



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

December 05, 2023

5:00 PM

CALL TO ORDER

Deputy Mayor Walker called the meeting to order at 5:00 p.m.

ROLL CALL

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

Absent: 1 - Diaz

Council Member Diaz arrived at 5:05 p.m.

Mayor Woodards participated virtually.

FLAG SALUTE

Council Member Blocker 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 Blocker.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [23-1118](#) Minutes of the Tacoma Arts Commission, October 9, 2023.

AGENDA MODIFICATIONS

Deputy Mayor Walker stated there is one modification to the agenda, to consider as a substitute, Substitute Ordinance No. 28925 to remove a sunset date from the code.

CONSENT AGENDA

2. [23-1151](#) Minutes of the City Council meeting, May 2, 2023.
3. [23-1152](#) Minutes of the City Council meeting, May 9, 2023.

PURCHASE RESOLUTIONS

4. [RES41302](#) A resolution awarding a contract to Miles Resources LLC, in the amount of \$565,903.00, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of \$650,788.45, budgeted from the Streets Initiative Fund and a Safe Routes to School Grant, for pedestrian and safety improvements at Manitou Elementary School - Specification No. PW23-0027F.
[Josh Lauer, Project Manager; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]
5. [RES41303](#) A resolution awarding a contract to Tucci & Sons, Inc., in the amount of \$1,399,544.80, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of \$1,609,476.52, budgeted from the Street Capital Projects Fund, a Washington State Department of Commerce Public Works Board loan, and a private development fee-in-lieu contribution, for construction of the St. Helens Avenue Improvements project - Specification No. PW23-0101F.
[Charla Kinlow, Project Manager; Ramiro A. Chavez, P.E. PgMP, Director, Public Works]

PAYMENTS

6. [23-1173](#) Date Range - 11/06/2023 to 11/19/2023
Payroll in the amount of \$20,871,713.00; Payments in the amount of \$26,427,175.80; for a total of \$47,298,888.80.

MOTION: Council Member Ushka moved to adopt the Consent Agenda, including Resolution Nos. 41302 and 41303.

SECONDED BY: Council Member Blocker.

ACTION: Voice vote was taken and carried to adopt the Consent Agenda, including Resolution Nos. 41302 and 41303. The Consent Agenda was declared adopted.

Ayes: 8 - Blocker, Bushnell, Daniels, Hines, Rumbaugh, Ushka, Walker and Mayor Woodards

Absent: 1 - Diaz

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

7. [23-1186](#) Presentation of the Governor’s Smart City Awards.

Deputy Mayor Walker called on Mark Barkley, Assistant Director for the Washington State Department of Commerce Local Government Division, to present the Governor's Smart City Awards to the McKinley Hill Steering Group and the Green Economy Advisory Committee.

* * * * *

Council Member Diaz arrived here, at 5:05 p.m.

PUBLIC COMMENT

Public comment began at 5:12 p.m.

The City Clerk’s Office received 101 written comments for public comment regarding Resolution No. 41308, Resolution No. 41309, Ordinance No. 28922, Ordinance No. 28923, Ordinance No. 28925, and Ordinance No. 28926.

Speaking before the City Council:

1. Tom Giske, speaking on Ordinance No. 28926.
2. Dr. Craig Tibeau, speaking on Ordinance No. 28923.
3. Patricia Fetterly, speaking on Ordinance No. 28926.
4. Michele Reich, speaking on Ordinance No. 238923.
5. Courtney Davis, speaking on Ordinance No. 28926.
6. Leslie Dalzell, speaking on Ordinance No. 28923.
7. Peter Bennett, speaking on Ordinance No. 28926.
8. Felicity Devlin, speaking on Ordinance No. 28926.
9. Steve Diamanti, speaking on Resolution Nos. 41308 and 41309.
10. Jodi Cook, speaking on Ordinance No. 28926.
11. Georgette Reuter, speaking on Ordinance No. 28926.
12. Pamela Transue, speaking on Ordinance No. 28926.
13. Luke Vannice, speaking on Ordinance No. 28926.
14. Tracy Frankcom, speaking on Ordinance No. 28923.
15. Eric Seibel, speaking on Ordinance No. 28926.

- 16. Esther Day, speaking on Resolution Nos. 41308 and 41309.
- 17. Andrea Haug, speaking on Resolution No. 41311.
- 18. E. Hernandez, speaking on Resolution No. 41311.

Public comment ended at 5:45 p.m.

REGULAR AGENDA

- 8. [23-1192](#) A motion may be considered to authorize the City’s full and final settlement of all personal injury and property damage claims against the City in the matter of Nathan Cisneros v. City of Tacoma and Ryan Hovey, Pierce County Superior Court Cause No. 23-2-08018-7, related to a rear-end vehicle collision, upon payment by the City in the amount of \$33,000.00.

MOTION: Council Member Ushka moved to authorize the City’s full and final settlement of all personal injury and property damage claims against the City in the matter of Nathan Cisneros v. City of Tacoma and Ryan Hovey, Pierce County Superior Court Cause No. 23-2-08018-7, related to a rear end vehicle collision, upon payment by the City in the amount of \$33,000.00.

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

APPOINTMENTS

- 9. [RES41304](#) A resolution appointing individuals to the Community’s Police Advisory Committee. [Nicole Emery, City Clerk; Chris Bacha, Interim City Attorney]

MOTION: Council Member Ushka moved to adopt Resolution No. 41304.

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. [RES41305](#) A resolution appointing and reappointing individuals to the Tacoma Arts Commission. [Nicole Emery, City Clerk; Chris Bacha, Interim City Attorney]

MOTION: Council Member Ushka moved to adopt Resolution No. 41305.

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

11. [RES41306](#) A resolution appointing individuals to the Tacoma Creates Advisory Board. [Nicole Emery, City Clerk; Chris Bacha Interim City Attorney]

MOTION: Council Member Ushka moved to adopt Resolution No. 41306.

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

12. [RES41307](#) A resolution authorizing the execution of an agreement with the Tacoma Community Redevelopment Authority, to acquire property for affordable housing. [Felicia Medlen, Housing Division Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Council Member Ushka moved to adopt Resolution No. 41307.

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

13. [RES41308](#) A resolution authorizing the extension of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Sound Heights Townhomes, LLC, for the extension of their original Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement, located at 4001-4003 South Puget Sound Avenue, for 12 additional years.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Council Member Ushka moved to adopt Resolution No. 41308.

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

14. [RES41309](#) A resolution authorizing the extension of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Sound Heights Townhomes, LLC, for the extension of their original Multi-Family Housing Eight-Year Property Tax Exemption Agreement, located at 4031-4033 South Puget Sound Avenue, for 12 additional years. [Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

MOTION: Council Member Ushka moved to adopt Resolution No. 41309.

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

15. [RES41310](#) A resolution adopting the priority issues for the 2024 sessions of the United States Congress and Washington State Legislature. [Sonja Hallum, Government Relations Officer; Elizabeth Pauli, City Manager]

MOTION: Council Member Ushka moved to adopt Resolution No. 41310.

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

16. [RES41311](#) A resolution directing the Planning Commission to identify appropriate zoning and development standards for siting Enhanced Services Facilities. [Council Member Bushnell]

MOTION: Council Member Ushka moved to adopt Resolution No. 41311.

SECONDED BY: Deputy Mayor Walker.

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

17. [ORD28919](#) An ordinance amending Chapter 3.11 of the Municipal Code, relating to Emergency Medical Transportation, by amending Section 3.11.060, entitled “Patient transportation service rates”, to restore the Emergency Medical Services levy and allow the levy to pay for medical transport charges incurred by qualified City residents, as passed by voters in Proposition 1 in the August 1, 2023, Primary Election. [Teresa Green, Senior Business Services Manager; Toryono Green, Fire Chief]

ACTION: Roll call vote was taken on Ordinance No. 28919. The Ordinance was declared passed by the following vote:

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

18. [ORD28920](#) A supplemental ordinance providing for the issuance and sale of one or more series of Electric System Revenue and Refunding Bonds in an aggregate principal amount not to exceed \$225,000,000, to provide funds to finance and refinance capital improvements to the electric system, redeem certain obligations of the electric system, and pay costs of issuance for the bonds; and delegating the authority to approve the final terms of the bonds. [Michelle Brown, Financial Planning Supervisor; Chris Robinson, Power Superintendent]

ACTION: Roll call vote was taken on Ordinance No. 28920. The Ordinance was declared passed by the following vote:

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

19. [ORD28922](#) An ordinance amending Titles 8 and 17 of the Municipal Code, relating to Animal Control and Public Safety, by amending Section 17.02.140, entitled “Public disturbance noise and public nuisance noise made by an animal”, and Section 8.12.060, entitled “Public disturbance noises”, to revise requirements for enforcement of an unlawful action and to remove the criminal misdemeanor charge for public disturbance and public nuisance noise made by an animal. [Council Member Hines]

MOTION: Council Member Ushka moved to consider as a substitute, Substitute Ordinance No. 28922.

SECONDED BY: Council Member Blocker.

ACTION: Voice vote was taken and carried on the substitution of Ordinance No. 28624. 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. 28922. The Ordinance was declared passed by the following vote:

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

20. [ORD28923](#) An ordinance amending Title 17 of the Municipal Code, relating to Animal Control, by adding a new Section 17.02.155, entitled “Cat Declawing”, to establish a ban on performing a procedure that results in the partial or complete declawing of a cat except when conducted by a licensed veterinarian for a therapeutic purpose, effective March 31, 2024. [Council Member Hines]

ACTION: Roll call vote was taken on Ordinance No. 28923. The Ordinance was declared passed by the following vote:

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

FIRST READING OF ORDINANCES

21. [ORD28924](#) An ordinance authorizing the annexation of the Manitou Potential Annexation Area, located near Lakewood Drive West and 66th Street West, to the City of Tacoma, effective April 1, 2024, as set forth in the Interlocal Agreement and Memorandum of Understanding with Pierce County executed on December 15, 2021.
[Wesley Rhodes, Senior Planner; Peter Huffman, Director, Planning and Development Services]

ACTION: Ordinance No. 28924 was set over for final reading next week.

22. [ORD28925](#) A substitute ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for certain represented and nonrepresented employees; and changes in classifications to reflect the organizational structure.
[Kari L. Louie, Assistant Director; Shelby Fritz, Director, Human Resources]

MOTION: Council Member Ushka moved to consider as substitute, Substitute Ordinance No. 28925.

SECONDED BY: Council Member Blocker.

ACTION: Voice vote was taken and carried. Substitute Ordinance No. 28925 was set over for final reading next week.

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

23. [ORD28926](#) An ordinance amending Title 9 of the Municipal Code, relating to Public Ways, by repealing Chapters 9.18, 9.19, and 9.20 in their entirety and replacing Chapter 9.20 with a new chapter entitled “Urban Forestry”, to establish permit requirements and related regulations for pruning, removal, and planting of street trees, establish policies and procedures for discretionary review of requests to prune trees on public property, establish a heritage tree program, and provide for enforcement and penalties for violations; amending Title 1 of the Municipal Code, relating to Administration and Personnel, by amending Chapter 1.23 of the Municipal Code, entitled “Hearing Examiner”, to provide for administrative appeals; and establishing effective dates.
[Michael Carey, Urban Forest Program Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

ACTION: Ordinance No. 28926 was set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

City Manager Pauli reported the City has activated its inclement weather response with Holy Rosary Church opening an additional 120 beds and the Homeless Engagement Alternatives Liaison Team is equipped with supplies for those they are connecting with additional services. She concluded by providing a follow up on the virtual Rental Housing Code event that occurred on December 4, 2023, stating the City's priority and purpose is to support the voice of the people; Measure 1 was certified and as of December 8, 2023, it will become a law in the City; and this code is structured to provide tenants and property owners the right to take civil action and seek enforcement in the court of law.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Community Vitality and Safety Committee

Council Member Ushka, Chair of the Community Vitality and Safety (CVS) Committee, reported the Committee met once since the last report; the October 26, 2023, meeting was cancelled; and at the November 9, 2023, meeting the Committee held interviews to fill vacancies on the Community's Police Advisory Committee, reviewed applications to fill youth vacancy positions on committees that report to CVS, and received an informational briefing on the rental property data tracking focusing on the City's efforts to create a system to capture data. She concluded by stating the next meeting will be held in a hybrid format on December 14, 2023, at 4:30 p.m., and will include briefings on Rental Housing Code research and amendments to Municipal Code Chapter 8.17, False Reports of a Crime.

Council Member Walker wished everyone happy holidays, noting the start of Hanukkah.

ADJOURNMENT

On proper motion, the meeting was adjourned at 7:10 p.m.

Victoria R. Woodards, Mayor

Nicole Emery, City Clerk