9	6	100.0% ▼	100.0% ▼	33.3% ▼
Kidnapping/Abduction	1	0	2	1	23	20	100.0% ▼	50.0% ▼	13.0% ▼
Sex Offenses, Forcible	1	1	6	3	82	70	0.0%	50.0% ▼	14.6% ▼
Property	109	73	464	339	6369	5377	33.0% ▼	26.9% ▼	15.6% ▼
Arson	1	1	5	2	67	46	0.0%	60.0% ▼	31.3% ▼
Burglary/Breaking and Entering	9	5	44	25	611	363	44.4% ▼	43.2% ▼	40.6% ▼
Counterfeiting/Forgery	0	1	1	1	19	11	NC	0.0%	42.1% ▼
Destruction/Damage/Vandalism of Property	20	21	105	103	1884	1642	5.0% ▲	1.9% ▼	12.8% ▼
Fraud	2	2	16	5	118	96	0.0%	68.8% ▼	18.6% ▼
Larceny/Theft	46	23	159	115	2257	1763	50.0% ▼	27.7% ▼	21.9% ▼
Motor Vehicle Theft	27	19	110	77	1138	1222	29.6% ▼	30.0% ▼	7.4% ▲
Robbery	2	1	10	9	126	117	50.0% ▼	10.0% ▼	7.1% ▼
Stolen Property	2	0	13	2	137	100	100.0% ▼	84.6% ▼	27.0% ▼
Society	3	2	7	7	106	135	33.3% ▼	0.0%	27.4% ▲
Drug/Narcotic	0	0	2	2	29	59	0.0%	0.0%	103.4% ▲
Pornography/Obscene Material	0	0	0	0	6	2	0.0%	0.0%	66.7% ▼
Prostitution	0	0	0	0	0	4	0.0%	0.0%	NC
Weapon Law Violations	3	2	5	5	71	70	33.3% ▼	0.0%	1.4% ▼
Sector Totals	137	94	543	409	7578	6551	31.4% ▼	24.7% ▼	13.6% ▼

Last 7 Days

<p>Notes:</p> <ul style="list-style-type: none"> There were no Homicide offense(s) during the last 7 days. 66.7% (12/18) of the Assaults were coded Simple Assault. There were 12 DV-related offenses. 75.0% (9/12) of the DV-related offenses were Persons. 50.0% (9/18) of the Assaults were DV-related. DV-related Offenses: 12 ↔ 12 There were no Gang-Related offense(s) during the last 7 days. Theft from Motor Vehicle: 12 ↔ 12 	<p>Top 5 Locations - Compared to last year</p> <ul style="list-style-type: none"> 4602 45th Ave Ne: 3 ↔ 3 610 Puyallup Ave: 1 ↗ 3 2130 E D St: 0 ↗ 3 920 S Grant Ave: 0 ↗ 2 There are 10 other locations with 2. 	<p>Top 5 Offense Locations - Compared to last year</p> <ul style="list-style-type: none"> Street/Right Of Way: 33 ↘ 24 Parking Lot: 22 ↘ 19 Single Family Residence: 18 ↘ 10 Apartment: 18 ↘ 8 Garage (Non-Residential): 1 ↗ 4 Restaurant/Fast Food Establishment: 0 ↗ 4
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Sector 2 Weekly Briefing for 04 December 2023 to 10 December 2023

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Offense Breakdown	7 Days		28 Days		Year to Date		7 Days	28 Days	YTD
	05-Dec-2022	04-Dec-2023	14-Nov-2022	13-Nov-2023	01-Jan-2022	01-Jan-2023			
	11-Dec-2022	10-Dec-2023	11-Dec-2022	10-Dec-2023	10-Dec-2022	10-Dec-2023			
Persons	22	16	65	68	939	898	27.3% ▼	4.6% ▲	4.4% ▼
Assault	20	15	57	63	836	805	25.0% ▼	10.5% ▲	3.7% ▼
Homicide (doesn't include Negligent/Justifiable)	0	0	1	0	2	10	0.0%	100.0% ▼	400.0% ▲
Kidnapping/Abduction	1	0	2	1	14	12	100.0% ▼	50.0% ▼	14.3% ▼
Sex Offenses, Forcible	1	1	5	4	87	71	0.0%	20.0% ▼	18.4% ▼
Property	127	127	463	509	6895	6616	0.0%	9.9% ▲	4.0% ▼
Arson	0	0	1	3	72	26	0.0%	200.0% ▲	63.9% ▼
Burglary/Breaking and Entering	5	8	21	22	479	366	60.0% ▲	4.8% ▲	23.6% ▼
Counterfeiting/Forgery	1	0	1	0	16	13	100.0% ▼	100.0% ▼	18.8% ▼
Destruction/Damage/Vandalism of Property	28	38	104	171	1814	1835	35.7% ▲	64.4% ▲	1.2% ▲
Fraud	5	2	13	7	172	156	60.0% ▼	46.2% ▼	9.3% ▼
Larceny/Theft	41	50	183	175	2833	2386	22.0% ▲	4.4% ▼	15.8% ▼
Motor Vehicle Theft	43	27	126	120	1235	1618	37.2% ▼	4.8% ▼	31.0% ▲
Robbery	3	2	7	9	181	138	33.3% ▼	28.6% ▲	23.8% ▼
Stolen Property	1	0	5	2	77	54	100.0% ▼	60.0% ▼	29.9% ▼
Society	3	2	9	6	57	54	33.3% ▼	33.3% ▼	5.3% ▼
Drug/Narcotic	1	0	3	3	14	20	100.0% ▼	0.0%	42.9% ▲
Pornography/Obscene Material	0	0	1	0	6	3	0.0%	100.0% ▼	50.0% ▼
Prostitution	0	0	0	0	1	0	0.0%	0.0%	100.0% ▼
Weapon Law Violations	2	2	5	3	36	31	0.0%	40.0% ▼	13.9% ▼
Sector Totals	152	145	537	583	7891	7568	4.6% ▼	8.6% ▲	4.1% ▼

Last 7 Days

Notes:

- There were no Homicide offense(s) during the last 7 days.
- 73.3% (11/15) of the Assaults were coded Simple Assault.
- There were 6 DV-related offenses.
- 66.7% (4/6) of the DV-related offenses were Persons.
- 26.7% (4/15) of the Assaults were DV-related.
- DV-related Offenses: 11 ↘ 6
- There was 1 Gang-Related offense(s) during the last 7 days.
- Theft from Motor Vehicle: 7 ↗ 22

Top 5 Locations - Compared to last year

- 5400 N Pearl St: 0 ↗ 7
- 1202 N Pearl St: 0 ↗ 6
- 315 Martin Luther King Jr Way: 1 ↗ 3
- 926 N Pearl St: 1 ↗ 3
- 1020 S Vassault St: 0 ↗ 2
- There are 29 other locations with 2.

Top 5 Offense Locations - Compared to last year

- Parking Lot: 23 ↗ 36
- Street/Right Of Way: 43 ↘ 24
- Single Family Residence: 33 ↘ 21
- Apartment: 17 ↘ 16
- Park: 1 ↗ 7



Sector 3 Weekly Briefing for 04 December 2023 to 10 December 2023

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Offense Breakdown	7 Days		28 Days		Year to Date		7 Days	28 Days	YTD
	05-Dec-2022	04-Dec-2023	14-Nov-2022	13-Nov-2023	01-Jan-2022	01-Jan-2023			
	11-Dec-2022	10-Dec-2023	11-Dec-2022	10-Dec-2023	10-Dec-2022	10-Dec-2023			
Persons	17	14	93	60	1136	919	17.6% ▼	35.5% ▼	19.1% ▼
Assault	15	11	84	53	1028	834	26.7% ▼	36.9% ▼	18.9% ▼
Homicide (doesn't include Negligent/Justifiable)	0	0	1	1	9	7	0.0%	0.0%	22.2% ▼
Kidnapping/Abduction	1	0	2	1	21	26	100.0% ▼	50.0% ▼	23.8% ▲
Sex Offenses, Forcible	1	3	6	5	77	51	200.0% ▲	16.7% ▼	33.8% ▼
Property	150	100	603	406	7364	6036	33.3% ▼	32.7% ▼	18.0% ▼
Arson	0	0	4	0	41	17	0.0%	100.0% ▼	58.5% ▼
Burglary/Breaking and Entering	8	11	39	35	618	383	37.5% ▲	10.3% ▼	38.0% ▼
Counterfeiting/Forgery	0	0	1	1	23	13	0.0%	0.0%	43.5% ▼
Destruction/Damage/Vandalism of Property	32	22	133	111	1717	1442	31.3% ▼	16.5% ▼	16.0% ▼
Fraud	7	1	21	8	173	150	85.7% ▼	61.9% ▼	13.3% ▼
Larceny/Theft	50	41	199	149	3059	2189	18.0% ▼	25.1% ▼	28.4% ▼
Motor Vehicle Theft	47	20	172	83	1347	1557	57.4% ▼	51.7% ▼	15.6% ▲
Robbery	5	4	17	11	188	143	20.0% ▼	35.3% ▼	23.9% ▼
Stolen Property	1	1	17	8	183	128	0.0%	52.9% ▼	30.1% ▼
Society	3	3	13	13	134	135	0.0%	0.0%	0.7% ▲
Drug/Narcotic	1	3	7	7	35	53	200.0% ▲	0.0%	51.4% ▲
Pornography/Obscene Material	1	0	1	0	20	4	100.0% ▼	100.0% ▼	80.0% ▼
Prostitution	0	0	0	0	1	1	0.0%	0.0%	0.0%
Weapon Law Violations	1	0	5	6	78	77	100.0% ▼	20.0% ▲	1.3% ▼
Sector Totals	170	117	709	479	8634	7090	31.2% ▼	32.4% ▼	17.9% ▼

Last 7 Days

<p>Notes:</p> <ul style="list-style-type: none"> There were no Homicide offense(s) during the last 7 days. 63.6% (7/11) of the Assaults were coded Simple Assault. There were 6 DV-related offenses. 83.3% (5/6) of the DV-related offenses were Persons. 45.5% (5/11) of the Assaults were DV-related. DV-related Offenses: 7 ⇓ 6 There were no Gang-Related offense(s) during the last 7 days. Theft from Motor Vehicle: 11 ↗ 18 	<p>Top 5 Locations - Compared to last year</p> <ul style="list-style-type: none"> 4502 S Steele St: 27 ⇓ 14 1909 S 72nd St: 0 ↗ 7 9 Clark Pl: 0 ↗ 6 2505 S 38th St: 1 ↗ 4 3415 S 47th St: 0 ↗ 3 There are 5 other locations with 3. 	<p>Top 5 Offense Locations - Compared to last year</p> <ul style="list-style-type: none"> Parking Lot: 45 ⇓ 39 Single Family Residence: 24 ⇓ 11 Street/Right Of Way: 30 ⇓ 11 Apartment: 9 ↗ 11 Other Business: 11 ⇓ 7
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Sector 4 Weekly Briefing for 04 December 2023 to 10 December 2023

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Offense Breakdown	7 Days		28 Days		Year to Date		7 Days	28 Days	YTD
	05-Dec-2022	04-Dec-2023	14-Nov-2022	13-Nov-2023	01-Jan-2022	01-Jan-2023			
	11-Dec-2022	10-Dec-2023	11-Dec-2022	10-Dec-2023	10-Dec-2022	10-Dec-2023			
Persons	20	20	98	90	1449	1299	0.0%	8.2%▼	10.4%▼
Assault	18	19	89	84	1346	1207	5.6%▲	5.6%▼	10.3%▼
Homicide (doesn't include Negligent/Justifiable)	0	1	1	1	20	5	NC	0.0%	75.0%▼
Kidnapping/Abduction	1	0	3	1	21	25	100.0%▼	66.7%▼	19.0%▲
Sex Offenses, Forcible	1	0	5	4	62	62	100.0%▼	20.0%▼	0.0%
Property	141	76	604	303	6764	5278	46.1%▼	49.8%▼	22.0%▼
Arson	0	2	4	3	59	28	NC	25.0%▼	52.5%▼
Burglary/Breaking and Entering	10	15	35	31	622	382	50.0%▲	11.4%▼	38.6%▼
Counterfeiting/Forgery	0	0	1	0	14	6	0.0%	100.0%▼	57.1%▼
Destruction/Damage/Vandalism of Property	30	14	124	65	1637	1236	53.3%▼	47.6%▼	24.5%▼
Fraud	6	2	22	6	188	135	66.7%▼	72.7%▼	28.2%▼
Larceny/Theft	46	21	201	97	2478	1669	54.3%▼	51.7%▼	32.6%▼
Motor Vehicle Theft	42	15	177	73	1341	1433	64.3%▼	58.8%▼	6.9%▲
Robbery	4	2	18	12	221	193	50.0%▼	33.3%▼	12.7%▼
Stolen Property	3	5	22	11	189	170	66.7%▲	50.0%▼	10.1%▼
Society	3	5	11	13	140	156	66.7%▲	18.2%▲	11.4%▲
Drug/Narcotic	0	1	1	5	40	48	NC	400.0%▲	20.0%▲
Pornography/Obscene Material	0	0	0	0	2	4	0.0%	0.0%	100.0%▲
Prostitution	0	0	0	0	2	0	0.0%	0.0%	100.0%▼
Weapon Law Violations	3	4	10	8	96	104	33.3%▲	20.0%▼	8.3%▲
Sector Totals	164	101	713	406	8353	6733	38.4%▼	43.1%▼	19.4%▼

Last 7 Days

<p>Notes:</p> <ul style="list-style-type: none"> There was 1 Homicide offense during the last 7 days. 73.7% (14/19) of the Assaults were coded Simple Assault. There were 13 DV-related offenses. 76.9% (10/13) of the DV-related offenses were Persons. 52.6% (10/19) of the Assaults were DV-related. DV-related Offenses: 6 ↗ 13 There were no Gang-Related offense(s) during the last 7 days. Theft from Motor Vehicle: 3 ↗ 10 	<p>Top 5 Locations - Compared to last year</p> <ul style="list-style-type: none"> 6401 Pacific Ave: 0 ↗ 4 E 59th St & E I St: 0 ↗ 3 9314 S Ash St: 0 ↗ 3 4802 Pacific Ave: 0 ↗ 2 There were 15 other locations with 2. 	<p>Top 5 Offense Locations - Compared to last year</p> <ul style="list-style-type: none"> Single Family Residence: 33 ↔ 33 Parking Lot: 15 ↗ 17 Street/Right Of Way: 44 ↘ 12 Apartment: 7 ↗ 9 Medical/Dental/Hospital: 2 ↗ 4
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MEETINGS FOR THE WEEK OF DECEMBER 18, 2023 THROUGH DECEMBER 22, 2023

TIME	MEETING	LOCATION
MONDAY, DECEMBER 18, 2023		
5:30 PM	Metro Parks Tacoma Board of Commissioners – Committee of the Whole - CANCELLED	
5:30 PM	Commission on Immigrant and Refugee Affairs – SPECIAL MEETING	747 Market St., Municipal Bldg., Conf. Rm. 243 Join Zoom Meeting at: https://zoom.us/j/91791840410
TUESDAY, DECEMBER 19, 2023		
9:00 AM	Hearing Examiner's Hearing *	747 Market St., Municipal Bldg., Council Chambers Visit www.cityoftacoma.org/hearingexaminer
10:00 AM	Government Performance and Finance Committee	747 Market St., Municipal Bldg., Conf. Rm. 248 Join Zoom Meeting at https://zoom.us/j/84416690206 Telephonic: Dial 253-215-8782 Meeting ID: 844 1669 0206 Passcode: 614650
11:00 AM	Bid Opening **	Visit www.tacomapurchasing.org
NOON	City Council Study Session	747 Market St., Municipal Bldg., Council Chambers Join Zoom Meeting at: https://zoom.us/j/89496171192 Telephonic: Dial 253-215-8782 Meeting ID: 894 9617 1192 Passcode: 896569
5:00 PM	City Council Meeting	747 Market St., Municipal Bldg., Council Chambers Join Zoom Meeting at: https://zoom.us/j/8483423126 Telephonic: Dial 253-215-8782 Meeting ID: 848 3423 3126 Passcode: 349099
WEDNESDAY, DECEMBER 20, 2023		
9:00 AM	Unfit Building Hearings ****	Contact DeJa Irving at DJIrving@cityoftacoma.org
2:00 PM	Tacoma Permit Advisory Group - CANCELLED	
3:00 PM	Tacoma-Pierce County Board of Health Study Session	4702 S. 19th St., Tacoma, WA 98405 Visit www.tpchd.org/i-want-to-/about-us/board-of-health/board-of-health-meetings
4:00 PM	City Events and Recognitions Committee	747 Market St., Municipal Bldg., Conf. Rm. 248 Join Zoom Meeting at: https://zoom.us/j/87320156844 Telephonic: Dial 253-215-8782 Meeting ID: 873 2015 6844
4:30 PM	Mayor's Youth Commission - Leadership Team	919 S. 9th St. Join Zoom Meeting at: https://zoom.us/j/81791057813 Telephonic: Dial 253-215-8782 Meeting ID: 817 9105 7813 Passcode: 786070
5:00 PM	Planning Commission	747 Market St., Municipal Bldg., Council Chambers Join Zoom Meeting at: https://zoom.us/j/81358095104 Telephonic: Dial 253-215-8782 Meeting ID: 813 5809 5104
5:30 PM	Transportation Commission	747 Market St., Municipal Bldg., Conf. Rm. 243 Join Zoom Meeting at: https://zoom.us/j/87316891624 Telephonic: Dial 253-215-8782 Meeting ID: 873 1689 1624 Passcode: 747000

THURSDAY, DECEMBER 21, 2023

7:30 AM	Tacoma Community Redevelopment Authority Board	747 Market St., Municipal Bldg., Conf. Rm. 248 Join Zoom Meeting at: https://zoom.us/j/84447211773 Meeting ID: 844 4721 1773 Passcode: 970091
9:00 AM	Hearing Examiner's Hearing *	747 Market St., Municipal Bldg., Council Chambers Visit www.cityoftacoma.org/hearingexaminer
5:00 PM	Sustainable Tacoma Commission	747 Market St., Municipal Bldg., Conf. Rm. 248 Contact Kristin Lynett at klynett@cityoftacoma.org

FRIDAY, DECEMBER 22, 2023

NO MEETINGS SCHEDULED



Meeting sites are accessible to people with disabilities. People with disabilities requiring special accommodations should contact the appropriate department(s) 48 hours prior to the meeting time.

* Hearing Examiner's Hearings and Local Improvement District Meetings meet on an as-needed basis. Please contact the Hearing Examiner's Office at (253) 591-5195 to confirm whether a meeting will be held this week. Hearings may be held at various times throughout the day.

** Bid Opening will be held on an as-needed basis. Please contact the Finance Procurement and Payables Office at 253-502-8468 or www.tacomapurchasing.org to confirm whether Bid Opening will be held.

**** Hearings may be held at various times throughout the day.



City of Tacoma

Mayor Victoria Woodards

December 19, 2023

Dear Chair Wamback and Members of the Charter Review Committee,

The Tacoma City Council would like to extend our sincere gratitude for the invaluable service each of you are dedicating to the Charter Review Committee. Your commitment to civic duty and the review of our City's Charter is commendable, and the City owes a debt of gratitude to each member for the time, effort, and expertise invested in this critical undertaking.

As you organize your work plan for the coming months, the City Council has identified several topics of particular interest that we would like you to explore. We ask that you consider looking deeper at these topics and developing recommendations that address them when you give us your final report. These topics are included as attachments to this letter.

Once again, thank you for your dedication to the City of Tacoma and stepping up to give your time to review the City Charter. We look forward to your thorough examination of the City Charter and the thoughtful recommendations.

Should you require any further information on the topics we have shared or would like to discuss these topics in more detail, please do not hesitate to contact the executive liaison assigned to support you, Sonja Hallum, at shallum@cityoftacoma.org.

Yours in service,

[Mayor and Council Signatures to be added upon approval]

Attachments:

- City Council Recommendations for Charter Review Committee Consideration by Article Section
- City Council Recommendations for Charter Review Committee Consideration by Category

CHARTER OF THE CITY OF TACOMA

City Council Recommendations for Charter Review Committee Consideration

By Article Section

Article Section

I. Incorporation and General Powers

Incorporation and Boundaries1.1

General Powers of the City1.2

II. The Legislative Branch

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- Sec. 2.35 - Length a person may serve consecutively on Council; consider current term limits - (2 requests)
- Sec. 2.35 – Consider disconnecting the allowable timed served as a Council Member from the amount of time served as the Mayor
- Expectations for a full time council

The Mayor2.4

- Sec. 2.4 - Review term limits for council, particularly the Mayor’s role – we want experienced CM’s to be able to run for Mayor

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- Sec. 2.8 – The number of mandated council meetings – (5 requests)

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Powers of the People2.18 – 2.25

- Sec. 2.18, 2.19, 2.20 - The citizens’ initiative process, including best practices such as the number of required signatures
- Sec. 2.18 – Sec 2.25 – Review how the Charter allows the use of initiatives to change City ordinances, including the possibility of a third party review similar to the Attorney General review of State initiatives
- Sec. 2.25 - Replace “freeholder” with appropriate language such as ‘steward’ or as otherwise defined in state law

III. The Administrative Branch

- Review the inclusion of boards and commissions in the charter, including a review of the Landmarks Preservation Commission, Tacoma Humane Society, and the Planning Commission. The review should include consideration of state law requirements.

The City Manager3.1

Council-Manager Relationships3.2 – 3.4

- Form of Government – (2 requests)

City Attorney 3.5 – 3.6

- Section 3.5 – Appointment of the City Attorney (2 requests)

City Clerk3.7

City Planning Commission3.8

- Section 3.8 - Planning Commission representation from certain communities/ industries/vocation of interest
- Section 3.8 – Planning Commission. Consider adding a note indicating “one or more” planning commissions to allow consideration of tiers of Planning Commissions or ways to triage and prioritize work between two commissions in the TMC in order to allow for more timely review of planning issue

Tacoma Public Library3.9

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Administrative Organization3.11 – 3.12

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- Sec. 4.8 - TPU Board membership and barriers to serving on the TPU board (2 requests)
- Sec. 4.9 - Compensation for TPU board members – (2 requests)

Powers and Duties of the Public Utility Board 4.10 – 4.17

- Sec. 4.17 – Shared services/ Duplication of services, including the structure of the public utility as a separate entity- – (2 requests)

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Classified Service 6.2

Eligibility for Employment 6.3

- Sec. 6.3 - Employee residency requirements– the city cannot enforce this; it limits some hiring pools and it cannot be enforced
- Sec. 6.3 - Requires that COT employees be citizens – this should be removed

- Sec. 6.3 – Eligibility for employment

Oath of Office 6.4

Surety Bonds6.5

Pecuniary Interest6.6

Discriminatory Actions 6.7

- Section 6.7 - Discriminatory Actions/update classes
- Broaden discrimination statement or change charter to require a predicted regular update to this statement or reference the Tacoma Municipal Code that will allow for more frequent updates

Political Activity 6.8

Compensation of Officers and Employees6.9

Employee Welfare Benefits 6.10

Civil Service Board 6.11

- Review Civil Service Board term limits

Powers and Duties of the Civil Service Board 6.12

Human Resources Director 6.13

Personnel Rules 6.14

- Review rules related to how long employment lists should be kept (under civil service) as this charter requirement is in conflict with best and successful hiring practices and may be in conflict with equity goals

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All Sections

- All – ensure gender neutral language throughout
- All – incorporate disability-related equity principals
- All - examine subsets of the City Government and make sure the City Council has oversight over public funds allocated by the City

CHARTER OF THE CITY OF TACOMA

City Council Recommendations for Charter Review Committee Consideration

By Category

1. Council and Mayor

Creations and Composition of City Council

- a. Sec. 2.1 / Sec. 5.3 - Number of Council districts (adding districts)

Qualifications and Compensation of Council Members

- b. Sec. 2.3 - Review salary commission to ensure there is not a conflict with state law
- c. Sec. 2.35 – Council term limits (2 requests)
- d. Sec. 2.35 – Consider disconnecting the allowable time served as a Council Member from the amount of time served as the Mayor
- e. Expectations for a full time council

Mayor

- f. Sec. 2.4 - Review term limits for council, particularly the Mayor's role – we want experienced CM's to be able to run for Mayor

Procedure of the Council

- g. Sec. 2.8 – The number of mandated council meetings – (5 requests)

2. Initiatives

- a. Sec. 2.18, 2.19, 2.20 - The citizens' initiative process, including best practices such as the number of required signatures
- b. Sec. 2.18 – Sec 2.25 – Review how the Charter allows the use of initiatives to change City ordinances, including the possibility of a third party review similar to the Attorney General review of State initiatives
- c. Sec. 2.25 - Replace “freeholder” with appropriate language such as ‘steward’ or as otherwise defined in state law

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- b. Sec. 3.2-3.4 - Form of Government– (2 requests)

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- c. Section 3.5 – Appointment of the City Attorney (2 requests)

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- d. Section 3.8 - Planning Commission representation from certain communities/ industries/vocation of interest
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- f. Sec. 3.12 - Review boards defined in the charter, to include parameters to remove board members for dereliction of duties

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- a. Sec. 4.1 - Clarifying internet as a Utility

The Public Utility Board

- b. Sec. 4.8 – The Public Utility Board and all other sections related to their powers and duties
- c. Sec. 4.8 – TPU membership and barriers to serving on the TPU Board - (2 requests)
- d. Sec. 4.9 - Compensation for TPU board members – (2 requests)

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- e. Sec. 4.17 – Shared services/ Duplication of services, including the structure of the public utility as a separate entity- (2 requests)

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Eligibility for Employment

- a. Sec. 6.3 - Employee residency requirements– the city cannot enforce this; it limits some hiring pools and it cannot be enforced
- b. Sec. 6.3 - requires that COT employees be citizens – this should be removed
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- g. Sec. 6.14 - Review rules related to how long employment list should be kept (under civil service) as this charter requirement is in conflict with best and successful hiring practices and may be in conflict with equity goals

6. All Sections

- a. All – ensure gender neutral language throughout
- b. All – incorporate disability-related equity principals
- c. All – examine subsets of the City Government and make sure the City Council has oversight over public funds allocated by the City

Date	Meeting	Subject	Department	Background
December 19, 2023	Study Session (hybrid Council Chambers /dial-in 12:00 pm)	Alternative Response Quarterly Update	NCS- Allyson Griffith (virtual), TFD - Chief Green & TPD - Chief Moore (in-person)	Staff from TPD, TFD and NCS will provide a quarterly update on the Alternative Response
		Homeless Services and Strategy Update	Neighborhood And Community Services Director - Allyson Griffith virtual, NCS staff (in-person)	NCS staff will provide an update on the City's homeless services and strategy
		Tacoma Police Department Crime Dashboard	Tacoma Police Department	This presentation will include an overview, demonstration, and examples of the Tacoma Police Crime Dashboard. The dashboard was developed in conjunction with a consultant and finalized through the collaborative efforts of the Police Department's Crime Analysis Unit, Professional Standards Division and the Information Technology Department
	City Council Meeting (hybrid Council Chambers /dial-in, 5:00 PM)			
December 26, 2023	Cancelled			
January 2, 2024	Cancelled			
January 9, 2024	Study Session (City Council Chambers / dial-in 12 pm)	Historic District Moratorium	Planning and Development Services	Staff will present the Planning Commission and Landmarks Commission recommendations regarding the proposed Moratorium on Local Historic Districts, including the recommended scope and schedule
		Community Event In - Kind Support	TVE - Adam Cook	TVE staff will provide an update on TVE's planned permitting process improvements and enhanced support for community events in the City of Tacoma
	City Council Meeting (City Council Chambers / dial-in 5:00 PM)			
January 16, 2024	Study Session (City Council Chambers / dial-in 12 pm)			
	City Council Meeting (City Council Chambers / dial-in 5:00 PM)			
January 23, 2024	Study Session (City Council Chambers / dial-in 12 pm)	Anti-Displacement Strategy Update	Office of Strategy Jacques Colon & Ted Richardson	Staff will present an update on the development of the Anti-Displacement Strategy, which will serve as an addition/ addendum to the Affordable Housing Action Strategy. This presentation will provide Council with information about the causes of displacement in Tacoma, policy and administrative actions already in motion aimed at mitigating displacement, and a list of potential policy actions for Council consideration.
	City Council Meeting (City Council Chambers / dial-in 5:00 PM)			

Economic Development Committee (EDC)

Committee Members: Blocker (Chair), Daniels (Vice-Chair), Diaz, Bushnell, Alternate-Rumbaugh Executive Liaison: Jeff Robinson; Coordinator - Cathy Satava		2nd, 4th, and 5th Tuesdays 10:00 a.m. Hybrid: In-Person & Virtual meeting	CBC Assignments: •Tacoma Arts Commission •Greater Tacoma Regional Convention Center Public Facilities District •City Events and Recognition Committee •Tacoma Creates Advisory Board •Equity in Contracting Advisory Committee
	Topic	Presenter	Description
December 26, 2023	Cancelled		
January 9, 2024	Cancelled		
January 23, 2024	Election of Committee Chair and Vice-Chair	Nicole Emery, City Clerk	

Infrastructure, Planning and Sustainability Committee (IPS)

Committee Members: Walker (Chair), Diaz (Vice Chair), Hines & Ushka; Alternate-Bushnell Executive Liaison: Mike Slevin; Coordinator: Cathy Satava		2nd and 4th Wednesdays 4:30pm Hybrid: In-Person & Virtual Meeting	CBC Assignments: •Sustainable Tacoma Commission •Planning Commission •Landmarks Preservation Commission •Board of Building Appeals •Transportation Commission
	Topic	Presenters	Description
December 27, 2023	Cancelled		
January 10, 2024	Election of Committee Chair and Vice-Chair	Nicole Emery, City Clerk	
	Proctor Neighborhood Plan	Lauren Hoogkamer, Principal Planner, Neighborhood Planning Program	Neighborhood Planning Program staff will present the draft Proctor Neighborhood Plan for recommendation to City Council for adoption.
	Decarbonization Resolution	Kristin Lynett, Sustainability Officer, OEPS, Perry Pring, Resource Conservation Manager, OEPS and Beth Jarot, Resilient and Building Specialist, OEPS	The 2019 Decarbonization Resolution required three separate assessment and plans be completed. While the two municipal ones are related, one is focused on our fleet and the other on electrifying our City buildings. The community strategy looked at the costs and benefits of retrofitting existing buildings throughout the city to be lower carbon and prioritized strategies for implementation. •Municipal Fleet EV Action Plan •Municipal Facility Decarbonization and Clean Building Strategy •Community Building Decarbonization Strategy
January 24, 2024	Environmental Services Campaign, "If it hits the ground, it hits the Sound" Briefing		
	Urban Design Review		PDS staff will present the Planning Commission's Recommendation to IPS Committee.

Government Performance and Finance Committee

Committee Members: Hines (Chair), Bushnell (Vice Chair), Rumbaugh, and Walker Alternate - Daniels Executive Liaison: Andy Cherullo; Coordinator - D'Angelo Baker <input type="checkbox"/>		1st and 3rd Tuesdays 10am Room 248	CBC Assignments: •Public Utility Board •Board of Ethics •Audit Advisory Board •Civil Service Board
	Topic	Presenter	Description
December 19, 2023	Title 6 Amendments - Utility Tax Chapters	Danielle Larson, Tax & License Division Manager	Staff is proposing amendments to align Tacoma Municipal Codes 6A.50 – Electricity Business and Solid Waste Collection and TMC 6A.100 – Gross Earnings Tax – Utilities related to the taxability of revenues generated from collecting commercial recyclable materials.
	MFTE 2023 Recap	Debbie Bingham	
January 2, 2024	Cancelled		
January 16, 2024	Election of GPFC Chair and Vice-Chair		

Community Vitality and Safety			
Committee Members: Ushka (Chair), Blocker (Vice-Chair), Rumbaugh, Daniels, Alternate-Hines	2nd and 4th Thursdays		CBC Assignments: Community's Police Advisory Committee • Human Services Commission • Human Rights Commission • Housing Authority • Commission on Disabilities • Library Board • Tacoma Community Redevelopment Authority • Commission on Immigrant and Refugee Affairs
Executive Liaison: Jacques Colon; Staff Support - D'Angelo Baker	4:30 p.m.		
	Room 248		
	Topic	Presenter	Description
December 28, 2023	Cancelled - Holidays		
January 11, 2024	Election of Committee Chair and Vice-Chair	CVS Leadership	
	Anti-Displacement Strategy Update	Jacques Colon, Director, Office of Strategy	
	Rental Housing Code Research Project	Jacques Colon, Director, Office of Strategy	
January 25, 2024	CIRA Annual Report and Workplan	OEHR	