



# City of Tacoma

## City Council Agenda

747 Market Street, First Floor, Tacoma WA 98402

City Council Chambers

**December 17, 2019**

**5:00 PM**

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### CALL TO ORDER

### ROLL CALL

### FLAG SALUTE

### MOMENT OF SILENCE

### ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [19-1438](#) Minutes of the Economic Development Committee, November 12, 2019.  
**Attachments:** [EDMin20191112](#)
2. [19-1439](#) Minutes of the Public Utility Board special meetings, November 7 and 8, 2019.  
**Attachments:** [PUBMin20191107-1108SpMtgs](#)
3. [19-1440](#) Minutes of the Public Utility Board study session, November 13, 2019.  
**Attachments:** [PUBSSMin20191113](#)
4. [19-1442](#) Minutes of the Public Utility Board meeting, November 13, 2019.  
**Attachments:** [PUBMin20191113](#)
5. [19-1428](#) Minutes of the Tacoma Arts Commission meeting, November 12, 2019.  
**Attachments:** [TACMin20191112](#)

## CONSENT AGENDA

6. [19-1437](#) Minutes of the City Council meeting, November 12, 2019.  
Attachments: [CCMin20191112](#)
7. [19-1449](#) Minutes of the City Council meeting, November 19, 2019.  
Attachments: [CCMin20191119](#)

## RESOLUTIONS

8. [RES40510](#) A resolution setting Thursday, January 30, 2020, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate all those portions of publicly dedicated streets, lying between East 48th Street and East 52nd Street, within the park boundaries of Swan Creek Park for park enhancements and improvements.  
(Metropolitan Park District of Tacoma; File No. 124.1406)  
[Ronda Van Allen, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]  
Attachments: [Resolution No. 40510](#)  
[City Council Action Memorandum](#)  
[Maps](#)

## FINAL READING OF ORDINANCES

9. [ORD28606](#) An ordinance reclassifying the property bounded by South 19th, South Proctor, South Madison, and South Durango Streets, from a C-1 General Neighborhood Commercial District and a T Transitional District to a R-4-L Low-Density Multiple-Family Dwelling District, to develop the Tacoma Behavioral Hospital.  
(Tacoma Life Properties, LLC; File No. LU18-0301)  
[Jeff H. Capell, Hearing Examiner]  
Attachments: [Ordinance No. 28606](#)  
[City Council Action Memorandum](#)  
[Hearing Examiner's Report and Recommendation](#)  
[Exhibits](#)

## FIRST READING OF ORDINANCES

10. [ORD28652](#) An ordinance vacating the west 14 feet of North Pine Street, lying between the southerly line of North 29th Street and the eastern extension of the northerly line of North 28th Street alley, to facilitate subdivision of the property into an additional lot for development.

(John and Miyon Kautz; File No. 124.1398)

[Jeff H. Capell, Hearing Examiner]

**Attachments:** [Ordinance No. 28652](#)

[City Council Action Memorandum](#)

[Hearing Examiner's Report and Recommendation](#)

[Exhibits](#)

## PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

There are no proclamations, recognitions, presentations, or announcements.

## PUBLIC COMMENT

This is the time set aside for public comment on Resolutions and first and final reading of Ordinances. Speakers are asked to identify the specific legislation they wish to address and comments will be limited to no more than three minutes per person. Comments will not be accepted on Ordinances forwarded to the City Council by the Hearing Examiner for which a public hearing has already been held. On tonight's agenda that includes Ordinance Nos. 28606 and 28652.

## REGULAR AGENDA

11. [19-1448](#) A motion may be considered to authorize the City's full and final settlement of all personal injury claims against the City, for damages relating to a third-party automobile accident, in the matter of Steve Chea, an unmarried man, individually, and Steve Chea, as personal representative of the Estate of Thao Vo v. City of Tacoma, et al., Pierce County Superior Court Cause No. 18-2-07841-1, upon payment by the City in the amount of \$175,000.

## APPOINTMENTS

12. [RES40511](#) A resolution reappointing individuals to the Board of Ethics.  
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

**Attachments:** [Resolution No. 40511](#)

[City Council Action Memorandum](#)

13. [RES40512](#) A resolution reappointing Alex Strautman to the Citizen Police Advisory Committee.  
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]  
**Attachments:** [Resolution No. 40512](#)  
[City Council Action Memorandum](#)
14. [RES40513](#) A resolution appointing and reappointing individuals to the Landmarks Preservation Commission and the Sustainable Tacoma Commission.  
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]  
**Attachments:** [Resolution No. 40513](#)  
[City Council Action Memorandums](#)
15. [RES40514](#) A resolution appointing and reappointing individuals to the Tacoma Arts Commission.  
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]  
**Attachments:** [Resolution No. 40514](#)  
[City Council Action Memorandum](#)

## PURCHASE RESOLUTIONS

16. [RES40515](#) A resolution awarding a contract to Axum General Construction Inc, in the amount of \$1,063,539.99, plus applicable taxes, plus a 15 percent contingency, for a total of \$1,223,070.99, budgeted from the Transportation Capital Fund, for the restoration of approximately one mile of arterial roadway, construction of ADA curb ramps, and installation of traffic signal improvements - Specification No. PW19-0267F.  
[Nick Correll, Engineer; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40515](#)  
[Contract and Award Memorandum](#)
17. [RES40516](#) A resolution awarding a contract to Construct Incorporated, in the amount of \$557,800, plus applicable taxes, plus a 16 percent contingency, for a total of \$647,048, budgeted from the Capital Project Fund, for the Tacoma Municipal Building 5th floor tenant improvements - Specification No. PW19-0333F.  
[Mina Zarelli, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40516](#)  
[Contract and Award Memorandum](#)

18. [RES40517](#) A resolution awarding a contract to Pease & Sons Inc., in the amount of \$3,748,369.00, plus applicable taxes, plus a 16 percent contingency, for a total of \$4,348,108.04, budgeted from the Public Safety Fund, for the construction of a new fire station in the Tideflats - Specification No. PW19-0306F.  
[Mina Zarelli, Project Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40517](#)  
[Contract and Award Memorandum](#)
19. [RES40518](#) A resolution awarding a contract to Dickson Company, in the amount of \$52,500, plus applicable taxes, plus a 30 percent contingency, for a total of \$68,250, budgeted from the Asphalt Plant Fund, for crushed and natural aggregate, for an initial contract period of one year, with the option to renew for four additional one-year periods, for a projected contract total of \$341,250 - Specification No. PW19-0364F.  
[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40518](#)  
[Contract and Award Memorandum](#)
20. [RES40519](#) A resolution awarding a contract to Holroyd Company, in the amount of \$266,900, plus applicable taxes, plus a 30 percent contingency, for a total of \$346,970, budgeted from the Asphalt Plant Fund, for crushed and natural aggregate, for an initial contract period of one year, with the option to renew for four additional one-year periods, for a projected contract total of \$1,734,850 - Specification No. PW19-0364F.  
[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40519](#)  
[Contract and Award Memorandum](#)
21. [RES40520](#) A resolution awarding a contract to Mountain Stone Aggregate LLC, in the amount of \$244,000, plus applicable taxes, plus a 30 percent contingency, for a total of \$317,200, budgeted from the Asphalt Plant Fund, for crushed and natural aggregate, for an initial contract period of one year, with the option to renew for four additional one-year periods, for a projected contract total of \$1,586,000 - Specification No. PW19-0364F.  
[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40520](#)  
[Contract and Award Memorandum](#)

22. [RES40521](#) A resolution awarding a contract to Granite Construction Co, in the amount of \$144,000.00, plus applicable taxes, plus a 25 percent contingency, for a total of \$180,000.00, budgeted from the Asphalt Plant Fund, for the purchase of reclaimed asphalt product and reclaimed asphalt shingles on an as-needed basis, for an initial contract period of one year, with the option to renew for four additional one-year periods, for a projected contract total of \$1,014,676.73 - Specification No. PW19-0384F.  
[Rae Bailey, Street Operations Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]  
**Attachments:** [Resolution No. 40521](#)  
[Contract and Award Memorandum](#)
23. [RES40522](#) A resolution awarding a contract to Mercer Health & Benefits LLC, in the amount of \$1,375,000, plus applicable taxes, budgeted from the Health Care Trust Fund, for employee benefits brokerage and consulting services, for an initial contract period of five years, with the option to renew for three additional one-year periods - Specification No. HR19-0136F.  
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]  
**Attachments:** [Resolution No. 40522](#)  
[Contract and Award Memorandum](#)
24. [RES40523](#) A resolution authorizing an increase to the contract with Comprehensive Life Resources, in the amount of \$210,538.00, plus applicable taxes, budgeted from the Mental Health and Chemical Dependency Fund, for the New Beginnings scope of work, for a cumulative contract total of \$3,647,215.35 - Contract No. CW2227270.  
[Vicky McLaurin, Program Manager; Linda Stewart, Director, Neighborhood and Community Services]  
**Attachments:** [Resolution No. 40523](#)  
[Contract and Award Memorandum](#)
25. [RES40524](#) A resolution authorizing an increase to the contract with the Crystal Judson Family Justice Center, in the amount of \$420,000, plus applicable taxes, for a cumulative contract total of \$840,000, budgeted from the General Fund, for domestic violence services - Direct Negotiation.  
[Vicky McLaurin, Program Manager; Linda Stewart, Director, Neighborhood and Community Services]  
**Attachments:** [Resolution No. 40524](#)  
[Contract and Award Memorandum](#)  
[Waiver](#)

**RESOLUTIONS**

26. [RES40508](#) This is the second reading of a resolution amending the *Rules of Procedure of the Council of the City of Tacoma* by adding a new rule, Rule 8.B, entitled “Amendments to Motions, Resolutions, and Ordinances,” to establish best practices related to amending Council legislation; by changing the name of “Citizens’ Forum” to “Community Forum”; and by changing references from “citizen” to “resident” or “community member.”  
[Bill Fosbre, City Attorney]  
**Attachments:** [Resolution No. 40508](#)  
[City Council Action Memorandum](#)
27. [RES40525](#) A resolution authorizing the execution of a cooperative agreement with the United States Environmental Protection Agency, in the amount of \$542,684, accepting and depositing said sum into the Solid Waste Fund, to offset costs associated with the replacement of four diesel-powered refuse collection trucks with compressed natural gas trucks.  
[James G. Parvey, P.E., Environmental Policy and Sustainability Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]  
**Attachments:** [Resolution No. 40525](#)  
[City Council Action Memorandum](#)  
[Agreement](#)
28. [RES40526](#) A resolution approving the City’s Compensation Philosophy, to create and strengthen a culture of transparency and trust through a competitive classification and compensation program.  
[Kari L. Louie, Senior Compensation and Benefits Manager; Gary Buchanan, Director, Human Resources]  
**Attachments:** [Resolution No. 40526](#)  
[City Council Action Memorandum](#)  
[Proposed Compensation Philosophy](#)
29. [RES40527](#) A resolution establishing the activities and income criteria for the City’s Affordable Housing Fund, for the purpose of prioritizing projects that are eligible for funding.  
[Daniel Murillo, Housing Division Manager; Jeff Robinson, Director, Community and Economic Development]  
**Attachments:** [Resolution No. 40527](#)  
[City Council Action Memorandum](#)

30. [RES40528](#) A resolution authorizing the use of up to \$5,000 of City Council Contingency Funds, to conduct a survey of home sale prices over a two to three month period of time and take needed steps towards requesting that the U.S. Department of Housing and Urban Development revise the area-median sales prices on existing homes and new construction in order to submit the changes with the Fiscal Year 2020-2021 Annual Action Plan with an effective date of July 1, 2020.  
[Council Member Ibsen]  
**Attachments:** [Resolution No. 40528](#)  
[City Council Action Memorandum](#)  
[City Council Consideration Request](#)
31. [RES40529](#) A resolution expressing the City Council's support for an affirmative vote in 2020 by the Puget Sound Clean Air Agency Board for the most robust proposal, "Scenario D," of the regional Clean Fuel Standard rule.  
[Council Member Beale]  
**Attachments:** [Resolution No. 40529](#)  
[City Council Action Memorandum](#)  
[PSCAA Clean Fuel Standard](#)
32. [RES40530](#) A resolution authorizing the one-time use of funds, in the amount of \$1,500, budgeted from the Council Contingency Fund, to support the Stadium Historic Business District Association's 15th Annual Dickens Festival; and directing the City Manager to confirm deliverables for the funding commitment.  
[Council Member Thoms]  
**Attachments:** [Resolution No. 40530](#)  
[City Council Action Memorandum](#)  
[City Council Consideration Request](#)
33. [RES40531](#) A resolution removing member restrictions from the Tacoma Permit Advisory Task Force to allow the City Manager flexibility in appointing representatives as appropriate.  
[Deputy Mayor McCarthy]  
**Attachments:** [Resolution No. 40531](#)  
[City Council Action Memorandum](#)



34. [RES40532](#) A resolution approving the cancellation of the following seven regular City Council meetings in 2020: January 2, January 21, March 10, May 26, September 8, December 22, and December 29.  
[Mayor Woodards]  
**Attachments:** [Resolution No. 40532](#)  
[City Council Action Memorandum](#)

## FINAL READING OF ORDINANCES

35. [ORD28642](#) An ordinance amending Chapter 12.01 of the Municipal Code, relating to Utility Charges, to extend the waiver of power and water utility connection and inspection fees for cities in Tacoma Power and Tacoma Water service territories during the current declared state of emergency, relating to the conditions of homeless encampments located in the City; effective January 1, 2020 and until the declared state of emergency has ended.  
[Tom Morrill, Chief Deputy City Attorney; Bill Fosbre, City Attorney]  
**Attachments:** [Ordinance No. 28642](#)  
[City Council Action Memorandum](#)
36. [ORD28643](#) An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for wholesale rate adjustments, effective January 1, 2020; System Development Charge adjustments, effective January 1, 2020; and Fixed Fees adjustments, effective January 1, 2020, through December 31, 2024; and repealing Ordinance No. 28614 in its entirety.  
[Lyna Vo, Utilities Economist; Scott Dewhirst, Water Superintendent].  
**Attachments:** [Ordinance No. 28643](#)  
[City Council Action Memorandum](#)  
[Board Action Memorandum](#)
37. [ORD28644](#) An ordinance amending Chapter 1.45 of the Municipal Code, relating to Neighborhood Councils, to adopt proposed changes to the Neighborhood Council Program.  
[Bucoda Warren, Senior Management Fellow; Allyson Griffith, Program Manager, Neighborhood and Community Services]  
**Attachments:** [Ordinance No. 28644](#)  
[City Council Action Memorandum](#)  
[Presentation](#)

38. [ORD28645](#) An ordinance amending Chapter 1.95 of the Municipal Code, relating to the Rental Housing Code, to update language to reflect Engrossed Substitute Senate Bill 5600 and the State of Washington’s Residential Landlord-Tenant Act regarding notification requirements for pay-or-vacate notices.

[Linda Stewart, Director, Neighborhood and Community Services]

**Attachments:** [Ordinance No. 28645](#)

[City Council Action Memorandum](#)

39. [ORD28646](#) An ordinance amending Title 18 of the Municipal Code, relating to Minimum Employment Standards, by repealing in its entirety Chapter 18.20, entitled “Minimum Wage”, and relying on Washington State minimum wage law and the Department of Labor and Industries enforcement.

[Danielle Larson, Tax and License Manager; Andy Cherullo, Director, Finance]

**Attachments:** [Ordinance No. 28646](#)

[City Council Action Memorandum](#)

40. [ORD28647](#) An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, to change the due date for annual business and occupation tax returns, and to simplify how taxpayers apportion income reported under the service and other tax classification.

[Danielle Larson, Tax and License Manager; Andy Cherullo, Director, Finance]

**Attachments:** [Ordinance No. 28647](#)

[City Council Action Memorandum](#)

41. [ORD28648](#) An ordinance amending Chapter 6A.110 of the Municipal Code, relating to Property Tax Exemptions for Multi-Family Housing, to update affordability and equity in contracting requirements, effective March 1, 2020.

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

**Attachments:** [Ordinance No. 28648](#)

[City Council Action Memorandum](#)

42. [ORD28649](#) An ordinance amending Chapter 1.29 of the Municipal Code, related to the Human Rights Commission, by adding a new Section 1.29.190, entitled “Provision of Universal Closed Captioning,” to require persons owning or managing a place of public accommodations to activate closed captioning on television receivers located within the City, effective March 1, 2020.  
[Lucas Smiraldo, Management Analyst II; Diane Powers, Director, Office of Equity and Human Rights]  
**Attachments:** [Ordinance No. 28649](#)  
[City Council Action Memorandum](#)
43. [ORD28651](#) An ordinance amending Chapter 1.06 of the Municipal Code, relating to Administration, to update the formal bid and governing body threshold, clarify language related to the authorization to pay recurring software license and maintenance fees, standardize contract amendment authority, and clarify parameters for governing body approval of Citywide contracts and other minor updates.  
[Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]  
**Attachments:** [Ordinance No. 28651](#)  
[City Council Action Memorandum](#)

## **UNFINISHED BUSINESS**

## **REPORTS BY THE CITY MANAGER**

## **COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL**

Government Performance and Finance Committee

Recognition of outgoing Council Members

## **ADJOURNMENT**

The City Council may enter into a closed or executive session at any time during an open public meeting as provided by law.

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Individuals using language or sign interpreters will be provided additional time when testifying before the City Council.