



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 11, 2021

5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:09 p.m.

ROLL CALL

Present: 8 - Beale, Blocker, Hines, Hunter, McCarthy, Ushka, Walker and Mayor Woodards

Absent: 1 - Thoms

All Council Members participated virtually.

FLAG SALUTE

Council Member Ushka 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 Ushka.

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. [21-0445](#) Minutes of the Landmarks Preservation Commission, April 14, 2021.
2. [21-0441](#) Minutes of the Tacoma Arts Commission, April 12, 2021.
3. [21-0440](#) Minutes of the Tacoma Creates Advisory Board, April 4, 2021.

CONSENT AGENDA

RESOLUTIONS

4. [RES40779](#) A resolution setting Tuesday, May 25, 2021, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the proposed Six-Year Comprehensive Transportation Improvement Program amended for the years 2021 and 2022-2027.
[Jennifer Kammerzell, Principal Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Blocker moved to adopt the Consent Agenda, including Resolution No. 40779.

SECONDED BY: Council Member Hunter.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, including Resolution No. 40779. The Consent Agenda was declared adopted.

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

Absent: 1 - Thoms

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

Mayor Woodards recognized Teacher Appreciation Week.

5. [21-0456](#) Proclaiming May 9-15, 2021, as National Police Week.

Mayor Woodards proclaimed May 9-15, 2021, as National Police Week and presented the proclamation to Interim Police Chief Mike Ake; Captain Frank Krause, President, Local 26; and Detective Chris Tracy, President, Local 6.

6. [21-0448](#) Proclaiming May 16-22, 2021, as National Public Works Week.

Mayor Woodards proclaimed May 16-22, 2021, as National Public Works Week and presented the proclamation to Corey Newton, Site and Building Division Manager, Planning and Development Services.

- 7. [21-0447](#) Recognizing Lutheran Community Services Northwest.

Mayor Woodards recognized Lutheran Community Services Northwest and presented the recognition to David Duea, Chief Executive Officer, Trudy Sorensen, District Director, and Elliot Stockstad, Chief Development Officer, Lutheran Community Services Northwest.

- 8. [21-0446](#) Presentation from the City Manager regarding Systems Transformation.

City Manager Elizabeth Pauli presented an update on systems transformation, including new items, noting new policies and transforming existing programs, the Workforce Equity Study, anti-racist strategic plan development, current state analysis of the Tacoma Police Department (TPD), preliminary recommendations from the Alternative Response Study, administrative changes and process improvements, the Community Trauma Response Team, and the legislative agenda; recent accomplishments and items in progress or up next; and next steps and long range transformation timelines.

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MOTION: Deputy Mayor Blocker moved to suspend the rules to consider Item 15, Ordinance No. 28757, at this time.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

- 15. [ORD28757](#) An ordinance creating a new fund, to be known and designated as the “American Rescue Plan Fund”, for the dedication, segregation, and tracking of any funds received related to the American Rescue Plan Act of 2021.
[Reid Bennion, Lead Budget Analyst; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Blocker moved to continue Ordinance No. 28757 to the meeting of May 25, 2021.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

Ordinance No. 28757 was continued to the meeting of May 25, 2021.

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MOTION: Deputy Mayor Blocker moved to suspend the rules to consider Item 16, Ordinance No. 28758, at this time.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

16. [ORD28758](#) An ordinance amending Titles 13 and 19 of the Municipal Code, relating to the Land Use Regulatory Code and Shoreline Master Program, by amending various chapters in Title 13, and by repealing and replacing Title 19 in its entirety, to adopt the Tideflats and Industrial Land Use Regulations as recommended by the Planning Commission; and replacing Amended Ordinance No. 28470, Tideflats Interim Regulations, as approved by the City Council, and as previously extended by Ordinance Nos. 28542, 28583, 28619, 28671, and Amended Ordinance No. 28696.
[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

MOTION: Deputy Mayor Blocker moved to extend the current Interim Regulations (Amended Ordinance No. 28696 passed on October 20, 2020) for up to six months, and removing Ordinance No. 28758, the proposed Tideflats Non-Interim Regulations and Industrial Land Use Regulations, and referring Ordinance No. 28758, to the Infrastructure, Planning, and Sustainability Committee for review and recommendations to the full City Council no later than August 31, 2021.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

ACTION: Ordinance No. 28759, regarding extension of the Tideflats Interim Regulations 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, was set over for final reading next week.

PUBLIC COMMENT

Public Comment began at 6:06 p.m.

The City Clerk's Office received 24 written comments for Public Comment on Ordinance No. 28758, regarding Tideflats and Industrial Land Use Regulations.

Speaking before the City Council:

1. Robb Krehbiel, speaking on Ordinance Nos. 28758 and 28759.
2. Melissa Mallott, speaking on Ordinance Nos. 28758 and 28759.
3. Barbara Church, speaking on Ordinance Nos. 28758 and 28759.
4. Josef Sellers, speaking on Ordinance Nos. 28758 and 28759.
5. Tony Ivey, speaking on Ordinance Nos. 28758 and 28759.
6. Lexi Brewer, speaking on Ordinance Nos. 28758 and 28759.
7. Jenna Judge, speaking on Ordinance Nos. 28758 and 28759.
8. Aleksey Gergalo, speaking on Ordinance Nos. 28758 and 28759.
9. Kathy Lawhon, speaking on Ordinance Nos. 28758 and 28759.
10. Lindsay Walker, speaking on Ordinance Nos. 28758 and 28759.
11. Stacy Oaks, speaking on Ordinance Nos. 28758 and 28759.
12. Bryant Mullin, speaking on Ordinance Nos. 28758 and 28759.
13. Matthew Hepner, speaking on Ordinance Nos. 28758 and 28759.
14. Les Pogue, Jr., speaking on Ordinance Nos. 28758 and 28759.
15. Maddie Merton, speaking on Ordinance Nos. 28758 and 28759.
16. Marquis King Mason, speaking on Ordinance Nos. 28758 and 28759.
17. Neil Hartman, speaking on Ordinance Nos. 28758 and 28759.
18. Anna Doty, speaking on Ordinance Nos. 28758 and 28759.
19. Kyle Jolibois, speaking on Ordinance Nos. 28758 and 28759.
20. Katie Barlow, speaking on Ordinance Nos. 28758 and 28759.
21. Grace Hope, speaking on Ordinance Nos. 28758 and 28759.
22. Sean Arent, speaking on Ordinance Nos. 28758 and 28759.
23. Kristin Ang, speaking on Ordinance Nos. 28758 and 28759.
24. John Carlton, speaking on Ordinance Nos. 28758 and 28759.
25. Yvonne McCarthy, speaking on Ordinance Nos. 28758 and 28759.
26. Evette Mason, speaking on Ordinance Nos. 28758 and 28759.
27. Jeff Nichols, speaking on Ordinance Nos. 28758 and 28759.
28. Seamus Mahoney, speaking on Ordinance Nos. 28758 and 28759.
29. Stephanie Hilliman, speaking on Ordinance Nos. 28758 and 28759.
30. Carol Kindt, speaking on Ordinance Nos. 28758 and 28759.
31. Barb Shivers, speaking on Ordinance Nos. 28758 and 28759.

Public Comment ended at 6:54 p.m.

REGULAR AGENDA

9. [21-0457](#) A motion may be considered to authorize the City’s full and final settlement of all personal injury claims against the City in the matter of Nathaniel Roland v. City of Tacoma and Elina Guziy, Pierce County Superior Court Cause No. 18-2-11789-1, relating to personal injuries from a vehicle-pedestrian accident, upon payment by the City in the amount of \$250,000.

MOTION: Deputy Mayor Blocker moved to authorize the City’s full and final settlement of all claims against the City in the matter of Nathaniel Roland v. City of Tacoma and Elina Guziy, Pierce County Superior Court Cause No. 18-2-11789-1, relating to personal injuries from a vehicle-pedestrian accident, upon payment by the City in the amount of \$250,000.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

10. [21-0429](#) A motion may be considered regarding the reappointment of Elizabeth Pauli to the position of City Manager, approving the annual performance review, and executing a new employment agreement.

MOTION: Deputy Mayor Blocker moved, pursuant to Tacoma City Charter Article III Section 3.1, to reconfirm the appointment of Elizabeth Pauli to serve as City Manager for a two year period beginning May 16, 2021 and ending May 15, 2023, approve the annual performance review of the City Manager, and approve and authorize the execution of a successor employment agreement in the form on file in the office of the City Clerk.

SECONDED BY: Council Member Ushka.

MOTION: Council Member Ushka moved to amend the annual performance review of the City Manager to remove the following paragraph on page 7: “The Executive/Non-represented Compensation study remains incomplete. Absence of this information makes it difficult to know if executive salary compensation reflects good fiscal management.”

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

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

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

Absent: 1 - Thoms

RESOLUTIONS

11. [RES40780](#) A resolution authorizing the execution of a non-exclusive perpetual easement to Metropolitan Park District of Tacoma, for the Melanie Jan LaPlant Dressel Park on the Thea Foss Waterway, to install, construct, operate, inspect, maintain, remove, repair, and replace park and sewer system improvements.
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Blocker moved to adopt Resolution No. 40780.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

12. [RES40781](#) A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Tacoma Trax LLC, for the development of 115 multi-family market-rate and affordable rental housing units, located at 415 East 25th Street, in the Downtown Regional Growth Center.
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Deputy Mayor Blocker moved to adopt Resolution No. 40781.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

13. [RES40782](#) A resolution authorizing the submittal of the 2021-2022 Annual Action Plan to the U.S. Department of Housing and Urban Development; authorizing the execution of two agreements with the Tacoma Community Redevelopment Authority (TCRA) for housing development programs; and authorizing a Subrecipient Agreement under the HOME Program with the City of Lakewood and TCRA to administer the HOME Consortium.
[Jeff Robinson, Director, Community and Economic Development; Linda Stewart, Director, Neighborhood and Community Services]

MOTION: Deputy Mayor Blocker moved to adopt Resolution No. 40782.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

14. [RES40783](#) A resolution directing the City Manager to bring recommendations to the Economic Development Committee for allowing reasonable permanent outdoor dining options in addition to sidewalk cafes, including parklets, and streateries in the City, prior to the expiration of the Curbside Café and Market Pilot Program on September 6, 2021, or four months after the City’s emergency declaration is lifted.
[Council Member Thoms]

MOTION: Deputy Mayor Blocker moved to adopt Resolution No. 40783.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

FIRST READING OF ORDINANCES

15. [ORD28757](#) An ordinance creating a new fund, to be known and designated as the “American Rescue Plan Fund”, for the dedication, segregation, and tracking of any funds received related to the American Rescue Plan Act of 2021.
[Reid Bennion, Lead Budget Analyst; Andy Cherullo, Director, Finance]

Ordinance No. 28757 was continued to the meeting of May 25, 2021, earlier in the meeting.

16. [ORD28758](#) An ordinance amending Titles 13 and 19 of the Municipal Code, relating to the Land Use Regulatory Code and Shoreline Master Program, by amending various chapters in Title 13, and by repealing and replacing Title 19 in its entirety, to adopt the Tideflats and Industrial Land Use Regulations as recommended by the Planning Commission; and replacing Amended Ordinance No. 28470, Tideflats Interim Regulations, as approved by the City Council, and as previously extended by Ordinance Nos. 28542, 28583, 28619, 28671, and Amended Ordinance No. 28696.
[Stephen Atkinson, Principal Planner; Peter Huffman, Director, Planning and Development Services]

Ordinance No. 28758 was removed from the agenda earlier in the meeting.

Ordinance No. 28759, regarding extension of the Tideflats Interim Regulations 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, was set over for final reading next week earlier in the meeting.

UNFINISHED BUSINESS

There was no unfinished business.

COMMUNITY FORUM

Community Forum began at 7:37 p.m.

The City Clerk's Office received three written comments for Community Forum, regarding employee hazard pay and the Advanced Metering Infrastructure Project.

Speaking before the City Council:

1. Kyle Jolibois, regarding City leadership.
2. Madison M., regarding employee hazard pay.
3. Christopher Ballard, regarding hazard pay.
4. Ray Bennett, regarding hazard pay.
5. Mariana Sanchez, regarding the Non-Interim Tideflats Regulations.
6. Kathy Lawhon, regarding protests, rent, crime, and the Tacoma Police Department.
7. Les Pogue, Jr., regarding COVID-19, communication with the

City Council, and the Thea Foss Waterway.

9. Laurie Arnold, regarding the TPD and City leadership.

10. Katie Barlow, regarding City leadership, the Interim Tideflats Regulations, and the TPD.

11. Josef Sellers, regarding the Interim Tideflats Regulations.

12. Marquis King Mason, regarding employee hazard pay and Interim Tideflats Regulations.

13. Anne-Marie Cavanaugh, regarding employee hazard pay.

14. Stacy Oaks, regarding City leadership, the TPD, and Interim Tideflats Regulations.

Community Forum ended at 7:59 p.m.

REPORTS BY THE CITY MANAGER

There was no report.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Economic Development Committee

This report was continued to the meeting of May 18, 2021.

Government Performance and Finance Committee

Council Member Hines, Chair of the Government Performance and Finance Committee, reported that at the April 20, 2021, meeting, the Committee received presentations on the mental health sales tax and the open access transmission tariff per Resolution No. 40771; and at the May 4, 2021, the Committee received a presentation on Tacoma Power and Water financing plans. He concluded by stating the next meeting will be on May 18, 2021, at 10:00 a.m., through Zoom, and will include interviews for the Public Utility Board.

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Mayor Woodards addressed community questions related to Melanie Dressel Park and ways to communicate with City Council Members.

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MOTION: Deputy Mayor Blocker moved to excuse Council Member Thoms from the meeting.

SECONDED BY: Council Member Hunter.

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

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

Absent: 1 - Thoms

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Mayor Woodards stated that Pierce County's COVID-19 case and hospitalization rates are still high but may be flattening; encouraged the community to continue wearing masks, socially distance, and avoid gatherings outside their families; and urged everyone to get vaccinated.

ADJOURNMENT

On proper motion, the meeting was adjourned at 8:05 p.m.

Victoria R. Woodards, Mayor

Doris Sorum, City Clerk

