



## WEEKLY REPORT TO THE CITY COUNCIL

November 7, 2019

Members of the City Council  
City of Tacoma, Washington

**Dear Mayor and Council Members:**

### ITEMS OF INTEREST

1. The **November 13, 2019 Public Utility Board Agenda** is attached for your information. Please note the following items, which will be on the December 3, 2019 City Council Agenda for your consideration:
  - U-11119 – Authorize execution of a Collective Bargaining Agreement and Memorandum of Understanding negotiated between the City of Tacoma and the District Lodge #160, on behalf of Local Lodge #297 of the International Association of Machinists & Aerospace Workers, Local 160, Yard Clerk Unit.
  - U-11120 – Authorize execution of a Collective Bargaining Agreement negotiated between the City of Tacoma and District Lodge #160, on behalf of Local Lodge #297 of the International Association of Machinists & Aerospace Workers, Local 160, General Unit.
  - U-11121 – Authorize execution of a Collective Bargaining Agreement negotiated between the City of Tacoma and the Teamsters Local Union No 117, General Unit.
  - U-11122 – Authorize execution of a Collective Bargaining Agreement and two Letters of Agreement negotiated between the City of Tacoma and the Professional & Technical Employees, Local 17.
  - Motion 19-08 – Approve settlement claim in the case of U.S. Oil versus Tacoma Power, Pierce County Cause No. 18-2-07232-3 in the amount of \$2,850,000.
  - U-11102 – Amend Resolution U-11102 to correct references to the wholesale rate and system development charge in sections of Chapter 12.10 for Tacoma Water regulations and rates in Title 12 of the Tacoma Municipal Code.

In addition, the following item will be coming to the City Council for consideration on a date to be determined:

- U-11118, to authorize the renewal of the waiver of power and water utility connection and inspection fees for cities in Tacoma Power and Tacoma Water service territories during the declared state of emergency related to the conditions of homeless encampments.

### **STUDY SESSION/WORK SESSION**

2. The **City Council Study Session** of Tuesday, November 12, 2019, will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will include: (1) **Tacoma Dome Link Extension Update**; (2) **Quarterly Affordable Housing Action Strategy Plan Update**; (3) **Other Items of Interest: Mayor's Youth Commission of Tacoma Update and Council Consideration Request for a Resolution to Formally Establish the Commission, and Proposed Amendments to the Mid-Biennial Budget Modifications Ordinance Discussion**; (4) **Committee Reports**; and, (5) **Agenda Review and City Manager's Weekly Report**.

At Tuesday's Study Session, staff from Planning and Development Services (PDS) and Sound Transit will provide an **update on the Tacoma Dome Link Extension Project, including recent Sound Transit Board action and the next steps as the project moves into the environmental review phase**. Please see the attached memorandum from PDS Director Peter Huffman and PDS Manager Brian Boudet for additional information.

As the second item on the Study Session agenda, staff will provide a **quarterly update on implementation of the Affordable Housing Action Strategy (AHAS) and actions taken by each of the 12 tactical action teams**.

In addition at Tuesday's Study Session, under **Other Items of Interest**, the following topics will be discussed:

- Mayor will provide an update on the work of the **Mayor's Youth Commission of Tacoma** and share the attached **Council Consideration request for a resolution to formally establish the Commission**.
- Council will have an **opportunity to discuss proposed mid-biennial budget modification amendments** they would like to bring forward. The first reading of the proposed ordinance is on Tuesday's Council agenda.

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

### **COUNCIL MEETING**

4. At Tuesday's City Council agenda is the **Final Reading of Ordinance No. 28619, proposed six-month extension of the Tideflats Interim Regulations**. During the first reading of the Ordinance on October 8<sup>th</sup>, Council Members raised some questions and the item was continued until November 12<sup>th</sup>. PDS Director Peter Huffman and Principal Planner Steve Atkinson provide **responses to the questions raised in the attached memorandum**.

### **MARK YOUR CALENDARS**

5. You have been invited to the following events:
  - **Opioid Town Hall Meeting on Wednesday, November 13<sup>th</sup>, 6:00 -7:30 p.m.**, at Mt. Tahoma High School Auditorium, located at 4634 South 74th Street.
  - **South Sound Military & Communities Partnership Elected Official Council Event on Thursday, November 14<sup>th</sup>, 7:00 to 9:30 a.m.**, at the Eagles Pride Golf Course located at 116 Interstate 5.
  - **Citizens for a Healthy Bay *Stand for Our Sound* Fall Fundraiser on Thursday, November 14<sup>th</sup>**, at the Pacific Seas Aquarium at the Point Defiance Zoo, located at 5400 North Pearl Street.
  - Tacoma Arts Live presents the **74<sup>th</sup> Annual Holiday Tree Lighting on Saturday, November 30<sup>th</sup>**. Live music begins at 4:30 p.m., followed by the program at 6:00 p.m., in the Pantages Theater Lobby, located on 9<sup>th</sup> and Broadway.
  - **Multicare Allenmore Hospital Emergency Department Ribbon-Cutting Reception on Wednesday, November 20<sup>th</sup>, 5:00 – 6:30 p.m.**, at 1901 South Union Avenue.

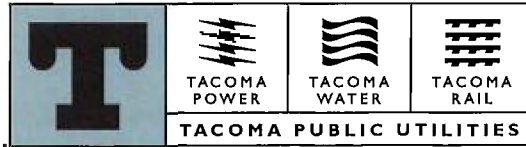
- **Tacoma Pierce County Chamber of Commerce 2019 Public Official Holiday Jingle & Mingle on Monday, December 8<sup>th</sup>, 5:00 – 7:00 p.m.**, at the Tacoma Art Museum, located at 1701 Pacific Ave

Sincerely,



Elizabeth A. Pauli  
City Manager

EAP:crh  
Attachments



**City of Tacoma  
Public Utility Board Meeting  
November 13, 2019; 6:30 p.m.  
Tacoma Public Utilities – Ground Floor Auditorium  
3628 S 35<sup>th</sup> Street, Tacoma WA 98409**

**Call to Order**

**Roll Call**

**A. Approve Minutes of Previous Meetings**

**B. Comments by the Public**

**Recognition: TreeLine USA Award**

**Recognition: American Public Power Association Excellence in Public Power Communications Award**

**C. Consent Agenda**

**D. Regular Agenda**

**D-1 Resolution U-11117 – Award contracts and approve purchases:**

1. Increase citywide contract with Wells Fargo Bank for banking and merchant services (\$620,000, plus applicable taxes. Cumulative total \$1,500,000, plus applicable taxes) [Michael San Soucie, Treasury Manager];
2. Increase the legal services agreement contract with Best Best & Krieger LLP for services related to Click! Network (\$100,000, plus applicable taxes. Cumulative total \$300,000, plus applicable taxes) [Martha Lantz, Deputy City Attorney];
3. Award contract to Loomacres, Inc., for bird hazing at the Cowlitz Trout Hatchery (\$151,960, plus applicable taxes for an initial contract term of one year with two one-year extensions for a projected contract total of \$469,693.16) [Eric Shoblom, Natural Resources Specialist];
4. Increase contract to McFarland Cascade Holdings, Inc., for the purchase of treated wood poles on an as needed basis (\$525,000, plus applicable taxes. Cumulative total \$1,592,830.06, plus applicable taxes) [Joe Parris, T&D Contract Program Manager];
5. Award contract to Owen Equipment for the purchase of one new Vactor model HXX truck body (\$363,016, plus applicable taxes) [Don Ashmore, Fleet Manager];
6. Increase contract with Hart Crowser, Inc., for the investigation and characterization of the discovered oil seep in the Kosmos Flats area and to provide cleanup alternatives (\$100,000, plus applicable taxes. Cumulative total \$289,000, plus applicable taxes) [Jessica Knickerbocker, Engineering Manager];
7. Increase contract to BOARD Americas, Inc., for a subscription based software as a service tool for budgeting (\$164,395; Cumulative total \$364,395) [Travis Metcalfe, Assistant Power Section Manager];
8. Award contracts to Cascade Columbia Distribution Co., Northstar Chemical, JCI Jones Chemicals, Inc., Hasa, Inc., Chemtrade Chemicals US LLC, and Kemira Water Solutions, Inc., for the supply of water treatment chemicals for the contract term of the 2020 calendar year (\$229,500, sales tax not applicable; \$590,000, sales tax not applicable; \$228,000, sales tax not applicable; \$40,375, sales tax not applicable;

\$224,400, plus applicable sales tax; and \$112,860, plus applicable sales tax, respectively. Cumulative total for the six contracts \$1,425,135, plus applicable taxes) [Kim DeFolo, Principal Engineer];

9. Award contract to Praxair, Inc., for carbon dioxide supply and technical services (\$92,500, plus applicable taxes for a one-year term with option to renew for four additional one-year periods for an estimated projected amount of \$462,500, plus applicable taxes) [Kim DeFolo, Principal Engineer];
  10. Award contract to RHS Engineering, Inc., for engineering design services for the Bonney Lake 950 Zone Tank/1010 Zone Pump Station (\$663,200, plus applicable taxes) [Jen Otis, Professional Engineer];
  11. Award contract with Coast Rail, Inc., for rehabilitation of approximately 2,400 lineal feet of railroad track, including one private grade crossing (\$590,948.75, plus applicable taxes) [Kyle Kellem, Roadmaster].
- D-2 Resolution U-11118 – Authorize the renewal of the waiver of power and water utility connection and inspection fees for cities in Tacoma Power and Tacoma Water service territories during the declared state of emergency related to the conditions of homeless encampments. **(To Council on a Date to be Determined)**
- D-3 Resolution U-11119 – Authorize execution of a Collective Bargaining Agreement and Memorandum of Understanding negotiated between the City of Tacoma and the District Lodge #160, on behalf of Local Lodge #297 of the International Association of Machinists & Aerospace Workers, Local 160, Yard Clerk Unit. [Dylan Carlson, Labor Negotiator]. **(To Council on December 3, 2019)**
- D-4 Resolution U-11120 – Authorize execution of a Collective Bargaining Agreement negotiated between the City of Tacoma and District Lodge #160, on behalf of Local Lodge #297 of the International Association of Machinists & Aerospace Workers, Local 160, General Unit. [Dylan Carlson, Labor Negotiator]. **(To Council on December 3, 2019)**
- D-5 Resolution U-11121 – Authorize execution of a Collective Bargaining Agreement negotiated between the City of Tacoma and the Teamsters Local Union No 117, General Unit. [Dylan Carlson, Labor Negotiator]. **(To Council on December 3, 2019)**
- D-6 Resolution U-11122 – Authorize execution of a Collective Bargaining Agreement and two Letters of Agreement negotiated between the City of Tacoma and the Professional & Technical Employees, Local 17. [Dylan Carlson, Labor Negotiator]. **(To Council on December 3, 2019)**

#### Tacoma Power

- D-7 Motion 19-08 – Approve settlement claim in the case of U.S. Oil versus Tacoma Power, Pierce County Cause No. 18-2-07232-3 in the amount of \$2,850,000. [Joe Sloan, Deputy City Attorney]. **(To Council on December 3, 2019)**

#### Tacoma Water

- D-8 Amended Resolution U-11102 – Amend Resolution U-11102 to correct references to the wholesale rate and system development charge in sections of Chapter 12.10 for Tacoma Water regulations and rates in Title 12 of the Tacoma Municipal Code. [Lyna Vo, Utilities Economist]. **(To Council on December 3, 2019)**

## H. Reports of the Director

### H-1 Third quarter 2019 budget performance report

- Annual Lead Gooseneck update [Jonathan Schlaudraff, Management Analyst]
- Power Conservation update [Steve Bicker, Assistant Power Section Manger]



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please contact the TPU Director's Office at 253-502-8201. TTY or speech to speech users please dial 711 to connect to Washington Relay services.



TO: Elizabeth Pauli, City Manager  
 FROM: Peter Huffman, Director, Planning and Development Services  
 Brian Boudet, Manager, Planning and Development Services  
 SUBJECT: Tacoma Dome Link Extension Update  
 DATE: November 5, 2019

At the City Council’s study session on November 12, 2019, staff from the Planning and Development Services Department and Sound Transit will provide an update on the Tacoma Dome Link Extension (TDLE) project, including recent Sound Transit Board action and the next steps as the project moves into the Environmental Impact Statement (EIS) phase.

As a part of the Sound Transit 3 Plan approved by voters in 2016, the TDLE project will extend the regional light rail system nearly 10-miles via mostly elevated tracks between Federal Way and Tacoma. The project includes four new stations in areas near South Federal Way, Fife, East Tacoma, and the Tacoma Dome. As depicted in the graphic below, the project is currently in the “Planning” phase, which includes three steps: (1) the Alternative Development step that has been conducted during 2017-2019, (2) the Draft EIS step to be conducted during 2019-2021, and (3) the Final EIS step scheduled for 2021-2022.



On July 25, 2019, the Sound Transit Board approved two motions, outlining preferred alternative(s) and other alternatives to move forward and be studied in the draft EIS. Motion No. M2019-75 pertained to all segments of the TDLE, except the Tacoma Dome segment, and Motion No. M2019-77 pertained specifically to the Tacoma Dome segment. With respect to the Tacoma Dome and the East Tacoma station areas, the Board decided to move forward the following station alternatives into the draft EIS process:

**Tacoma Dome**

**Preferred Alternative**

- Elevated station within East 25<sup>th</sup> St., generally between Freighthouse Square and the existing Tacoma Dome Station parking garages (previously called “TD2”)

*Additional Design Alternative to Evaluate: Explore an alternative location that would be “Close-to-Sounder” (i.e. near the existing Sounder commuter rail tracks instead of within East 25<sup>th</sup> St.)*

**Other EIS Alternatives**

- Elevated station within East 25<sup>th</sup> St., near the existing Tacoma Link Operations & Maintenance facility (previously called “TD3”)
- Elevated station located within East 26<sup>th</sup> St., near East D St. (previously called “TD4 East In-Street”)

*Design Modification: Shift this proposed station alternative to the west so that it would span East D St.*





**East Tacoma**

**Preferred Alternative**

- Elevated station in the vicinity of East 26<sup>th</sup> St. or East 27<sup>th</sup> St. near Portland Ave. and north of Interstate 5 with elevated guideway in the vicinity of East 25<sup>th</sup> St. or East 26<sup>th</sup> St. connecting to TD2 or TD3 (previously referred to as “ET3A/B”)

*Additional Design Alternatives to Evaluate: Also evaluate a design option that would span East Portland Ave.*

The Board’s action generally reflects the comments provided during the Alternatives Development process by the City Council (via Resolution No. 40346, June 11, 2019), the Planning Commission, the Transportation Commission, the Sustainable Tacoma Commission, and many interested organizations and individuals in the community. It is worth noting that while the “Cut-and-Cover” alternative in the Tacoma Dome station area, which was strongly recommended by many stakeholders, was not moved forward by the Sound Transit Board, the Board directed staff to examine a new option for the alignment and station (referred to as “Close-to-Sounder,” above) which may help respond to some of the community’s concerns and interests.

Sound Transit staff have indicated that this “Close-to-Sounder” alternative will be part of the scope of work as they are starting to work with TDLE-affected jurisdictions, property owners and stakeholders to carry out the Board’s directives. Their work over the next six months primarily includes reviewing draft EIS methodologies, developing design principles and assumptions, and completing 10 percent design. Extensive outreach and public engagement efforts are expected to be conducted by Sound Transit staff in November-December 2019 and February-March 2020.



**CITY OF TACOMA, WASHINGTON  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

**TO:** Deputy Mayor & City Council  
**FROM:** Mayor Victoria R. Woodards & Chief Policy Analyst Melanie Harding  
**COPIES TO:** Elizabeth Pauli, City Manager; Tadd Wille, Deputy City Manager; Bill Fosbre, City Attorney  
**SUBJECT:** November 7, 2019  
**DATE:** Request for Resolution – 12/10/2019 – Establishing the Mayor’s Youth Commission

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**I ask for your support for a Resolution that would formally establish the Mayor’s Youth Commission of Tacoma to advise on policies, codes, plans, and practices through a youth lens; provide a platform for youth engagement in policy making decisions and local government; appoint the founding leadership team; and direct the City Manager to establish administrative support.**

**LEGISLATIVE INTENT:**

The Mayor's Youth Commission started with a vision to create a platform for youth in Tacoma to engage their local government and be a part of the important decisions being made right now that impact them directly. Youth engagement in municipal governance allows young community members the opportunity to increase and strengthen their capacity for knowledge, leadership and action skills; understand and become more aware of issues and root causes, systems, strategies for change, commitment and a sense of responsibility; opportunity to act on passion, use skills, and generate change through relevant sustained action.

Across the country, municipal leaders are discovering one of their greatest assets—the youth of their city. Increasingly, youth are working with elected officials and city managers to address the issues of local government. In recent years, the uptick of youth engagement has shown that more young people are discovering their voice matters. They are discovering that they can support positive change in their community by being civically engaged. City leadership is finding that when they provide meaningful opportunities for youth engagement, more youth participate and encourage their peers to do so as well. In addition to engaging the next generation of civic leaders, cities already using this approach have realized many of the following benefits:

- Increased support for city initiatives such as student government day— involving youth and their families in different aspects of city planning allows for stronger and well- informed partnerships.
- Improved policies and programs for youth – youth driven policies and initiatives can better capture what does and does not work for their peers.
- Improved indicators of well-being – civic participation and engagement foster productive attitudes into adulthood and increase the likelihood of voting, volunteering and becoming valuable members of the workforce.

In October of 2018, staff convened youth-serving stakeholders to get feedback and guidance on how to achieve a vision of youth engagement in government through a Youth Commission. Following a recruitment effort to fill 16 seats, the stakeholders were convened again to help select members from an applicant pool of 126 students across Tacoma. With so many students wanting to be involved, it was suggested that the process be opened to

all. With that recommendation, all 126 students were invited to join the Youth Engagement Task Force, which kicked off in January.

For the first six months of 2019, students from across Tacoma came together once a month for a full day of engagement to discuss what changes they wanted to see in Tacoma and how they would achieve those changes. Through this learning and engagement, the students recommended changes to formalize the task force. These changes included:

- Rename the task force to the Mayor’s Youth Commission of Tacoma
- Create four policy area subcommittees
- Elect a leadership team that would be responsible for communicating with the City and leading the committees and other members
- Formalize the Commission and create opportunities for students to engage in policy
- Use the Youth Commission as a body to support getting more youth engaged in leadership positions on other boards and commissions.

These students have already started creating change in Tacoma from supporting their members to get onto other boards and commissions, to working directly with Metro Parks Tacoma to do the community outreach around Gas Station Park and its possible redevelopment. This resolution would help solidify their place as an advisory body to us so we can ask youth how our policies may affect them, and support them as they become more civically minded.

This request for resolution is timed to occur December 10<sup>th</sup>, in conjunction with Student Government Day.

**FUNDING ESTIMATE:**

Amount: \$ 25,000

One Time or Ongoing: This is a one-time funding request for 2020 that is currently included in the mid-biennium budget modifications, with reconsideration in the 2021-2022 budget cycle.

**ALIGNMENT WITH TACOMA 2025 KEY FOCUS AREAS:**

This legislation, program, project, or event is best aligned with the following:

**Education:** *Equity Index Score:* High Opportunity

Increase the number of quality out of school time learning opportunities distributed equitably across the city.

All students will graduate from high school and be prepared to enter the workforce or pursue post-secondary education.

**Civic Engagement:** *Equity Index Score:* N/A

Elected officials, boards, commissions, and volunteer leadership will reflect the diversity of the Tacoma community.

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:* Moderate Opportunity

Increase positive public perception of safety and overall quality of life.

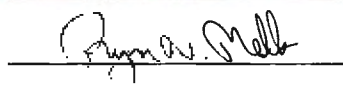
If you have a question related to the Council Consideration Request, please contact Melanie Harding at 253-591-5156 or [Melanie.Harding@CityofTacoma.org](mailto:Melanie.Harding@CityofTacoma.org).

SUBMITTED FOR COUNCIL CONSIDERATION BY: Victoria R. Woodards  
Mayor

**SUPPORTING COUNCIL MEMBERS SIGNATURES (2 SIGNATURES ONLY)**

*(Signatures demonstrate support to initiate discussion and consideration of the subject matter by City Council for potential policy development and staff guidance/direction.)*

1.  POS# 3

2.  POS# 8

Mayor's initials N/A

**City of Tacoma 2019  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
November 12, 2019	City Council Study Session (TMBN 16, Noon)	Tacoma Dome Link Extension Update	PDS	Staff from PDS and Sound Transit will provide an update, including recent Sound Transit Board action and the next steps as the project moves into the environmental review phase.
		Quarterly Affordable Housing Action Strategy Plan Update	CED/CMO	Quarterly update on implementation of the Affordable Housing Action Strategy (AHAS) and actions taken by each of the 12 tactical action teams.
		Other Items of Interest: * Mayor's Youth Commission of Tacoma Update and Council Consideration Request for a Resolution to Formally Establish the Commission * Proposed Amendments to the Mid-Biennial Budget Modifications Ordinance Discussion	Mayor Woodards	*Update on the work of the Mayor's Youth Commission of Tacoma and proposed next steps to include a CCR to formally establish the Commission. *Council will have an opportunity to discuss proposed budget modification amendments they would like to bring forward.
		<b>Bid Protest Appeal Hearing</b> - Miles Resources, LLC, appealing the decision of the Contracts and Award Board regarding Specification No. PW19-0213F, East 64th Street Phase 1 – Pacific Avenue to McKinley Avenue. Setting the Study Session Meeting of Tuesday, November 12, 2019 at approximately 1:30 p.m. as the date for the appeal before the City Council.	Council Members/Purchasing	This will be a Quasi Judicial Hearing of the City Council where they can take action on the bid protest by Miles Resources Inc., related to a contract with Pivetta Brothers Construction Inc, for the construction of 64th Street between Pacific Avenue and McKinley Avenue, including sewer and water system improvements.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	*Final Reading of the Tideflats Interim Regulations Reauthorization Ordinance *Final Reading of the Firearms and Ammunition Tax Ordinance *Public hearings 2019-2020 Biennial Budget Mid-Biennium Modification & 2019-2020 Capital Budget and First Reading of the Ordinances.	PDS	*At the 10/8/19 Council Meeting, final reading of Ordinance No. 28619 was moved to 11/12/19. * At the 10/29/19 Council Meeting, final reading of Ordinance No. 28624 was moved to 11/12/19.

**City of Tacoma 2019  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
November 19, 2019	City Council City Council Study Session (TMBN 16, Noon)	Rental Housing Code Update	NCS/OEHR	Staff will provide information on a proposed amendment to the Rental Housing Code (TMC 1.95). This amendment would align the Rental Housing Code's notification requirements with Engrossed Substitute House Bill 1440, which went into effect on July 28, 2019.
		Homelessness Updates	NCS	Request for Council authorization to extend the Emergency Declaration on Homelessness to December 31, 2020, to include a discussion on the Temporary Shelter Regulations.
		Proposed Council Process for Walk-on Amendments and changing the name of "Citizen's Forum" to "Community Forum"	CAO	Review of existing Council process for walk-on amendments, and proposing a rule change to the <i>Council Rules of Procedure</i> to formalize the walkon amendment process. In addition, propose a name change for "Citizen's Forum" to "Community Forum."
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Final Reading of the Mid-Biennial Budget Modifications	OMB	
November 26, 2019	CANCELLED			

**City of Tacoma 2019  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
December 3, 2019	Joint City Council/Tacoma School Board Study Session (TMBN 16, Noon)	Tacoma School Board and City Council Updates on Items of Mutual Interest	TPS/Council	Updates from Tacoma Schools and the City will be discussed on various topics of mutual interest: SummerJobs253, Mayor's Youth Commission, etc.
	City Council Study Session (TMB Council Chambers, Noon)	Other Items of Interest - Options for 2020 City Council Cancelled Meetings	Mayor	Mayor will share her recommendations for which meetings to cancel in 2020. The meetings are canceled through a resolution for Council consideration tentatively scheduled for December 17th.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Ordinance for the Neighborhood Council Program Review First Reading	NCS	
December 10, 2019	Joint Utility Board Study Session (TMBN 16, Noon)	City-wide Draft Legislative Agendas	TPU/GG Government Relations	TPU and GG Staff will share the proposed Federal and State Legislative Agendas for review prior to Council consideration.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	*Resolution to establish the Mayor's Youth Commission of Tacoma *Ordinance for the Neighborhood Council Program Review Final Reading	CMO NCS	
December 17, 2019	City Council Study Session (TMB Council Chambers, Noon)	Update on the City Insurance Program	Risk Mgt, Finance	Risk Manager Saada Gegoux will provide an update on the various City Procured Insurance Policies and information on the City's Third Party Liability Claims Fund.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
December 26, 2019	<b>CANCELLED</b> <b>** Please note there will not be a meeting on December 31, 2019. (Due to the holiday, this meeting will be moved to next business day, January 2, 2020 or cancelled)</b>			

**\*\* Please note there will not be a meeting on December 31, 2019 (Due to the holiday, this meeting will be moved to next business day, January 2, 2020, or cancelled.)**

<b>Community Vitality and Safety</b>			
<b>Committee Members:</b> Blocker (Chair), Beale, Thoms, Ushka, Alternate-Hunter <b>Executive Liaison:</b> Linda Stewart; Staff Support - Bucoda Warren		<b>2nd and 4th Thursdays</b> 4:30 p.m. Room 248	<b>CBC Assignments:</b> • Citizen Police Advisory Committee • Human Services Commission • Human Rights Commission • Housing Authority • Commission on Disabilities • Library Board • Tacoma Community Redevelopment Authority
<b>November 14, 2019</b>	Citizen Police Advisory Committee Interviews	Doris Sorum, City Clerk	5 vacancies
	Chronic Nuisance Code Implementation (Informational)	Danielle Larson, Tax & License Manager and Keith Echterling, Assistant City Attorney	The updated Chronic Nuisance Code went into effect a year ago. Staff will provide an informational briefing on the implementation efforts related to the updated code.
	Code Compliance Pilot Update (Informational)	NCS	Update on receivership pilot program.
	Mental Health Co-Responder Program Update	NCS and TPD	
<b>Future</b>			
<b>November 28, 2019</b>	Canceled		
<b>December 12, 2019</b>	Community Engagement (Informational)	Tanisha Jumper, Director, Media and Communications; Kenny Coble, Community Engagement Manager	
	Updated Comprehensive Emergency Management Plan (Informational)	Fire Chief Tory Green, Tacoma Fire Department	An update to the CEMP to be approved before the end of the year
	Project Peace (Informational)	Ed Wade, Assistant Chief, Tacoma Police Department; and Korbett Mosesly, Management Analyst, OEHR	An update of the Project Peace youth outreach meetings and executive team retreat.



<b>Economic Development Committee</b>			
<b>Committee Members:</b> Thoms (Chair), Hunter, McCarthy, Ushka Alternate-Beale <b>Executive Liaison:</b> Tadd Wille; <b>Staff Support -</b> Lynda Foster		<b>2nd, 4th, and 5th Tuesdays</b> 10:00 a.m. Room 248	<b>CBC Assignments:</b> •Tacoma Arts Commission •Greater Tacoma Regional Convention Center Public Facilities District •Foss Waterway •City Events and Recognition Committee
<b>November 12, 2019</b>	Tacoma Arts Commission Interviews	Clerks Office	5 vacancies
<b>Future</b>			
<b>November 26, 2019</b>	Cancelled		
<b>December 10, 2019</b>	Food innovation	Carol Wolfe, CED	Presentation on Tacoma Pierce County Health Departments' work on food equity and an informational briefing on food innovation models
	Lead Agency Discussion Informational Briefing	Steve Victor, City Attorney's Office, and Shirley Shultz, Planning and Development Services	Briefing on project review under the State Environmental Policy Act (SEPA), with emphasis on the role and responsibilities of a project's SEPA lead agency, and information on the differences between SEPA review, permitting requirements and criteria, and jurisdictional differences between the SEPA lead and agency and other permitting agencies involved in a project.

**Government Performance and Finance Committee**

<b>Committee Members: Ibsen (Chair), Blocker, Hunter, Mello, Alternate-Thoms</b> <b>Executive Liaison: Andy Cherullo; Staff Support - Latasha Ware</b>		<b>1st and 3rd Tuesday</b> <b>10 a.m.</b> <b>Room 248</b>	<b>CBC Assignments: •Public Utility Board •Board of Ethics •Audit Advisory Board •Civil Service Board</b>
<b>November 19, 2019</b>	Board of Ethics Interviews	Doris Sorum, City Clerk	2 vacancies
	Title 18 Employment Standards	Danielle Larson, Tax & License Manager	A follow-up discussion on repealing the City's Minimum Wage and Paid Sick Leave Ordinance. Labor & Industries will present on their investigation process and answer questions. Staff will provide follow-up on stakeholder outreach efforts.
	City of Tacoma Public Records Act Compliance	Tadd Wille, Deputy City Manager	Requesting resolution that directs City Manager to implement rules and policies to provide more efficient public disclosure service to residents
	Purchasing Thresholds	Patsy Best, Purchasing Manager, Finance Department	Staff will present recommended changes to purchasing thresholds. The last time these thresholds were changed was in 2010
<b>Future</b>			
<b>December 3, 2019</b>	CBC Review	Lisa Woods, Assistant to the City Manager	A review of current boards and commissions and how council assigns topics to them and creates/consolidates CBCs
<b>December 17, 2019</b>	Joint GPFC Audit Advisory	Susan Calderon, Assistant Finance Director/Controller	2019 Moss Adams entrance conference

**Infrastructure, Planning and Sustainability Committee**

<b>Committee Members:</b> Mello (Chair), Beale, Ibsen, McCarthy, Alternate-Hunter <b>Executive Liaison:</b> Kurtis Kingsolver; <b>Staff Support -</b> Rebecca Boydston		<b>1st and 3rd Wednesdays</b> 4:30 p.m. Room 248	<b>CBC Assignments:</b> •Sustainable Tacoma Commission •Planning Commission •Landmarks Preservation Commission •Board of Building Appeals •Transportation Commission
<b>November 20, 2019</b>	Landmarks Preservation Commission Interviews	Doris Sorum, City Clerk	6 open positions; 9-11 interviews
	Urban Forestry Management Plan	Mike Carey, Office of Environmental Policy and Sustainability	Present Urban Policy recommendations that would be incorporated into a resolution for Council Consideration on December 3, 2019
<b>Future</b>			
<b>December 4, 2019</b>	Sustainable Tacoma Commission Interviews (cont.)	Doris Sorum, City Clerk	2 positions open - potentially 3 interviews
	Healthy Homes, Healthy Neighborhoods (tent.)	Kristi Lynett, Office of Environmental Policy and Sustainability	Program Update
<b>December 18, 2019</b>	Scooter and Bike Share (tentative)	Jennifer Kammerzell, Principal Engineer, Public Works	



**TO:** Elizabeth Pauli, City Manager  
**FROM:** Peter Huffman, Director, Planning and Development Services  
Steve Atkinson, Principal Planner, Planning and Development Services  
**SUBJECT:** Final Reading of Ordinance – November 12, 2019 Re: Tideflats Interim Regulations  
**DATE:** November 7, 2019

At the City Council meeting on November 12, 2019, the City Council will be considering the final reading of Ordinance No. 28619 for the proposed 6-month extension of the Tideflats Interim Regulations. In support of the City Council’s deliberations, staff is providing written responses to questions submitted by the City Council during this review.

**1. What is the process for developing regulations to replace the interim ordinance?**

There are three primary pathways to adopt permanent regulations to replace the interim ordinance. The following is a brief summary of these paths:

Pathway 1: Complete the Subarea Plan

The current pathway for the resolution of the interim regulations is to conduct the Tideflats Subarea Planning process. The interim regulations were, from the outset, tied directly to the Subarea Plan: the interim regulations ordinance was intended as “a temporary protective measure to prevent vesting of rights under existing zoning and development regulations,” while the City engaged in the planning process. The initial 1-year authorization of the interim regulations, rather than the standard 6-month authorization, was based on the City’s intent to conduct the Subarea Planning process with our partners.

Since adoption of the interim regulations, the City has formalized an Intergovernmental Agreement and Work Plan to guide the Subarea Planning process and to, ultimately, replace the interim regulations. The goal for that process is to have a recommendation to the City Council within two years from the time of the consultant selection. The Steering Committee is currently in the process of selecting a consultant and a consultant contract will be coming to City Council shortly.

Pathway 2: Initiate a Parallel Process

The City Council could initiate a new process, parallel to the Subarea Planning process, to develop replacement regulations to be effective until superseded by the Subarea Plan. This process would follow the standard procedures prescribed by state law and the Tacoma Municipal Code. The Planning Commission would consider regulatory options, develop a proposal, and conduct a public hearing and environmental review prior to forwarding a recommendation to the City Council. This process would likely take between 9-12 months and would occur concurrently with the Subarea Plan process.

Pathway 3: Phased Subarea Plan

During the June 20, 2019 meeting of the Tideflats Steering Committee, Mayor Woodards and Council Member Mello brought forward the Council’s questions regarding the potential to address the issues identified in the interim regulations at an earlier phase of the Subarea Planning process. The Steering



Committee requested that the Project Management Team consider options for a nearer term resolution of the issues. The Steering Committee will be discussing this request at the November 7, 2019 meeting.

The assessment of the Project Management Team is that undertaking a phased approach to the Subarea Plan would entail an amendment to the agreed-upon Steering Committee Work Plan and would likely result in at least a 6-12 month delay in the overall planning effort if a second legislative process were added at a mid-point in the plan development.

Other Considerations:

- **Policy Review:** The development of the interim regulations did not include an extensive Comprehensive Plan policy review or determination of consistency with the Comprehensive Plan, as the intent was to put a temporary pause on new use and development while policy updates were conducted through the Subarea Planning process. A permanent ordinance would require a more extensive policy review to ensure consistency with the Comprehensive Plan.
- **Environmental Review:** The City did not conduct a full environmental review (SEPA) as part of the development of the interim regulations. The Subarea Plan will include a full Planned Action Environmental Impact Statement as part of the plan development. The development of permanent regulations ahead of the completion of the Subarea Plan would require a substantial environmental review.
- **Impact to the Subarea Plan:** If the Council were to move forward with a separate process to develop or approve permanent regulations, that process will likely delay the Subarea Plan and result in impacts on staff's ability to concurrently manage other work program projects, as well as create the potential for community confusion between parallel processes.

**2. What was the Planning Commission's recommendation for the expansion of existing uses and what findings supported that recommendation?**

The Planning Commission considered expansion of existing uses under two aspects of the interim regulations: 1. Heavy Industrial Use Restrictions, and 2. Non-Industrial Use Restrictions. The following is a summary of the Commission's Findings and Recommendations for each.

Expansion of Heavy Industrial Use Types

These limitations apply only to the following five use types: oil and liquefied fossil fuel industries, chemical manufacturing, coal facilities, smelting, and mining and quarrying. The interim regulations prohibit the establishment of new uses and allow the expansion of existing uses without a specific limitation.

This issue of expansion of existing heavy industrial uses was one of the central discussion points throughout the Planning Commission and City Council review. The Commission initially released a public review document that included no limitations on the expansion of existing uses. The proposed



limitation on existing uses was introduced by the Planning Commission after the public hearing, for several reasons:

- Public comment overwhelmingly identified expansion of existing uses as a central issue of concern;
- The likelihood of new development is perhaps greater from existing uses than entirely new uses as the existing uses already have the supportive infrastructure in place;
- Expansion of existing uses can be so significant as to be equivalent to the introduction of an entirely new use;
- A limitation on new uses while allowing unlimited expansion of existing uses could simply enable businesses to creatively circumvent the restrictions on new uses;
- Limiting expansion helps to preserve an existing baseline for environmental review.

Throughout the initial adoption process, and subsequent extensions, multiple approaches for regulating the expansion of existing uses were considered, including:

- 10 percent expansion allowed outright, and up to 20 percent expansion allowed subject to a conditional use permit (staff recommendation to Planning Commission);
- 10 percent cumulative limit, subject to a conditional use permit (Planning Commission recommendation);
- Unlimited expansion, subject to a conditional use permit (introduced as a Substitute Ordinance during the first extension review, but not approved by Council);
- Limits on expansion based on parking quantity and trip generation (not recommended);
- Unlimited expansion allowed outright under existing regulations (approved by Council).

The Commission opted to recommend a 10 percent cumulative limitation given existing precedent: The 10 percent limit was based on established City allowances in the nonconforming use code and was designed to apply to the existing facilities' capacity for storage, production, and throughput.

#### Non-Industrial Use Types

These limitations applied to certain types of residential uses, agriculture, hospitals, schools, high intensity park and recreation facilities, and other cultural institutions. The purpose of these regulations is to limit the conversion of industrial lands to non-industrial uses that could reduce the available industrial land supply and interfere with industrial operations.

Limitations: The Commission's recommendation was to apply the City's established non-conforming use provisions in the Zoning Code. The City's standard non-conforming use regulations allow expansion of existing uses up to 10 percent, based on parking quantity and trip generation. Expansions can exceed the 10 percent threshold with a conditional use permit and subject to additional criteria.

The Commission recommended a limit on existing non-industrial uses in part to maintain an equitable approach to regulating existing uses under the interim ordinance.



### General Summary of the Planning Commission's Findings

#### **There is a likelihood of development during the planning process:**

- The Puget Sound Regional Council is forecasting substantial growth in regional industrial employment, while industrial lands are shrinking around the region;
- The Port Tideflats is a designated manufacturing/industrial center with a significant share of the region's vacant and underutilized industrial lands;
- Gross U.S. energy exports have risen significantly since 2003, resulting in an increased demand for new bulk storage and export facilities in West Coast ports;
- The national ban on export of crude oil that had been in place since 1975 was lifted in 2015, enabling new markets for export;
- The City received two permit applications for bulk energy storage and production facilities, including the PSE LNG facility and the proposed methanol plant;
- The City has significant existing pipelines and fossil fuel facilities that position the Port Tideflats for continued investment;
- The anticipated length of the planning process increases likelihood of new development activity.

#### **Tideflats area vulnerabilities and sensitive areas:**

- **Emergency Response:** According to the City's Tideflats Emergency Response Plan, the Tideflats is the highest risk zone for hazardous material incidents, with a mix of land uses and operations with the potential for serious fire or EMS emergencies. In addition, emergency response times to the Tideflats have increased over the past decade, due to multiple factors, including temporary blockage of roadways, traffic congestion, poor roadway surfaces, road closures, and closures of bridges.
- **Environmental Assets:** The Tideflats area has multiple environmentally sensitive areas, including fish and wildlife habitat, streams, wetlands, and aquifer recharge areas;
- **Environmental Risks:** The Tideflats is an area with potential risks and vulnerabilities of geologic, flood, and other natural disasters, including vulnerabilities to sea level rise;
- **Climate policy:** The 2015 update of the City's Comprehensive Plan, *One Tacoma*, included new goals and policies pertaining to the assessment of climate risks, adaptation measures, mitigation of climate causing greenhouse gas emissions, and the promotion of community resilience strategies.

#### **Maintain baseline conditions for environmental review:**

The Tideflats Subarea Plan will include an area-wide environmental review under the State Environmental Policy Act (SEPA). This review will include an inventory and assessment of the existing environmental conditions of the Port/Tideflats as well as different area-wide development scenarios. A pause on certain types of develop during this planning period (non-industrial uses in the Tideflats, new residential development, as well as certain types of heavy industrial uses) helps to ensure a more consistent and stable baseline while the environmental review is being conducted.



**3. Since the interim regulations differentiate between existing and new uses, what constitutes an existing use, and does the City consider ownership in that determination?**

During the City Council public hearing, public testimony highlighted the recent change in ownership of both U.S. Oil and Targa Sound Terminal (now Seaport Sound Terminal). This change in ownership has prompted questions as to whether a change in ownership of a facility is considered a change in use, for the purposes of determining if an expansion is related to an existing use (which is allowed) or a new use (which is prohibited). Existing uses are uses that have been previously permitted, or were in the permit process at the time of adoption of the interim ordinance. A change in the ownership of land, structures, or a business in the absence of a change in the activity taking place on the land is not a change in use.

**4. Does the City have a baseline of environmental conditions for the Port/Tideflats, including the throughput and storage volume of oil and other liquefied fossil fuels? If not, could this information be compiled for reporting to the City Council?**

The City does not have a complete baseline of environmental conditions for the Port/Tideflats, though significant baseline data is available. The interim regulations were approved with the expectation that the first phase of the Subarea Plan process would include an inventory and assessment of baseline conditions. It is likely that this assessment will be substantially underway within the next 6-9 months.

While the Subarea Plan will assess the baseline for the Tideflats, there is significant existing baseline environmental data available, though it is not necessarily specific to the Tideflats:

- A citywide Greenhouse Gas Inventory
- Emergency response and traffic congestion assessment
- Critical Areas data, including geologically hazardous areas and flood hazard areas

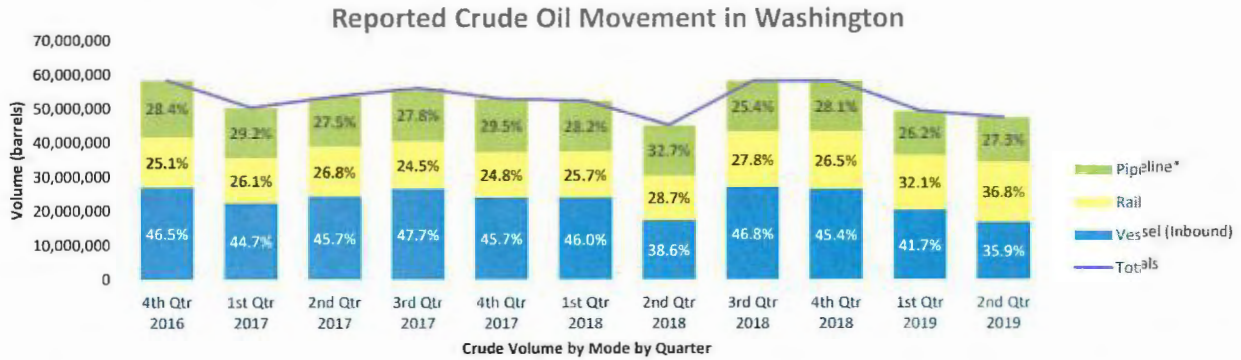
In addition, the Department of Ecology requires advance notice of oil transfers. As part of this State rule, Ecology is required to publish information collected under the rule to its website on a quarterly basis. The quarterly reports provide:

- Aggregated information on crude oil transported by rail to facilities in Washington.
- Information about crude oil movement by pipeline in or through the state.
- Reported spills during transport and delivery of crude by rail and pipeline.
- Volume of crude oil transported by vessel.





Figure 4 below depicts the reported crude oil movement in Washington by mode. The data shows that overall volumes rose statewide in the second half of 2018 and then tapered off in 2019. However, the data does show that the mode share of crude oil movement has shifted, with an increase in rail transport.

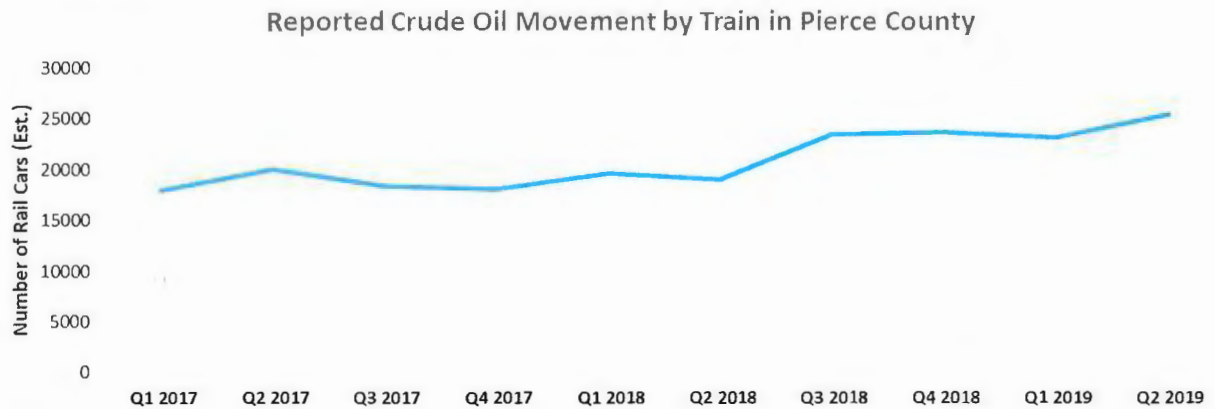


Mode	4th Qtr 2016	1st Qtr 2017	2nd Qtr 2017	3rd Qtr 2017	4th Qtr 2017	1st Qtr 2018	2nd Qtr 2018	3rd Qtr 2018	4th Qtr 2018	1st Qtr 2019	2nd Qtr 2019
Vessel (Inbound)	46.5%	44.7%	45.7%	47.7%	45.7%	46.0%	38.6%	46.8%	45.4%	45.1%	35.9%
Rail	25.1%	26.1%	26.8%	24.5%	24.8%	25.7%	28.7%	27.8%	26.5%	27.0%	36.8%
Pipeline	28.4%	29.2%	27.5%	27.8%	29.5%	28.2%	32.7%	25.4%	28.1%	27.9%	27.3%
Total %	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

\*Note: The most recent biannual notices from pipelines were submitted to Ecology for the period from July 1, 2018, through December 31, 2018. For some quarters, Ecology estimated crude oil movement by pipeline for the period based on data provided in previous biannual notices.

Figure 4: Quarterly crude oil movement by mode, October 2016 – June 2019

The chart below depicts the volume of oil movements by train into and through Pierce County over the past couple of years. Consistent with the overall trends within the state, the data show that oil movements by train have been trending up during this time period.



Source: Washington Department of Ecology, Quarterly Crude Oil Movement by Rail and Pipeline reports (Jan. 2017 - June 2019)



Additional data collection may be feasible through City permit review as well as disaggregation of Department of Ecology data to more accurately assess the volume of crude oil transported through the City of Tacoma.

**5. Have existing fossil fuel industries applied for permits during the interim period and if so, did the permit result in an expansion of storage or production capacity?**

Seaport Sound Terminal (formerly Targa)

During the interim period, Seaport Sound terminal has been permitted for both a dock reconstruction/expansion as well as four new rail spurs on the Taylor Way property. These projects will improve operational efficiency, but are not expected to result in an increase in throughput exceeding that allowed by current clean air permits. However, the projects will likely result in an increase in the capacity of the facility longer term, subject to additional permitting.

U.S. Oil and Refining

Prior to the interim regulations taking effect, U.S. Oil and Refining applied for permits to convert a portion of the existing facility to ethanol production and mixing of biofuels. U.S. Oil permits during the interim period include a Commercial Alteration to install a new foundation, support structure and containment for two product transfer pumps.

NuStar Energy

No significant permit activity during the interim period.

Phillips 66

No significant permit activity during the interim period.

Puget Sound Energy, Inc. (PSE) – LNG Facility

PSE is in the process of constructing a natural gas liquefaction and storage facility in the Tideflats. The project was permitted prior to the interim regulations taking effect and as such is considered an existing use under the City's land use codes. Additional building and mechanical permits for the facility have been issued during the interim period, including an office conversion, interior remodel, right-of-way permits for fencing, and other operations.

For more information, please contact Stephen Atkinson, Principal Planner, at (253) 591-5531 or [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org).