



WEEKLY REPORT TO THE CITY COUNCIL

January 10, 2019

Members of the City Council
City of Tacoma, Washington

Dear Mayor and Council Members:

ACTION REQUESTED

1. **Please hold Friday, February 15, 2019, 8:00 a.m. to 5:00 p.m., on your calendars for the City Council's Annual Strategic Planning Work Session.** The time, location and other details will be finalized closer to the date.
2. Attached for your review is the **proposed revisions to the City Council's 2019 appointments**. Please let Mayor Woodards know by end of day Tuesday if additional revisions need to be made. A resolution will be prepared for the January 22nd Council meeting for your consideration.

STUDY SESSION/WORK SESSION

3. The **City Council Study Session** of Tuesday, January 15, 2019, will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will include: (1) **Scooter and Bike Share Use and Impacts Update**; (2) **Council Vacancies**; (3) **Director Confirmation Process**; (4) **Other Items of Interest: Two Council Consideration Requests – Tideflats Economic Analysis Study, and Community Work Force Agreement Task Force Support**; (5) **Committee Reports**; and, (6) **Agenda Review and City Manager's Weekly Report**.

The **City granted permits to two bike share companies in the fall of 2018, with the goal of evaluating the use and impacts of this transportation option for residents** traveling around Tacoma. At Tuesday's Study Session, Public Works staff will provide an update on the use and impacts. Public Works Director Kurtis Kingsolver provides the attached memorandum with additional information as well as questions raised as a result of outreach efforts.

As a second item at the Study Session, City Attorney Bill Fosbre will share a **proposed process for filling vacant City Council positions**. Please see the attached memorandum previously shared with the Government Performance and Finance Committee for additional information.

In addition, Assistant City Manager Tadd will be presenting the **City Manager's developed process for director-level appointments and City Council confirmations**. Please see the attached memorandum previously shared with the Government Performance and Finance Committee for additional information.

Under Other Items of Interest, Council Member Thoms will share the attached two Council Consideration Requests:

- **Tideflats Economic Analysis Study** – requesting \$25,000 from the Council Contingency Funds for a study overseen by the South Sound Manufacturing Industrial Council and the Tacoma-Pierce County Chamber of Commerce to address economic impact of businesses located in the Tacoma Tideflats.
 - **Community Work Force Agreement Task Force Support** – requesting \$35,000 from the Council Contingency Funds to support the ongoing efforts and facilitation of the Community Workforce Agreement Task Force by providing funding for the consultant.
4. The updated **Tentative City Council Forecast** and **Consolidated Standing Committee Calendars** are attached for your information.

COUNCIL REQUESTS/INQUIRIES

5. In response to recent inquiries regarding the **current zoning regulations for special needs housing**, Planning and Development Services Director Peter Huffman provides the attached memorandum, which addresses both the current state of the regulations as well as the recent regulatory reviews that have led to the current regulatory approach.

MARK YOUR CALENDARS

6. You have been invited to the following events:
- **Tacoma Municipal Court's Swearing-in Ceremony for Municipal Court Judge Dwayne Christopher on Monday January 14th, 4:00 p.m.**, located at 930 Tacoma Avenue South, Courtroom 100.
 - **WellFound VIP Event with Ribbon Cutting and Tour of the Behavioral Health Hospital on Wednesday, January 16th, 5:30 p.m.**, located at 3402 South 19th Street.
 - **Annual MLK Unity Breakfast on Monday, January 21st, 8:00 a.m. to 10:30 a.m.**, at the University Y Student Center, located at 1710 Market Street.

- **Annual Martin Luther King, Jr. Celebration on Monday, January 21st, at the Greater Tacoma Convention Center, located at 1500 Commerce Street.** Doors open at 10:00 for a Community Outreach Fair and Program begins 11:00 a.m.
- **Tacoma-Pierce County Chamber 2019 Horizons Economic Forecast scheduled for Wednesday, January 23rd, 7:00 to 9:00 a.m., at the Great Tacoma Convention Center, located at 1500 Commerce Street.**
- **Asia Pacific Cultural Center's 21st Annual New Year Celebration featuring the island and culture of Hawaii on Saturday, February 9th, 11:00 a.m. to 6:00 p.m., at the Tacoma Dome Exhibition Hall, located at 2727 East D Street.**
- **AWC City Action Days Wednesday, February 13th and Thursday, February 14th, at the Hotel RL Olympia, located at 2300 Evergreen Park Drive, Olympia.**
- **Pierce County Opioid Summit 2019 on Friday, February 22nd, 9:00 a.m. to 3:00 p.m., at Pacific Lutheran University's Chris Knutzen Hall, located at 12180 Park Avenue South.**

Sincerely,



Elizabeth A. Pauli
City Manager

EAP:crh
Attachments

2018-2019 CITY COUNCIL APPOINTMENTS

Association of Washington Cities Board Mello, Thoms (alternate)
Association of Washington Cities Legislative Committee Mello, Thoms (alternate)
Association of Washington Cities State and Federal Policy Committee Mello, Thoms(alternate)
City Manager Performance Review Committee Woodards, Ibsen, Mello, Thoms, Hunter (alternate)
Community Council Liaison Hunter Thoms , Beale (alternate)
Community Vitality and Safety Committee Beale, Blocker, Thoms, Ushka, Hunter (alternate)
Cross District Association of Tacoma Hunter , Thoms, Hunter , (alternate)
Crystal Judson Family Justice Center Thoms, Ushka, Ibsen (alternate)
Economic Development Board Executive Committee Woodards
Economic Development Committee Woodards , McCarthy, Thoms, Ushka, Hunter , Beale (alternate)
Firemen's Pension Fund Board of Trustees Woodards, Blocker (alternate)
ForeverGreen Trails Ibsen
Foundation for Tacoma Students Woodards
Government Performance and Finance Committee Blocker, Hunter, Ibsen, Mello, Thoms(alternate)
Hotel-Motel (Lodging) Tax Advisory Committee Ibsen
Infrastructure, Planning and Sustainability Committee Beale, Ibsen, McCarthy, Mello, Hunter (alternate)
Investment and Finance Committee Woodards
Joint Municipal Action Committee Ibsen, McCarthy, Thoms(alternate)
Law and Justice Council Ushka
Law and Justice Community Oversight Subcommittee Ushka
National League of Cities Blocker, Beale (alternate)
Parks Policy Group Beale, Ushka
Pierce County Commission Against Domestic Violence __ Hunter Ushka, Thoms (alternate)
Pierce County Flood Control Zone District Advisory Committee Mello

Pierce County Regional Council Beale, Ibsen, Ushka, Blocker (alternate)
Pierce Transit Board Woodards, Mello
Police Disability and Pension Fund Board Woodards, McCarthy (alternate)
Puget Sound Clean Air Agency Board/Board of Directors Mello, Beale (alternate)
Puget Sound Regional Council/Executive Board Woodards, Thoms (alternate)
Puget Sound Regional Council/Economic Development District Board Hunter , Thoms , Ibsen (alternate)
Puget Sound Regional Council/Growth Management Policy Board Mello , Beale, Thoms -(alternate)
Puget Sound Regional Council/Transportation Policy Board Thoms, Beale, (alternate)
Puyallup Tribe Community Contribution Committee [2 %] Woodards, Ushka (alternate)
Regional Access Mobility Partnership Thoms
Safe Streets Board McCarthy
Sound Transit Board Woodards
South Sound 911 Policy Board Woodards Thoms , Hunter
Tacoma Arts Commission Hunter, Blocker (alternate)
Tacoma Council of PTA/City Government Liaison Thoms
Tacoma Employees' Retirement System Board of Administration Woodards
Tacoma Gang Reduction Project Executive Steering Committee Blocker (Chair), Ushka (Vice-Chair)
Tacoma-Pierce County Board of Health Blocker, Ushka, Beale (alternate)
Trade Development Alliance of Greater Seattle Woodards
Urban Waters Board of Directors McCarthy, Thoms(alternate)
U.S. Conference of Mayors Woodards
WorkForce Central Woodards, McCarthy, Ushka Hunter -(alternate for Council Member only)
Zoo Trek Authority Beale, Ibsen



TO: Elizabeth A. Pauli, City Manager
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer
CC: Tadd Wille, Assistant City Manager
SUBJECT: Bike and Scooter Share Uses and Impacts Update
DATE: January 4, 2019

KDK

The City granted permits to two bike share companies in fall 2018, with the goal of evaluating the use and impacts of this transportation option for residents traveling around Tacoma.

The first company that applied to operate with a permit was Lime, which launched with 100 bikes and 250 scooters. Lime was quickly followed by Bird with 250 scooters. Both companies are operating under a Right-of-Way Use permit. After the initial 60-day permit, both operators were granted extensions of this permit for an additional 60 days with the ability to increase their fleet size to 250 bikes and 500 scooters for Lime and 500 scooters for Bird.

During this time, Lime and Bird have served nearly 20,000 unique users for 90,000 trips on shared bikes and scooters, with a median trip distance of approximately 0.5 miles. The popularity of the service indicates latent demand for a quick, easy way to move around the City for short trips. The permitted activity has also yielded questions which should be addressed prior to implementing long-term agreements. To help identify and address these questions, the permit requires operators to conduct surveys during the permit period, and the City is collecting feedback via 311 and bikeshare@cityoftacoma.org. The top categories of comments are safety concerns (user behavior, speed of scooters, and potential for crashes) and improperly parked devices that are obstacles for people with disabilities.

A stakeholder group is convening monthly to address this feedback to assist the City Council in determining whether to extend permits or develop regulations for bike/scooter share activities. The stakeholder group will provide recommendations regarding the responsibilities of the operators in the following areas: equity (e.g., fleet distribution, low income access programs), information distribution (e.g., parking requirements, helmet law), fleet size, and safety (e.g., maintenance reports, maximum speed). This stakeholder group will meet approximately four times, providing recommendations to City staff by spring 2019.

The stakeholder group is comprised of representatives from the Public Works Department, City Attorney's Office, Mayor's Office, Tacoma Police Department, Downtown Business Improvement Area, Downtown: On the Go!, Puyallup Watershed Initiative Active Transportation Community of Interest, Pierce Transit, and Tacoma-Pierce County Health Department.

Recommendations from the stakeholder group and comments collected from 311 and bikeshare@cityoftacoma.org will guide conditions of franchise agreements between the City and dockless mobility operators.



TO: Elizabeth Pauli, City Manager
FROM: Bill Fosbre, City Attorney
COPY: Committee of the Whole
PRESENTER: Bill Fosbre, City Attorney's Office
SUBJECT: Filling Vacant Council Positions
DATE: January 15, 2019

Bill Fosbre

PRESENTATION TYPE:

Request for Resolution

SUMMARY:

The City Attorney's Office (CAO) will present a proposed process for filling open City Council positions (both formally vacated or when an extended leave of absence has been approved) to be added by Council resolution to the Rules of Procedure of the Council.

BACKGROUND:

Both Washington State law and the Tacoma City Charter provide legal authority for the Council to fill open Council positions; however, these laws do not mandate a specific process to be used. A number of cities have adopted formal process rules for filling open positions, which are efficient, transparent and provide consistency. The CAO presented background information on filling vacant Council positions to the GPFC on November 6, 2018, and at the Committee's direction, the CAO presented a proposed Council rule to the GPFC on December 11, 2018.

ISSUE:

The Council does not have a standard process for filling open Council positions; consequently, an ad hoc process has been used each time the Council has an open position (formally vacated or when an extended leave of absence has been approved) over the past decade, which has caused confusion among potential applicants, the public, the Council and the media.

ALTERNATIVES:

The Council can continue to use an ad hoc approach; however, the approach does not provide certainty or transparency to the process.

FISCAL IMPACT:

The proposed process would incur advertising costs associated with advertising an open Council position in the City's official newspaper for two week period.

RECOMMENDATION:

The Rules of Procedure of the Council should be amended to include a standard process for filling open City Council positions. The process should include procedures for filling positions formally vacated, and in those circumstances when the Council desires to fill a position where an extended leave of absence of 90 days or greater has been approved by the Council.

PROPOSED RULE 16 – FILLING COUNCIL VACANCIES AND APPROVED EXTENDED LEAVE OF ABSENCE

- A. **Purpose.** The purpose of this section is to provide guidance to the Council when a Council Member position becomes vacant before the expiration of the official's elected term of office, or when the Council has approved a Council Member's extended leave of absence and desires to appoint a replacement during the absence.
- B. **Appointment Process.**
1. A Council Member position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of the Council Member.
 2. For a Council Member position where the member is unavailable to serve due to illness, injury, incapacitation, or otherwise unable to serve in the position for ninety (90) days or greater and the Council approves the extended leave absence, then the Council Member position should (but is not required) be filled by the Council, and the Council will use the same appointment process as filling a vacant position.
 3. Pursuant to RCW 42.12.070 and Tacoma City Charter Section 2.7, the Council Member who is vacating his or her position cannot participate in the appointment process; however, a Council Member who is on an approved extended leave absence, if able, can participate in the appointment process for his or her replacement.
 4. The Council shall direct the City Manager to begin the Council Member appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity.
 5. The City Clerk's Office shall prepare and submit a public notice to the City's official newspaper, official website, and provide courtesy copies to all requesting local media outlets, which announces the open position consistent with the requirements necessary to hold public office, including that the applicant (a) be a qualified elector of the City of Tacoma, (b) be a resident of the City of Tacoma for two (2) years immediately preceding the time of applying to fill the open seat, and (c) if applying for a district position, shall be a resident of the district for one year immediately preceding the time of appointment to fill the open seat. The public notice shall be published once each week for two (2) consecutive weeks. The notice shall contain other information, including, but not limited to, time to be served in the vacant position, salary information, deadline date and time for submitting applications, interview and appointment schedules (if known), and such other information that the Council deems appropriate.
 6. The City Clerk's Office shall use the standard application form used by the City for citizens to apply to a City Committee, Board, or Commission. Applications will be available at the City of Tacoma Clerk's Office, Customer Service Center, and on the City's official website.
 7. Applications received by the deadline date and time will be copied and circulated by the City Clerk's Office to the Mayor and Council. Applications received after the deadline date and time shall be rejected by the City Clerk's Office and returned to the applicant. Application

packets may also contain additional information received such as a cover letter, resume, endorsements, letters of reference, and other pertinent materials.

8. The City Clerk's Office shall publish on the City's website and in the City's official newspaper the required public notice(s) for the full City Council meeting scheduled for interviewing applicants for consideration to the open position. This meeting may be a regularly scheduled or special City Council meeting.
9. If more than ten (10) valid applications are received for the open position, then the Council will reduce the number of applicants to be scheduled for an interview by allowing each Council Member, in an open public meeting, to select or forward one applicant from the applicant pool to be interviewed, with a potential total of nine candidates. No second to select or forward an applicant to be interviewed is needed. Council Members may convene into an Executive Session to discuss the qualifications of the applicants. The Council will then close nominations by motion, second, and then vote in the public meeting to schedule the candidates to be interviewed.
10. The City Clerk's Office shall notify applicants of the location, date, and time of Council interviews.
11. Each interview of the applicant shall be no more than 8 minutes in length as follows:
 - a) The applicant shall present his or her credentials to the Council. (3 minutes)
 - b) The Council shall ask the applicant questions. (5 minutes)
 - c) The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk. Only the applicant being interviewed will be allowed in the Council Chambers during the interview, the other applicants will be asked to remain outside the Council Chambers until their interview time.
12. Upon completion of the interviews, Council Members may convene into an Executive Session to discuss the qualifications of the applicants. All interviews, deliberations, nominations, and vote taken by the Council shall be in an open public meeting.
13. The Mayor may ask for nominations from the Council Members for the purpose of narrowing down the applicant pool to the finalists that will be considered. No second is needed for nominations. Nominations to the finalist list is closed by a motion, second, and majority vote of the Council. Council Members may deliberate on such matters as criteria for selection, and of the qualifications of the finalists.
14. Following such deliberation, the Mayor shall ask the Council Members if they are prepared to vote.
15. The finalists shall be placed in alphabetical order according to their last names. The City Clerk shall proceed with a roll-call vote of each finalist until a nominee receives a majority vote of the Council Members.
16. The Mayor shall declare the nominee receiving the majority vote as the new Council Member, who shall be sworn into office by the City Clerk at the earliest opportunity or no later than the next regularly scheduled meeting.

17. At any time during the appointment process, the Council may by motion, second, and majority vote of the Council, postpone the appointment until a date certain or regular meeting if no nominee receives a majority of the vote.
18. Pursuant to state law, a vacancy shall be filled only until the next regular municipal election, to serve the remainder of the unexpired term.
19. Nothing in this policy shall prevent the Council from reconvening into an Executive Session to further discuss applicant qualifications.
20. Pursuant to Tacoma City Charter 2.7, if the City Council does not appoint a qualified person to fill a vacancy within sixty (60) days from the date the vacancy occurs, then the Mayor shall make the appointment, subject to confirmation of the remaining members of the Council. If the City does not confirm the appointment to fill a vacancy within ninety (90) days of the declared vacancy, then pursuant to RCW 42.12.170 the appointment power is delegated to the Pierce County Council. This Section 20 shall not apply to filling of an approved extended leave of absence, so in the case the open position is not appointed within sixty (60) days, the position may remain open until such time as the Council desires to fill it.



TO: Elizabeth Pauli, City Manager
FROM: Tadd Wille, Assistant City Manager
COPY: Government, Performance, and Finance Committee (GFPC)
PRESENTER: Tadd Wille, Assistant City Manager
SUBJECT: Director Confirmations
DATE: November 6, 2018

PRESENTATION TYPE:
Informational Briefing

SUMMARY:

The purpose of this presentation is to provide information regarding the City Manager's developed process for director-level appointments and City Council confirmations, as well as to obtain feedback. The goal is to create a consistent process that allows for input and involvement from City staff, stakeholders, the public, and the City Council, when appropriate.

BACKGROUND:

In 2014, Charter Amendment Number 5 added a new requirement to the City Manager's role of appointing and removing all officers and employees under the jurisdiction of this position. The amendment added a requirement for director-level appointments to be confirmed by the City Council. There have been six appointments since the City Manager was appointed in 2017, all which have been confirmed by the City Council without a consistent confirmation and hiring process.

ISSUE:

The City Manager's Office has developed a standard process for the appointment and confirmation of executive positions.

ALTERNATIVES:

This is an information briefing only. There are no alternatives presented.

FISCAL IMPACT:

This is an information briefing only. There is no fiscal impact.

RECOMMENDATION:

The City Manager's Office has developed a three-tiered approach to the appointment/confirmation process based on the position and the department's relative impact on the community. Director level positions have been categorized into three tiers: public safety, outward facing, and inward facing. City Manager will advise the City Council when exceptions to the process may be necessary.

This is an information briefing only. It is recommended that the appointment/confirmation process be presented to the entire City Council at an upcoming Study Session.



**CITY OF TACOMA, WASHINGTON
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST (CCR)**

TO: Mayor & City Council

FROM: Council Member Robert Thoms and Council Assistants Lynda Foster and
Bucoda Warren

COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Assistant City Manager; Bill Fosbre,
City Attorney; Executive Leadership Team; File

SUBJECT: Tideflats Economic Analysis study

DATE: January 8, 2019

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

I ask for your support for the inclusion of the following item on the agenda at the earliest available meeting of the Study Session:

I respectfully request City Council concurrence to direct the City Manager to allocate \$25,000 from the City Council Contingency Fund to the Tideflats Economic Analysis study overseen by the South Sound Manufacturing Industrial Council and Tacoma-Pierce County Chamber of Commerce, addressing the economic impact of businesses located in the Tacoma Tideflats

BRIEF BACKGROUND:

Provide context for the issue and explain the need for the request.

The Manufacturing Industrial Council for the South Sound is the voice for the area's manufacturing, industrial and maritime community. They promote and enhance a positive business climate for manufacturing and related industries. They are dedicated to safeguarding and improving people's lives, creating a sustainable environment, and providing the jobs that anchor Washington's economy. The Manufacturing Industrial Council for the South Sound (www.micsouthsound.com) grew out of The Place for Jobs, a coalition of Pierce County leaders dedicated to creating and preserving local jobs.

In conjunction with the UWT Milgard School of Business's Center for Business Analytics, the Manufacturing Industrial Council wishes to quantify the economic impact of private businesses in the Tacoma Tideflats, an area of the city with predominantly manufacturing, heavy industrial, warehouse and maritime uses, which will augment previous economic analysis conducted by the Port of Tacoma for port owned lands (the port owns slightly over 50% of the land area in the Tideflats). They would use the same geographic boundaries as the city's current Subarea Plan process for the Tideflats/Port of Tacoma) and if they have funding capacity, would like to expand to include other industrial lands in Tacoma (South Tacoma and Nalley Valley) as identified by the geographic parameters for Tideflats Interim Regulations (<https://wspdsmap.cityoftacoma.org/website/PDS/TIR/>)

The City of Tacoma is currently embarking on a multiyear subarea planning process for the Tideflats and Port of Tacoma that will establish a long-term vision for the area. It is important that leaders understand the economic impact of the current Tideflats businesses quickly, and this project will help provide timely information to support our leaders in this process.

Ideally this project would also form the basis for a repeatable study that would be able to form a longitudinal analysis of the economic impact of the Tideflats region, and be able to address the following questions:

- The Tideflats economic impact over the years
- What would happen if various proportions of the Tideflats businesses went away
- The effects of encroachment on the Tideflats, that non-industrial uses will push at the borders of the Tideflats and change its use
- Quantify the economic impact of Tideflats jobs and businesses, not just in Tacoma but in Pierce County, Western Washington and statewide.

The Manufacturing Industrial Council for the South Sound is partnering with the UWT Center for Business Analytics and its faculty to gather the primary data and perform the initial analysis, as well as form the basis for a partnership for continual data analysis. They have previous experience in performing this type of analysis, having completed the economic analysis of JBLM last year.

We will be providing the following resources:

- Data sets for Major Employers and other lists of key businesses and job sectors in Pierce County.
- Contacts in the Tideflats to help MSBA students reach out to smaller businesses to gather additional data.
- Contacts within The Port of Tacoma to compare economic reports to ensure comparability.
- Contacts within the City of Tacoma and Pierce County for access to reports and other materials quantifying the local economy and job market.

This is an excellent opportunity to continuing fostering community engagement through an auspicious and important collaboration on a topic of significant concern to the City of Tacoma, Pierce County, and the South Sound region.

STRATEGIC POLICY PRIORITY:

State and briefly explain which strategic policy priority is best aligned to this action. Please remove the statements below you are not directly addressing.

- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.

POLICY DEVELOPMENT PATH:

☒ Request for Resolution

FUNDING REQUESTED:

☒ Council Contingency Fund Request

Request for \$25,000 from the Council Contingency Fund.

Does the request require some other type of funding? ☒ One-time ☐ Ongoing

In you have a question related to the Council Consideration Request, please contact Bucoda Warren at 253.594.7925 or Bucoda.Warren@cityoftacoma.org.

SUBMITTED FOR COUNCIL CONSIDERATION BY: _____

Council Member Robert Thoms

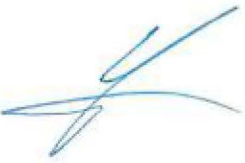


SUPPORTING COUNCILMEMBERS SIGNATURES (2 SIGNATURES ONLY)

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

1. Victoria R. Woodards

POS # Mayor

2. 

POS# 7



**CITY OF TACOMA, WASHINGTON
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST (CCR)**

TO: Mayor & City Council
FROM: Council Member Conor McCarthy and Mayor Victoria Woodards
COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Assistant City Manager; Bill Fosbre, City Attorney; Executive Leadership Team; File
SUBJECT: Community Work Force Agreement Task Force Support
DATE: January 9, 2019

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

We ask for your support for the inclusion of the following item on the agenda at the earliest available meeting of the Study Session:

I respectfully request City Council concurrence to allocate \$35,000 from the City Council Contingency Fund to support the ongoing efforts of the Community Workforce Agreement (CWA) Task Force by providing funding for a consultant who will assist in facilitation of meetings.

BRIEF BACKGROUND:

The CWA Task Force has been established to convene the necessary stakeholders vested in the program objectives and the class of 'covered projects' impacted by the Priority Hire Ordinances (PHO) and CWA. The CWA Task Force will consider the 2018 Tacoma Disparity Study, and work with City staff towards crafting a PHO and CWA which will result in effective workforce development, and promote appropriate use of minority and women owned business enterprise contractors. Subsequently, the Council will take into consideration the recommendations from the CWA Task Force on the future legislation to be proposed.

This funding would provide a consultant to facilitate task force meetings through March and participate in staff team planning sessions in between meetings, including meetings with Task Force leadership. The consultant will also assist in preparing agendas, reviewing and providing input on task force meeting materials, drafting the final task force report with assistance from staff, and finalizing meeting summaries of each task force meeting.

STRATEGIC POLICY PRIORITY:

State and briefly explain which strategic policy priority is best aligned to this action. Please remove the statements below you are not directly addressing.

- Ensure all Tacoma residents are valued and have access to resources to meet their needs.
- Foster a vibrant and diverse economy with good jobs for all Tacoma residents.
-
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents

POLICY DEVELOPMENT PATH:

☒ Request for Resolution

☒ **Is there a specific deadline for this request?** (Note: All Council Consideration Requests will be expedited as soon as possible) 1/15/2019

FUNDING REQUESTED:

☒ **Council Contingency Fund Request**

Does the request require some other type of funding? ☒ One-time ☐ Ongoing

In you have a question related to the Council Consideration Request, please contact Bucoda Warren at (253) 594.7925 or Bucoda.warren@cityoftacoma.org.

SUBMITTED FOR COUNCIL CONSIDERATION BY: 
Council Member McCarthy

SUPPORTING COUNCILMEMBERS 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 Victoria R. Woodards POS # Mayor

2.  POS# 3

2019-2020 Council Contingency Commitments

[illegible]

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

Date	Meeting	Subject	Department	Background
January 15, 2019	City Council Study Session (TMBN 16, Noon) City Council Meeting (TMB Council Chambers, 5:00 PM)	Scooter & Bike Share Use and Impact Update	Public Works	Update highlighting what the City has learned through the dockless bikes and scooters permit process.
		Council Vacancies	CAO	Potential process in the Council Rules of Procedure for filling Council vacancies
		Director Confirmation Process	CMO	Proposed system for the City Council confirming General Government Department Director Appointments.
		Other Items of Interest: Council Consideration Requests	Council Member Thoms	1) Tideflats Economic Analysis Study Request for \$25,000; and, 2) Community Work Force Agreement Task Force Support Request for \$35,000
January 22, 2019	City Council Study Session	CANCELLED Study Session Only		(Study Session cancelled at Mayor's Request, due to the City's MLK, Jr. Birthday Celebration and other community events the day prior)
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
January 29, 2019	City Council Study Session (TMBN 16, Noon) City Council Meeting (TMB Council Chambers, 5:00 PM)	Quarterly Tacoma Police Department Hiring Update	TPD	TPD will share information related to hires and separations and the efforts to diversify the department.

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

Date	Meeting	Subject	Department	Background
February 5, 2019	City Council Study Session (TMBN 16, Noon)	Equity Index	OEHR	Office of Equity & Human Rights will provide an overview of Tacoma's Equity Index. The Index is an online tool, which includes static maps and a report that helps City officials and community leaders improve quality of life and analyze policies, services and programs with an equity lens.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
February 12, 2019	City Council Study Session (TMBN 16, Noon)	Pierce Transit's Bus Rapid Transit Project Update	Pierce Transit	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
February 19, 2019	Joint Public Utility Board Study Session (TMBN 16, Noon)			
	City Council Study Session (TMBN 16, Noon)	Accessory Dwelling Unit (ADU) Regulations		
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Public Hearing on Accessory Dwelling Unit Regulations	PDS	
February 26, 2019	City Council Study Session (TMBN 16, Noon)	Review of Public Testimony at the Accessory Dwelling Unit Regulations Public Hearing	PDS	
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Final Reading of Accessory Dwelling Unit Regulations Ordinance	PDS	

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

Date	Meeting	Subject	Department	Background
March 5, 2019	City Council Study Session (TMBN 16, Noon)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)	First Reading of Accessory Dwelling Unit Regulations Ordinance	PDS	
March 12, 2019	CANCELLED			
March 19, 2019	City Council Study Session (TMBN 16, Noon)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Final Reading of Accessory Dwelling Unit Regulations Ordinance	PDS	
March 26, 2019	City Council Study Session (TMBN 16, Noon)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)			

Community Vitality and Safety			
Committee Members: Blocker (Chair), Beale, Thoms, Ushka, Alternate-Hunter Executive Liaison: Linda Stewart; Staff Support - Will Suarez		2nd and 4th Thursdays 4:30 p.m. Room 248	CBC Assignments: • Citizen Police Advisory Committee • Human Services Commission • Human Rights Commission • Housing Authority • Commission on Disabilities • Library Board • Tacoma Community Redevelopment Authority
January 10, 2019	Citizen Police Advisory Committee Interviews	Doris Sorum, City Clerk	
	2019/2020 Humane Society Contract	Shawn Stringer, Captain, Tacoma Police Department	Presentation to update council on status of Humane Society contract negotiations and proposed changes to the TMC.
	Title 17 Code Amendments	Shawn Stringer, Captain, Tacoma Police Department	The proposed amendments to Title 17 will update code language to reflect current practice related to required hold time for stray animals and fees that are no longer determined or charged by the City.
Future			
January 24, 2019	Community Vitality and Safety Committee 2018 Year End Report		Will present the Community, Vitality, and Safety 2018 Year End Report, including key accomplishments and a summary of what was covered in 2018.
February 14, 2019	Tacoma Community Redevelopment Authority Interviews	Doris Sorum, City Clerk	3 vacancies
	Human Rights Commission Interviews	Doris Sorum, City Clerk	7 vacancies
Economic Development Committee			
Committee Members: Thoms (Chair), McCarthy, Ushka, Woodards, Alternate-Beale Executive Liaison: Tadd Wille; Staff Support - Lynda Foster (Bucoda Warren will be covering through March)		2nd, 4th, and 5th Tuesdays 10:00 a.m. Room 248	CBC Assignments: •Tacoma Arts Commission •Greater Tacoma Regional Convention Center Public Facilities District •Foss Waterway •City Events and Recognition Committee
January 22, 2019	Cancelled (tentative)		
Future			
January 29, 2019	Update on Namatad	Pat Beard, Project Manager, CEDD	Assistant Professor and Internet of Things entrepreneur Matt Telentino will share a progress report regarding the new company launched in 2018 and the enhanced safety innovation formed in partnership with CED and the Tacoma Fire Department.
	Development and Discussion of the Economic Development Strategic Plan	Jeff Robinson, Community & Economic Dev Director, Chris Mefford, President & CEO, Community Attributes, Inc.	A brief overview by the project consultant of the process and schedule for the development and completion of the City's Economic Development Strategic Plan."
	FWDA land transactions (Pending)	Pat Beard, Project Manager, CEDD	FWDA will bring forward land transaction recommendations for Foss Waterway Sites 9 and 10 and well as the Municipal Dock site for committee review/recommendation to the City Council.
February 12, 2019	Pierce County Workforce Development Strategic Direction and Alignment Opportunity (tentative)	Linda Nguyen, CEO Workforce Central	

Government Performance and Finance Committee			
Committee Members: Ibsen (Chair), Blocker, Hunter, Mello, Alternate Thoms Executive Liaison: Andy Cherullo; Staff Support - Bucoda Warren		1st and 3rd Tuesday 10 a.m. Room 248	CBC Assignments: •Public Utility Board •Board of Ethics •Audit Advisory Board •Civil Service Board
January 15, 2019	Lift Assist Education Update	Jim Duggan, Fire Chief, Tacoma Fire Department	An update on the educational campaign prior to new lift assist fees going into effect
Future			
February 5, 2019			
February 19, 2019			
Infrastructure, Planning and Sustainability Committee			
Committee Members: Mello (Chair), Beale, Ibsen, McCarthy, Alternate-Hunter Executive Liaison: Kurtis Kingsolver; Staff Support - Rebecca Boydston		2nd and 4th Wednesdays 4:30 p.m. Room 16	CBC Assignments: •Sustainable Tacoma Commission •Planning Commission •Landmarks Preservation Commission •Board of Building Appeals •Transportation Commission
January 23, 2019	Orcas/Salmon	Laura Blackmore, Deputy Director, Puget Sound Partnership	Overview of recommendations of the State's Orca and Salmon Recovery efforts and plans, as well connecting these plans to local efforts, such as Orcas love Rain Gardens
	DADU Update	Elliott Barnett, Senior Planner, Planning and Development Services	Recap of 2018 EV Activities and Update on New Initiatives
Future			
February 13, 2019	Transportation Commission Interviews		1 vacancy
	iDEA School Permeable Pavement	Jessica Knickerbocker, Engineer, Environmental Services	
	Right of Way Occupancy Code Modifications for EV Charging	Joe Graff, Planning and Development Services; Jana Magoon, Planning and Development Services	
February 27, 2019	Sustainable Tacoma Commission Interviews		3 vacancies
	Traffic Calming	Jennifer Kammerzell, Traffic Engineer, Public Works	
	JBLM Airport Compatability	Larry Harala, Associate Planner, Planning and Development Services	



TO: Elizabeth A. Pauli, City Manager
FROM: Peter Huffman, Director, Planning and Development Services
Brian Boudet, Planning Manager, Planning and Development Services
CC: Tadd Wille, Assistant City Manager
SUBJECT: **Special Needs Housing – Zoning Regulations**
DATE: January 10, 2019

In response to questions regarding special needs housing, including how the City's zoning regulations address these types of housing facilities, provided below is a brief overview of Tacoma's recent history and current regulatory approach for special needs housing.

Special Needs Housing – Current Zoning Approach

In general, special needs housing is allowed everywhere that other types of housing are allowed, with the primary control being a limit on their size to be consistent with the size of other housing allowed in the area. For example, in single-family zoned areas most special needs housing facilities are limited to six residents, while larger facilities are allowed in multi-family, commercial and mixed-use zones.

The term "special needs housing" is a very broad term. In our code, that term includes:

Emergency and Transitional Housing (often called "shelters"), confidential shelters (usually for domestic violence survivors, etc.), adult family homes, staffed residential homes, extended care facilities (often called "nursing homes"), intermediate care facilities (often called "assisted living"), continuing care retirement communities, retirement homes, residential care facilities for youth, and residential chemical dependency treatment facilities.

In most cases, the common differentiator between what is classified as "special needs housing" and what is not is whether special services are provided at the facility (such as medical care, assistance with daily functions, or organized meal service). Facilities that don't include those types of services are normally classified as regular housing (single-family, duplexes, triplexes, multi-family, group housing, etc.).

The one significant exception to this general framework is the regulations for "emergency and transitional housing" (commonly called a "shelter"). Emergency and transitional housing is not allowed, regardless of size, in lower intensity residential areas (single-family, duplex and triplex zones) and is only allowed with the approval of a Conditional Use Permit in multi-family and lower-intensity commercial and mixed-use zones. In addition, they must be located at least 600 feet apart from each other and are subject to a number of special provisions, such as a required pre-application community meeting and site inspection, required operational plan, and special review criteria that provide an enhanced focus on the need for the facility, how it will be designed and operated to be compatible with and limit impacts on the surrounding area, and the owner's capacity to appropriately operate and manage the facility.

State Licensing and Oversight

Some types of special needs housing also require state licensing. The State's licensing programs are primarily for facilities that provide medical care, such as nursing homes and assisted living facilities, and their licensing is generally focused on ensuring appropriate care and operation, and not on siting.

Another notable outcome of past reviews was a law passed by the State in 2013 regarding their rental voucher program. The State often provides a few months' rent for released offenders through a rental voucher program, and they maintain a list of "approved" landlords/locations. Changes to the law in 2013 provide that before adding new landlords/locations to that list, the State notifies the local jurisdiction. Local jurisdictions

can object to the provider being added to the list based on community impacts, such as if there are known building/fire code violations or if there is already an overconcentration of special needs housing facilities in the area.

Special Needs Housing – Recent Zoning History

There have been two significant reviews of the City's special needs housing regulations over the past 15-20 years. Both of those reviews arose from development moratoriums and involved substantial scrutiny and review by housing advocacy groups and the State, and both resulted in challenges to the Growth Management Hearings Board and negotiated settlements that necessitated the City Council amend its adopted ordinances. As is often the case when regulating housing, particularly housing that is designed to serve those with disabilities and/or people needing special services, there are significant legal, operational and administrative considerations. In both cases, Planning staff and the City Attorney's office spent substantial time reviewing legal issues associated with the Federal Fair Housing Act and Washington Housing Protection Act and associated cases to try and ensure that our approach was appropriate and legally justified. Here's a quick overview of the last two Special Needs Housing zoning reviews:

1998-2002 Special Needs Housing Zoning Review

From 1998 to 2002, the City worked to update its Zoning Code to better address correctional and special needs housing facilities. While that process originally focused on work release facilities, the analysis that ensued highlighted the need to also review and update the regulations for other types of special needs housing facilities. A broader update to the regulations associated with special needs housing became a second phase. This update process lasted for more than two years and was directed by a very active advisory panel, which included Neighborhood Council representatives, service providers and other agencies. The intent of that process was to provide regulations that were in compliance with state and federal law, and included modern terms and were predictable for the providers and the community. Following adoption of those amendments, the State Department of Social and Health Services (DSHS) filed an appeal with the state Growth Management Hearings Board. Ultimately, Tacoma negotiated a mediated settlement agreement that resulted in the withdrawal of the DSHS claim, but required the City to modify a number of the provisions of its adopted regulations.

2005-2007 Special Needs Housing Review

In May 2005, the City Council adopted an emergency moratorium in response to community concerns about a proposal to convert an existing building, which was formerly used as a congregate care facility, into a transitional housing facility. This emergency moratorium halted permitting for certain types of special needs housing facilities, including group homes, group residential facilities, lodging houses and emergency and transitional housing. The ordinance directed the Planning Commission to identify potential land use code changes and called for a Blue Ribbon Panel and an Inter-governmental Task Force to address and provide guidance relating to other potential methods for addressing these types of facilities.

This process included a substantial review of academic reports, books, and articles, government and non-government agency data and studies, ordinances, court cases, and legal opinions, media articles, and community input – in total more than 150 sources of information comprising 10 volumes that filled an entire box. In October 2006, after substantial work by the City Council, the Planning Commission, City staff, and the community, the City Council adopted Zoning Code amendments for special needs housing facilities. Those adopted amendments were appealed by three separate parties to the Growth Management Hearings Board. In January 2007, the City and the appellants elected to enter into settlement discussions, which ultimately resulted in a settlement agreement that necessitated the modification of some of the City's adopted provisions.

If there are further questions or the desire to have a more in-depth discussion about these regulations, please contact Brian Boudet, Planning Division Manager, at (253) 573-2389 or bboudet@cityoftacoma.org.