



City of Tacoma City Council Minutes

747 Market Street, Tacoma, WA 98402, Council Chambers

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

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

November 22, 2022

5:00 PM

CALL TO ORDER

Mayor Woodards called the meeting to order at 5:01 p.m.

ROLL CALL

Present: 8 - Blocker, Bushnell, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

Absent: 1 - Daniels

Council Member Daniels arrived at 5:02 p.m.

FLAG SALUTE

Council Member Hines 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 Hines.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [22-1257](#) Minutes of the Economic Development Committee, July 12, 2022.
2. [22-1266](#) Minutes of the Tacoma Creates Advisory Board, October 3, 2022.

CONSENT AGENDA

3. [22-1275](#) Minutes of the City Council meeting, August 2, 2022.
4. [22-1277](#) Minutes of the City Council meeting, August 9, 2022.

5. [22-1278](#) Minutes of the City Council meeting, August 16, 2022.
6. [22-1279](#) Minutes of the City Council meeting, August 23, 2022.

MOTION: Deputy Mayor Ushka moved to adopt the Consent Agenda.

SECONDED BY: Council Member Blocker.

Council Member Daniels arrived here, at 5:02 p.m.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda. The Consent Agenda was declared adopted.

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

MOTION: Deputy Mayor Ushka moved to suspend the rules to add a proclamation to tonight's agenda as Item 7A, proclaiming Saturday, November 26, 2022, as Small Business Saturday.

SECONDED BY: Council Member Blocker.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

7. [22-1273](#) Proclaiming Friday, November 25, 2022, as International Day for the Elimination of Violence Against Women, and Saturday, December 10, 2022, as Human Rights Day.

Mayor Woodards proclaimed Friday, November 25, 2022, as International Day for the Elimination of Violence Against Women, and Saturday, December 10, 2022, as Human Rights Day and presented the proclamation to Natalie Ghayoumi, Commissioner, Commission on Immigrant and Refugee Affairs.

- 7A. [22-1290](#) Proclaiming Saturday, November 26, 2022, as Small Business Saturday.

Mayor Woodards proclaimed Saturday, November 26, 2022, as Small Business Saturday and presented the proclamation to Jennie Serrano, Owner, Jade & Co., and Nyesha Jones, Owner, Garden's Gourmet.

PUBLIC COMMENT

Public Comment began at 5:14 p.m.

The City Clerk's Office received three written comments for Public Comment on Substitute Ordinance No. 28856, regarding the Biennial Operating Budget.

Speaking before the City Council:

1. Michele Reich, speaking on Resolution No. 41067.
2. Kimberly Ellefson, speaking on Substitute Ordinance No. 28856.
3. Jonathan Pottle, speaking on Substitute Ordinance No. 28856.
4. Devin Rydel Kelly, speaking on Substitute Ordinance No. 28856.
5. Brinley Froelich, speaking on Substitute Ordinance No. 28856.
6. Ann Dorn, speaking on Substitute Ordinance No. 28856.
7. Eve Bowen, speaking on Substitute Ordinance No. 28856.
8. Zev Cook, speaking on Substitute Ordinance No. 28856.
9. Kerri Hill, speaking on Substitute Ordinance No. 28856.
10. Beverly Allen, speaking on Substitute Ordinance No. 28856.
11. Holly Rydel Kelly, speaking on Substitute Ordinance No. 28856.
12. Janeen Provazek, speaking on Substitute Ordinance No. 28856.
13. Ingrid Walker, speaking on Substitute Ordinance No. 28856.
14. Heidi Stephens, speaking on Ordinance Nos. 28848 and 28857, and Substitute Ordinance No. 28856.
15. Sally Perkins, speaking on Substitute Ordinance No. 28856.
16. Callista Brown, speaking on Substitute Ordinance No. 28856.
17. Zephyra, speaking on Substitute Ordinance No. 28856.
18. Ty Moore, speaking on Substitute Ordinance No. 28856.
19. Kathy Lawhon, speaking on Substitute Ordinance No. 28856 and Resolution Nos. 41066 and 41068.
20. Docere Pharmakis, speaking on Substitute Ordinance No. 28856.
21. Theresa Evans, speaking on Substitute Ordinance No. 28856.
22. Stacy Oaks, speaking on Substitute Ordinance No. 28856.
23. Sean Arent, speaking on Substitute Ordinance No. 28856.
24. April Smith, speaking on Ordinance Nos. 28849 and 28851, and Substitute Ordinance No. 28856.
25. Les Pogue Jr., speaking on Substitute Ordinance No. 28856 and Ordinance No. 28857.
26. Esther Day, speaking on Substitute Ordinance No. 28856.
27. Jamika Scott, speaking on Substitute Ordinance No. 28856.
28. Bunchy Carter, speaking on Substitute Ordinance No. 28856.
29. Barbara Church, speaking on Substitute Ordinance No. 28856.
30. Laurie Arnold, speaking on Substitute Ordinance No. 28856.

Public Comment ended at 6:14 p.m.

REGULAR AGENDA

PURCHASE RESOLUTIONS

8. [RES41066](#) A resolution awarding a contract to Carahsoft Technology Corporation, in the amount of \$595,180.53, plus applicable taxes, budgeted from various departmental funds, to renew the City's Enterprise Smartsheet subscription license, for an initial contract period of three years, for a projected contract total of \$823,487.18 - Cooperative Contract No. GS-35F-0119Y. [Brian Tetreault, Management Analyst III; Daniel Key, Director, Information Technology]

MOTION: Deputy Mayor Ushka moved to adopt Resolution No. 41066.

SECONDED BY: Council Member Blocker.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

9. [RES41067](#) A resolution awarding contracts to the following contractors:
- Secoma Fence, Inc., in the amount of \$1,350,000, plus applicable taxes; and
 - Quality Fence Builders, Inc., in the amount of \$1,350,000, plus applicable taxes;
- budgeted from various departmental funds, for on-call fencing services, for an initial contract period of one year, with the option to renew for three additional one-year periods, for a projected total of \$2,700,000 - Specification No. CT21-0699F. [Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Ushka moved to adopt Resolution No. 41067.

SECONDED BY: Council Member Blocker.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

10. [RES41068](#) A resolution awarding a contract to Pacifica Law Group LLP, in the amount of \$3,000,000, plus applicable taxes, budgeted from various departmental funds, for bond counsel services for the City of Tacoma, including Tacoma Public Utilities, for an initial contract period of three years, with the option to renew for three additional one-year periods, for a projected contract total of \$3,000,000 - Specification No. LD22-0075F.
[Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Ushka moved to adopt Resolution No. 41068.

SECONDED BY: Council Member Blocker.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

RESOLUTIONS

11. [RES41069](#) A resolution directing the City Manager to support the Economic Development Committee in reviewing and suggesting recommendations on how to improve communications and better support local businesses.
[Mayor Woodards]

MOTION: Deputy Mayor Ushka moved to adopt Resolution No. 41069.

SECONDED BY: Council Member Blocker.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

FINAL READING OF ORDINANCES

12. [ORD28842](#) An ordinance authorizing Tacoma Rail to update the Rail Rate Policy to include a Volume Investment Fund.
[Dale King, Rail Superintendent; Jackie Flowers, Director, Tacoma Public Utilities]

ACTION: Roll call vote was taken on Ordinance No. 28842.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

13. [ORD28843](#) An ordinance authorizing the reissuance of Tacoma Municipal Belt Line (TMBL) 8807 series freight switching tariff and TMBL 6004 series demurrage tariffs, effective January 1, 2023, and a switching tariff supplement, effective January 1, 2024.
[Dale King, Rail Superintendent; Jackie Flowers, Director of Utilities]

ACTION: Roll call vote was taken on Ordinance No. 28843.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

14. [ORD28844](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.176, entitled "Prepaid small general service - Schedule PB", to allow for payment of electric service in advance of usage, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28844.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

15. [ORD28845](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.374, entitled “Electric Vehicle Public Charging Provided by Tacoma Power - Schedule EVPC”, to replace the existing fee structure of \$2 per five hours to \$0.21 per kilowatt hour, effective January 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28845.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

16. [ORD28846](#) An ordinance amending various sections of Chapters 12.01 and 12.06A of the Municipal Code, relating to Utility Charges and Electrical Code, to update language regarding fees and permitting requirements, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28846 was considered later in the meeting.

17. [ORD28847](#) An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, effective April 1, 2023, and April 1, 2024; amending Section 12.06.225, to remove an out-of-date contract requirement, effective April 1, 2023; and amending Section 12.06.300, to adjust the cost for additional poles for private off-street lighting, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28847.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

18. [ORD28848](#) An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for two rate system average adjustments, effective January 1, 2023, and January 1, 2024.
[Jodi Collins, Assistant Water Division Manager; Scott Dewhirst, Water Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28848.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

19. [ORD28849](#) An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, to adjust the 2023 and 2024 rates and charges, effective January 1, 2023, and January 1, 2024.
[Michael P. Slevin III, P.E., Director, Environmental Services]
- ACTION: Roll call vote was taken on Ordinance No. 28849.**
The Ordinance was declared passed by the following vote:
Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards
20. [ORD28850](#) An ordinance amending the Official Schedule of Stormwater Utility and Wastewater Utility Service Rates and Fees, effective January 1, 2023, and January 1, 2024.
[Michael P. Slevin III, P.E., Director, Environmental Services]
- ACTION: Roll call vote was taken on Ordinance No. 28850.**
The Ordinance was declared passed by the following vote:
Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards
21. [ORD28851](#) An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, by adding a new Chapter 6A.130, entitled “Local Solid Waste Customer Excise Tax”, to impose a local solid waste excise tax; and amending Section 6A.10.020, to update tax definitions, effective April 1, 2023.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]
- ACTION: Roll call vote was taken on Ordinance No. 28851.**
The Ordinance was declared passed by the following vote:
Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards
22. [ORD28852](#) An ordinance authorizing an increase in the Ad Valorem general property tax revenue collection in terms of both dollars and percentage for the general property tax levy in 2023.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]
- ACTION: Roll call vote was taken on Ordinance No. 28852.**
The Ordinance was declared passed by the following vote:
Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

- 23. [ORD28853](#) 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. 28853.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

- 24. [ORD28854](#) An ordinance authorizing an increase for the 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. 28854.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

- 25. [ORD28855](#) 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. 28855.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

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The City Council meeting recessed at 6:41 p.m.

The City Council meeting reconvened at 6:53 p.m.

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16. [ORD28846](#) An ordinance amending various sections of Chapters 12.01 and 12.06A of the Municipal Code, relating to Utility Charges and Electrical Code, to update language regarding fees and permitting requirements, effective April 1, 2023. [Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28846.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

26. [ORD28856](#) A substitute ordinance adopting the 2023-2024 Biennial Operating Budget. [Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

MOTION: Council Member Walker moved to direct the City Manager to have staff evaluate and propose additional spending proposals for City Council approval in the areas of alternative behavioral health programming, supports for the unsheltered, and non-motorized bike/pedestrian projects in the budget reappropriation process, funded by using up to \$500,000 of any identified American Rescue Plan Act (ARPA) savings.

SECONDED BY: Deputy Mayor Ushka.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

MOTION: Council Member Daniels moved to direct the City Manager to provide quarterly updates, or more immediate updates if necessary, on alternative response programming, which should include an assessment of the effectiveness of the program, and an assessment of the funding needs to accomplish the goals of the program, to prepare for the 2023-2024 mid-modification budget development process.

SECONDED BY: Deputy Mayor Ushka.

Public comment was taken.

Speaking before the City Council:

1. Les Pogue Jr.
2. Megan Selvage.
3. Theresa Evans.
4. Kathy Lawhon.

5. Scott Nicholson.
6. Laurie Arnold.
7. Heidi Stephens.
8. Janeen Provazek.
9. Sally Perkins.
10. Stacy Oaks.
11. Jonathan Pottle.

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

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

ACTION: Roll call vote was taken on Substitute Ordinance No. 28856. The Substitute Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

27. [ORD28857](#) An ordinance adopting the 2023-2028 Capital Facilities Program of the Comprehensive Plan, and adopting the 2023-2024 Capital Budget. [Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

ACTION: Roll call vote was taken on Ordinance No. 28857. The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

28. [ORD28858](#) An ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.180, entitled “Interference with Health Care Facilities or Providers”, to ensure public health and safety for persons seeking health care services. [Council Member Diaz]

ACTION: Roll call vote was taken on Ordinance No. 28858. The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

- 29. [ORD28859](#) An ordinance amending various chapters in Title 1, relating to Administration and Personnel; Title 6, relating to the Tax and License Code; and Title 16, relating to Cable Systems, Open Video Systems, Telecommunications Systems and Private Communications Systems of the Municipal Code, for protection against discrimination based on an individual’s actual, potential, perceived, or alleged pregnancy outcomes.
[Council Member Diaz]

ACTION: Roll call vote was taken on Ordinance No. 28859.

The Ordinance was declared passed by the following vote:

Ayes: 9 - Blocker, Bushnell, Daniels, Diaz, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

City Manager Pauli announced that under the leadership of Police Chief Avery Moore the Tacoma Police Department (TPD) is sponsoring this holiday season and will be providing support at the Tacoma Mall, noting the TPD has established partnerships with the Tacoma Mall and local community groups; between November 25, 2022, and January 1, 2023, there will be marked safety escorts at the mall to greet people at the door and assist residents and shoppers wishing to be walked to their vehicles; and that safety tips will be handed out to remind individuals of things they can do to be safe during the holiday season.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Community Vitality and Safety Committee

There was no report.

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Council Member Bushnell spoke against the violence that is occurring in the Baha'i community in Iran, noting Baha'is are Iran's largest non-Muslim religious minority, they suffer widespread and systemic violations, details from an official policy adopted in 1991 by the Supreme Revolutionary Cultural Council and approved by Iran's Supreme Leader regarding Baha'is, the number of those currently imprisoned in Iran on account of their Baha'i faith, and the number of Baha'i individuals at risk of imprisonment.

Council Member Diaz announced that there is a request for a Council Consideration Request (CCR) for the December 4, 2022, Santa Parade by the South Tacoma Business District, noting the CCR is coming forward for a \$5,000 sponsorship.

Mayor Woodards brought awareness to the hate crime that was recently committed in Colorado, noting the City flew their progress flag at half mast over the Tacoma Municipal Building to recognize and honor the lives cut short and to let the local LGBTQIA+ community know they are supported.

ADJOURNMENT

On proper motion, the meeting was adjourned at 8:48 p.m.

Victoria R. Woodards, Mayor

Doris Sorum, City Clerk