



## WEEKLY REPORT TO THE CITY COUNCIL

August 23, 2018

Members of the City Council  
City of Tacoma, Washington

**Dear Mayor and Council Members:**

### ITEMS OF INTEREST

1. As a reminder, the **September 4<sup>th</sup> City Council meetings have been canceled**; therefore, we won't be preparing an agenda packet or Weekly Report next Thursday, August 30<sup>th</sup>.

2. **August 20, 2018 Economic Development Report- MBDA National Conference**

This week, staff from the Community and Economic Development Department attended the 2018 Minority Business Development Agency (MBDA) National Training Conference in Philadelphia. Linda Womack, Ivan Golovkin and Jeff Robinson participated in a series of meetings and presentations with representatives from the White House, the U.S. Department of Commerce and the Federal Home Loan Bank to learn more about the proposed realignment of the MBDA and the funding and services provided to its partner organizations across the country. The theme of the conference was "Partners on Excellence" which placed an emphasis on the importance of partnerships to make the delivery of MBDA services through the local Business Centers more focused and impactful. Dozens of MBDA contractors were able to share information and best practices over the course of the four day event. Unlike most Business Centers, which are in large part operated by local non-profit organizations, the City of Tacoma's program is unique by being the only municipal government sponsoring a MBDA program.

3. The **Hilltop Economic Empowerment Construction Trades Town Hall** was held on Wednesday, August 23<sup>rd</sup> at Shiloh Baptist Church as a **part of the Equity Initiative of the Hilltop Links to Opportunity Project**. BDS Urban Planning and Design, consultants for the Equity Initiative, worked in partnership with members of the Hilltop Engagement Committee to recruit Hilltop residents to the town hall to learn about opportunities within the construction trades related to the current Hilltop Tacoma Link Extension of Sound Transit and to also share their experiences and questions regarding barriers to local hires. Flyer and photo from the event are attached.

#### STUDY SESSION/WORK SESSION

4. The **Joint City Council/Public Utility Board Study Session** of Tuesday, August 28, 2018, will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will include: (1) **Presentation on the Click! Broadband Public Option Informational Study**; (2) **Other Items of Interest**; (3) **Committee Reports**; and (4) **Agenda Review and City Manager's Weekly Report**.

At Tuesday's Joint Study Session, the City Council and Public Utility Board will be provided a **presentation on the Click! Broadband Public Option Informational Study**.

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

#### COUNCIL REQUESTS/INQUIRIES

6. At the August 9<sup>th</sup> City Council meeting during Citizens Forum, it was **suggested by members of the public that Tacoma should consider adopting a ordinance similar to one San Francisco passed that permits residents of multi-dwelling units to buy broadband services from any qualified provider**. Please see the attached memorandum from City Attorney Bill Fosbre for additional information on this topic.

#### MARK YOUR CALENDARS

7. You have been invited to the following events:
  - **Forterra South Sound Luncheon on Thursday, September 27<sup>th</sup>, Noon**, at the Greater Tacoma Convention Center, located at 1500 Commerce.
  - **Race and Pedagogy Conference on Thursday, September 27<sup>th</sup> through Saturday, September 29<sup>th</sup>**, at University of Puget Sound, located at 1500 North Warner Street.
  - **Hilltop Artists Better Futures Luncheon on Tuesday, October 2<sup>nd</sup>**, at the Bicentennial Pavilion at Hotel Murano, located at 1320 Broadway. The Silent Auction starts at 10:30 a.m. and the Program begins at 11:30 a.m.

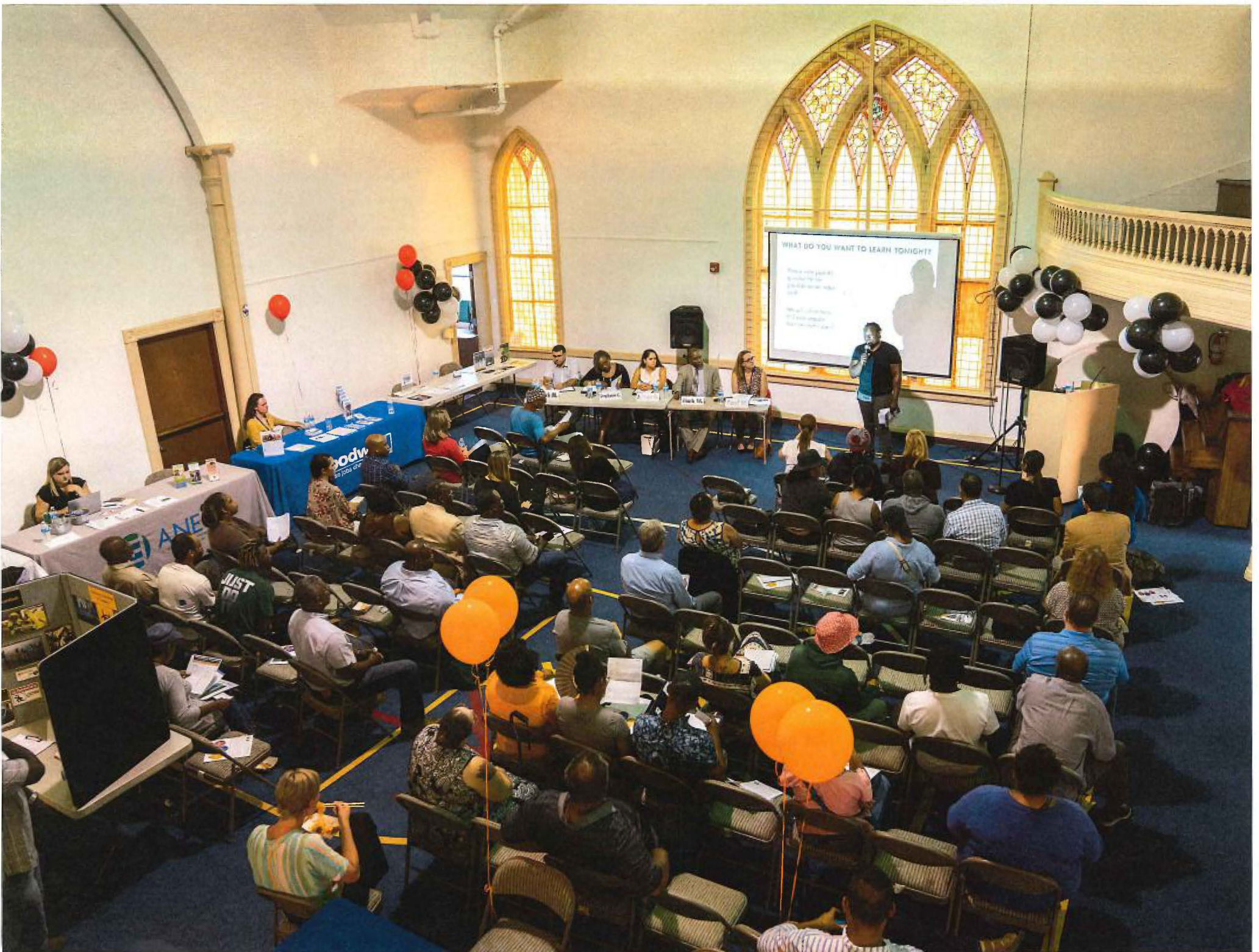
- **Graduate Tacoma's Cradle to Career Annual Luncheon on Thursday, November 1<sup>st</sup>, 11:30 a.m. to 1:00 p.m., at the Greater Tacoma Convention Center, located at 1500 Commerce Street.**

Sincerely,



Tadd G. Wille  
Acting City Manager

TGW:crh  
Attachments



WHAT DO YOU WANT TO LEARN TONIGHT?

- How to get started
- How to find a job
- How to get a job
- How to get a job
- How to get a job

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JUST  
DO

# Hilltop Economic Empowerment: Construction Trades Town Hall

Learn about the resources that are available to you to help start your career in construction and provide your input about how to make it easier for others to do the same.

## BACKGROUND

A historically unprecedented level of public investment is happening in the Hilltop neighborhood.

The Tacoma Link Light Rail Extension through the Hilltop presents an extraordinary opportunity to bring economic prosperity to the neighborhood's residents, particularly with skilled jobs in the building and construction trades. Given the influx of opportunities expected with Sound Transit and nearby construction sites, the City of Tacoma is developing an employment model and recruitment strategy to ensure Hilltop community members, particularly women and people of color, can capture these economic opportunities.

An Advisory Group representing local Hilltop stakeholders as well as a variety of construction workforce development professionals have been meeting over the last few months to develop a series of recommendations for Tacoma.

At the Hilltop Economic Empowerment: Construction Trades Town Hall, participants will learn about resources and training opportunities from a series of knowledgeable panelists.



## DATE

Wednesday, August 22nd

## LOCATION

Venue: Shiloh Baptist Church

Space: Multipurpose Room

## RESOURCE BOOTHS

-  Apprenticeship & Non-Traditional Employment for Women (ANEW) ([anewaop.org](http://anewaop.org))
-  The Trade Occupations Opportunity Learning (TOOL) Center
-  YouthBuild Tacoma ([goodwillwa.org/training/programs/construction](http://goodwillwa.org/training/programs/construction))
-  Tacoma Community House ([tacomacommunityhouse.org](http://tacomacommunityhouse.org))
-  Center for Strong Families ([soundoutreach.org/services/csf](http://soundoutreach.org/services/csf))
-  Operating Engineers Regional Training Program ([oetraining.com](http://oetraining.com))
-  Northwest Carpenters Institute ([nwcsi.org](http://nwcsi.org))
-  SW WA Electrical Joint Apprenticeship and Training Committee ([swwaejatc.org](http://swwaejatc.org))
-  City of Tacoma ([cityoftacoma.org](http://cityoftacoma.org))
-  Sound Transit ([soundtransit.org](http://soundtransit.org))

## PANELISTS

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### **Carol Wolfe**

Small Business Development  
& Neighborhood Revitalization  
Manager  
City of Tacoma

Ms. Wolfe leads a team focused on Neighborhood Business District Revitalization, Small Business Development, and works cross functionally with City programs focused on workforce development such as the Local Employment and Apprenticeship Program (LEAP), Small Business Enterprise (SBE), Trade Occupations Opportunity Learning (TOOL) Center, and Summer Jobs 253. This work involves forming partnerships with stakeholder associations, and the business community, to promote economic development projects that result in a trained and capable workforce. Ms. Wolfe's team also works on small and large scale public sector infrastructure projects focused on revitalizing business districts and the communities surrounding them.

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### **Mark Wheeler**

Project Labor Agreement  
Manager  
Sound Transit

Mr. Wheeler is the Project Labor Agreement (PLA) Manager for Sound Transit. Mr. Wheeler and his team work with Labor Unions, Contractors and Sound Transit to resolve disputes and enforce PLA compliance. The purpose of this work is to ensure that the projects proceed continuously, efficiently, economically and with due consideration for the protection of labor standards, wages and working conditions as well as to promote fairness in employment for both union and non-union contractors and craft workers, without discrimination.

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### **Stephanie Caldwell**

Small Business Program  
Manager  
Absher Construction

At Absher, Ms. Caldwell works with organizations in helping them to develop and implement their project specific community plans. She works with community-based organizations like the National Association of Minority Contractors (NAMC) – Washington Chapter, Snohomish County Economic Development Council - PTAC program, and the Seattle Vocational Institute Pre-Apprenticeship Construction Training to help bridge the gap with project specific community outreach requirements. Ms. Caldwell currently serves on the City of Tacoma's Local Employment and Apprenticeship Program Advisory (LEAP) Committee.

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### **Adriana Gamboa**

Vice President of  
Apprenticeship  
Construction Industry Training  
Council of Washington

Ms. Gamboa is responsible for oversight of the Construction Industry Training Council (CITC) of Washington's 10 state approved apprenticeship programs which cover the entire state. CITC currently has five training facilities across the state and a presence at Pacific Lutheran University in Tacoma. Ms. Gamboa serves as the Chair of the Local Employment and Apprenticeship Program (LEAP) Advisory Committee for the City of Tacoma, she is the Treasurer of Apprenticeship and Non-Traditional Employment for Women (ANEW), and serves on the Steering Committee for the Regional Pre-Apprenticeship Collaboration (RPAC).

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### **Mark Martinez**

Executive Secretary  
Pierce Co. Building &  
Construction Trades Council,  
AFL-CIO

Mr. Martinez represents the 14 craft unions representing 5,000 union construction professionals who live and work in Pierce County. In partnership with the council's signatory contractors, the unions fund and sponsor apprenticeship programs to train the next generation of skilled workers in the construction industry.

**City of Tacoma 2018  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
August 28, 2018	Joint City Council/Public Utility Board Study Session (TMBN 16, Noon) (TMBN 16, Noon)	Presentation on Click! Broadband Public Option Informational Study	TPU	City Council and Public Utility Board will be provided a presentation on the Click! Broadband Public Option Informational Study.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
September 4, 2018	<b>CANCELLED</b>			
September 11, 2018	City Council City Council Study Session (TMBN 16, Noon)	Tacoma Dome Link Extension (TDLE)	PDS/Sound Transit	Update regarding the Tacoma Dome Link Expansion (TDLE) project, which is the planned extension of Central Link light rail service from Federal Way to the Tacoma Dome area. The alternatives analysis process is underway and the potential options for both the East Tacoma and Tacoma Dome station locations will be narrowed down over the next few months.
		Impact Fees	Fire/PW	Presentation on Fire and Transportation Impact Fees, which are fees authorized by Washington State Law enabling jurisdictions to collect revenue to help pay for needs related to new development.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			

**City of Tacoma 2018  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
<b>September 18, 2018</b>	Joint Council/Public Utility Board Study Session (TMBN 16, Noon)	Carbon Tax/Clean Energy	TPU	
	Special Meeting Committee of the Whole ( TMBN 16, 3:00 PM) City Council Meeting (TMB Council Chambers, 5:00 PM)	Legislative Policies and Statement	GG & TPU	Discussion on GG & TPU Legislative Policies & draft Legislative Policy Statement for 2019-2020, which is a policy document to cover issues of interest to the City that come up in any given legislative session.
		Other Items of Interest - Diversity in Hiring Process	HR/OEHR	City's hiring process to ensure diverse hiring pools, diverse hiring panels and outreach methods to reach diverse candidates.
<b>September 25, 2018</b>	City Council Study Session (TMBN 16, Noon)	Tacoma Maritime Air Emissions Progress Briefing	NWSA/Port of Tacoma	Port of the Tacoma and Northwest Seaport Alliance updated their air emissions inventory for calendar year 2016. Results demonstrate significant emission reductions for Tacoma based port operations (Port of Tacoma and NWSA South Harbor), as well as Puget Sound wide.
		Tideflats Interim Regulations	PDS	Review findings of fact supporting the renewal of the current interim regulations, and potential modifications to the interim regulations.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			



**City of Tacoma 2018  
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
<b>October 2, 2018</b>	City Council Study Session (TMB Council Chambers, Noon)	2019/2020 Proposed Biennial Budget Presentation	City Manager	The City Manager will present the proposed 2019-2020 Biennial Budget (GF Revenues and Cost Drivers)
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
<b>October 9, 2018</b>	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	OMB, PW, PDS & CED	Asset Management, Walkability and Community Development will be the focus of this budget presentation.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
<b>October 16, 2018</b>	City Council/Joint Utility Board Study Session (TMB Council Chambers, Noon)	Joint Public Utility Board Study Session - TPU Proposed 2019-2020 Biennial Budget presentation.	TPU	
	City Council Study Session (TMB Council Chambers, Noon)	Environmental Service Budget Presentation	ESD	
	Special Meeting Committee of the Whole ( TMBN 16, 3:00 PM)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
<b>October 23, 2018</b>	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	Police, Fire and NCS	Public Safety & Homelessness will be the focus of this budget presentation.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Public Hearing Interim Tideflats Regulations Extension	PDS	Public Hearing on the proposed 6-month extension of and any modifications to the current Interim Tideflats regulations
<b>October 30, 2018</b>	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	Library, Non-Departmental	Library and Non-Departmental will be the focus of this budget presentation.
		Tideflats Interim Regulations	PDS	Review public testimony related to the Interim Tideflats Regulations and provide guidance on any Ordinance modifications.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Tideflats Interim Regulations First Ordinance First Reading & Budget First Public Hearing	PDS	

<b>Community Vitality and Safety</b>			
<b>Committee Members:</b> Blocker (Chair), Beale, Camarata, Ushka, Alternate-Hunter <b>Executive Liaison:</b> Linda Stewart; Staff Support - Will Suarez		<b>2nd and 4th Thursdays</b> <b>4:30 p.m.</b> <b>Room 248</b>	<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>September 13, 2018</b>	Update to Minimum Building and Structures Code Regarding Receivership	Keith Williams, Code Inspector Supervisor, Neighborhood and Community Services; Debra Casparian, Deputy City Attorney, City Attorney's Office.	A presentation to discuss adding "receivership" to TMC 2.01, as a code compliance option.
	Washington State Department of Correction's Earned Release Date Housing Voucher Program	Keith Williams, Code Inspector Supervisor, Neighborhood and Community Services	
<b>FUTURE:</b>			
<b>September 27, 2018</b>	Neighborhood Council Program	Carol Wolfe, Supervisor, Community and Economic Development	Summary of recommendations for the Neighborhood Council Program
	Tenants Rights (informational briefing)	ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator, Office of Equity and Human Rights; Debra Casparian, Deputy City Attorney, City Attorney's Office	
	Relocation Assistance (informational briefing)	M'Balu Bangura, Risk Analyst/Civil Rights Investigator, Office of Equity and Human Rights	
<b>October 11, 2018</b>	Comprehensive Emergency Management Plan Update	Tory Green, Fire Chief Deputy, Tacoma Fire Department	The purpose of the CEMP is to provide an overview of how Tacoma city officials and community representatives plan to respond during a major emergency or disaster in an effort to keep our citizens and their property safe. Staff will present proposed updates to the CEMP, last updated in 2013.

**Economic Development Committee**

<b>Committee Members:</b> McCarthy (Chair), Hunter, Ushka, Woodards, Alternate-Beale <b>Executive Liaison:</b> Tadd Wille; Staff Support - Lynda Foster		<b>2nd, 4th, and 5th Tuesdays</b> <b>10:00 a.m.</b> <b>Room 248</b>	<b>CBC Assignments:</b> •Tacoma Arts Commission •Greater Tacoma Regional Convention Center Public Facilities District •Foss Waterway •City Events and Recognition Committee
<b>August 28, 2018</b>	Issuance of Industrial Revenue Bonds for the expansion of Tool Gauge by the Economic Development Corporation of Pierce County: 4336 S Adams Street	Pat Beard, Project Manager, CEDD - Private Capital Division	Staff will request consideration of a supporting resolution related to an expansion of aerospace components manufacturer Tool Gauge. The resolution is required in order for the Economic Development Corporation of Pierce County to issue tax exempt financing for the project
<b>FUTURE:</b>			
<b>September 11, 2018</b>	Office of Arts and Cultural Vitality Update/Tacoma Arts Month	Amy McBride	Arts Commission Chair Mike Sweney and Amy McBride, Arts Administrator will report on projects implemented and in process projects and program in 2018 and near term 2019 plus upcoming activities for Arts Month
	Spaceworks Update	Amy McBride	Introduction of Spaceworks Manager Michael Liang and update on the Spaceworks program including new branding/communication efforts, community engagement, service delivery changes, and creative placemaking efforts.
<b>September 25, 2018</b>	Tacoma's Community Trauma Program	MultiCare Health System & CHI Franciscan Health	Update on the state of Tacoma's Trauma Partnership and opportunities that lie ahead.

**Government Performance and Finance Committee**

<b>Committee Members:</b> Ibsen (Chair), Blocker, Hunter, Mello, Alternate-Camarata <b>Executive Liaison:</b> Andy Cherullo; Staff Support - Bucoda Warren		<b>1st and 3rd Tuesday</b> <b>10 a.m.</b> <b>Room 248</b>	<b>CBC Assignments:</b> •Public Utility Board •Board of Ethics •Audit Advisory Board •Civil Service Board
<b>September 4, 2018</b>	CANCELLED		
<b>FUTURE:</b>			
<b>September 18, 2018</b>	Proposed Wastewater, Surface Water and Solid Waste Budget Rates	Michael P. Slevin, III, P.E., Director of Environmental Services Department	This is an informational presentation regarding wastewater, Surface Water and Solid Waste Budget Rates
	Responsive Bidding Process	Martha Lantz, Deputy City Attorney, Civil Division, City Attorney's Office	
	Minimum Wage for Disabled Persons	Debra Casparian, Attorney, City Attorney's Office	Follow up discussion of whether the City can require employers to pay disabled persons the standard minimum wage generally applicable to employees. State law, allows employers to pay "worker with a disability" less than standard minimum wage.
<b>October 2, 2018</b>	Audit Advisory Board	Susan Calderon, Finance Department	
	Manitou Annexation	Lihuang Wung, Senior Planner, Planning and Development Services Department	Follow up on the details of the Manitou neighborhood annexation including costs and benefits to the city and

**Infrastructure, Planning and Sustainability Committee**

<b>Committee Members:</b> Mello (Chair), Beale, Ibsen, McCarthy, Alternate-Hunter		<b>2nd and 4th Wednesdays</b> <b>4:30 p.m.</b> <b>Room 16</b>	<b>CBC Assignments:</b> •Sustainable Tacoma Commission •Planning Commission •Landmarks Preservation Commission •Board of Building Appeals •Transportation Commission
<b>Executive Liaison:</b> Kurtis Kingsolver; Staff Support - Rebecca Boydston			
<b>September 12, 2018</b>	CANCELLED		
<b>FUTURE:</b>			
<b>September 26, 2018</b>	Cross laminated timber [briefing]	James Duggan, Fire Chief; Sue Coffman, Building Official, Planning and Development Services	Briefing on cross laminated timber as a building material, including update on the status of state building code in adopting the use of this product.
	Green Building	Kristi Lynett, Office of Environmental Policy and Sustainability; Sue Coffman, Building Official	Sue Coffman and Kristin Lynett will give a brief overview of the work that the City's Green Building Team has developed over the past 10 months. Developing a green building program was an action in the original Climate Action Plan and was carried over into the current Environmental Action Plan. The Team will be looking for direction from IPS Members on priority areas to move forward.
	Healthy Homes Healthy Neighborhoods	Patrick Babbitt, Office of Environmental Policy and Sustainability	The Healthy Homes, Healthy Neighborhoods presentation will share implementation results from the 2017-2018 program year focused in south Tacoma neighborhood and introducing planning developments for the 2018-19 program.
<b>October 10, 2018</b>	Hilltop Links to Opportunity Update	Ian Munce, Planning and Development Services; Andy Micklow, Senior Planner, Planning and Development	Staff will provide an update on the Links to Opportunity Streetscape Improvements Project.
	Sea Level Rise	Jim Parvey, Office of Environmental Policy and Sustainability	
	Schuster Parkway Promenade	Diane Sheesley, Project Manager, Public Works	Follow up to the July 16 presentation on options to move forward with the project



**TO:** Elizabeth Pauli, City Manager  
Jackie Flowers, Director of Utilities

**FROM:** Bill Fosbre, City Attorney *Bill Fosbre*

**SUBJECT:** Open Access Regulation for Broadband Service Providers

**DATE:** August 23, 2018

In 2017, San Francisco passed an ordinance that permits residents of multi-dwelling units (MDUs) to buy broadband services from any qualified provider. Landlords must allow access to the property and to any wiring they own. To gain access, the providers must agree to pay "just and reasonable compensation" (i.e. rent or costs associated with the impacts related to requiring access) as agreed to by the landlord. This ordinance relies on the general authority cities have under the California constitution, rather than on any broadband-specific power granted by it or state law. This ordinance is currently under challenge before the Federal Communications Commission as being preempted under federal law (Docket 17-91), and a future challenge under state law could be filed.

At the August 9, 2018, City Council meeting it was suggested by members of the public that Tacoma should consider adopting a similar ordinance. As you consider this request, I want to alert you to a few issues related to this type of regulation:

- 1) Washington State Constitution Art. 1 Sec. 16 forbids cities from taking private property for private use and has a more restrictive standard than the federal constitution for determining what constitutes a public use. If a public use is established, the property cannot be taken without "just compensation" being paid to the owner. Assuming that mandating private property owners to allow ISPs (e.g. Comcast, Century Link, Rainier Connect, and Advanced Stream) access to private property is a "public use" under our State's constitution, then the City will need to ensure that the private property owner receives just compensation or rent to carry out this purpose. Determination of what amount constitutes "just compensation" is a question of fact that must be resolved in each case.
- 2) In its current financial state Click! does not have funds to pay an owner just compensation or rent to access an MDU. Consequently, if Click! cannot pay just compensation or rent then the building owner does not have to allow access under such a regulation, and the MDU resident will not be able to obtain service.
- 3) When Click! provides cable TV service to a MDU it normally charges a bulk-rate price, which can be 50% less than what is charged to a typical customer. If Click! were only asked by a few of the MDU residents for services, the bulk-rate price discount would not apply and the rate would be much greater.

4) Click! is the sole provider in a dozen MDUs. This proposed regulation would apply equally to other telecommunication providers, so other providers who have the financial ability to pay landlords just compensation or rent can gain access to these buildings.

5) Unlike San Francisco, Tacoma owns and operates a cable TV and broadband system. If challenged, Tacoma would have to prove that this regulation was not intended to unfairly advantage the interests of the City's cable TV business and the interests of its for-profit ISP partners (Advanced Stream and Rainier Connection) to the unlawful detriment of other telecommunication providers.

As you can see, this is a complex problem with many issues that will need to be analyzed and addressed prior to adopting an ordinance.

cc: Chris Bacha, Chief Deputy City Attorney