



WEEKLY REPORT TO THE CITY COUNCIL
January 31, 2019

Members of the City Council
City of Tacoma, Washington

Dear Mayor and Council Members:

ACTION REQUESTED

1. **Don't forget that on Friday, February 15, 2019, 9:00 a.m. to 4:00 p.m., the City Council will hold its Annual Strategic Planning Work Session** at the University of Puget Sound's Tahoma Room, located at 1500 North Warren.

ITEMS OF INTEREST

2. Due to the turmoil with the international markets, **Solid Waste Management needs to make adjustments to accommodate changes to the recycling market.** The adjustments could come in a few different forms and were presented to the Infrastructure, Planning and Sustainability Standing Committee. The Committee requested that community feedback be gathered to see which options they would like to see implemented. Environmental Services Director Mike Slevin provides the attached memorandum with information on the community engagement project timeline and the four proposed options.
3. Public Works Director Kurtis Kingsolver provides the attached memorandum with an **update to the City's capital projects planning document.** This project list is a result of the residents of Tacoma approving the Street Initiatives in November 2015, and is subject to change as new funding becomes available and as progress is made on capital projects.
4. The attached memorandum from Planning and Development Services (PDS) Director Peter Huffman provides an **update on planning efforts for the Cushman and Adams substations.** PDS and Tacoma Public Utilities (TPU) staff are currently collaborating, with input from representatives of the North End Neighborhood Council and other community members, to develop a broad, inclusive public engagement process to begin in Summer 2019. Input received during this process will help inform future City Council and TPU Board decisions on the re-use of these sites. Additional information and project updates are available at www.cityoftacoma.org/cushman.

5. Attached for your information is an article in the **Municipal Research News' Winter 2019 Edition, *Is Your Camping Ordinance Constitutional?***, which provides a nice summary as it relates to the recent Ninth Circuit Federal Court of Appeals case, *Martin v. City of Boise*. Regarding the requirement for alternatives to public camping, the City contracts for spaces at the Rescue Mission to be held for this purpose (new as of 2019), and the Homeless Outreach Team (HOT) also has contacts with existing shelters to get timely information about openings.

STUDY SESSION/WORK SESSION

6. The **City Council Study Session** of Tuesday, February 5, 2019 will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will include: (1) **Equity Index**; (2) **Other Items of Interest: Council Consideration Requests - Funding for Tenant Outreach and Education & Funding for the Installation of a Rain Garden for Orca Health, and 2019 Annual Strategic Planning Work Session Agenda Review**; (3) **Committee Reports**; and, (4) **Agenda Review and City Manager's Weekly Report**.

At Tuesday's Study Session, Office of Equity & Human Rights staff 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. The Index will help identify communities of concern and the disparities throughout the City.

Under Other Items of Interest at the Study Session, there will be two Council Consideration Requests (attached) from Council Member Beale:

- Request for **allocating \$20,000 from the Council Contingency Fund** and directing the City Manager to negotiate a contract for services to **support tenant outreach and education** through the Tenants Union of Washington and the Tacoma Tenants Organizing Committee; and,
- Request for **allocating \$10,000 from the Council Contingency Fund** to support Orca health in the Puget Sound through the **installation of a rain garden at one or more schools in Tacoma**.

In addition Under Other Items of Interest, I will be seeking City Council **input on the attached draft 2019 Annual City Council Strategic Planning Work Session agenda**.

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

COUNCIL REQUESTS/INQUIRIES

8. At the last Study Session, Council Member Blocker requested information related to the City's fees and charges for services versus our fines and penalties. In response, Budget Manager Katie Johnston provides the attached memorandum with an **overview of the City's definition and use of fees, charges for service, fines, and penalties.**

MARK YOUR CALENDARS

9. You have been invited to the following events:
- **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.
 - **25th Annual Globe Awards and Auction Wednesday, February 13th, 5:00 – 7:00 p.m.**, at the Port of Tacoma Administration Building Atrium, located at 1 Sitcum Way.
 - **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.
 - **2019 Economic Development Board Annual Meeting on Thursday, March 7th, 11:30 a.m. – 1:30 p.m.**, at the Greater Tacoma Convention Center, located at 1500 Commerce Street.

Sincerely,



Elizabeth A. Pauli
City Manager



TO: Elizabeth A. Pauli, City Manager
FROM: Michael P. Slevin III, P.E., Environmental Services Director
COPY: Lewis T. Griffith P.E., Solid Waste Management Division Manager
SUBJECT: Community Outreach on Recycling Changes Project
DATE: January 29, 2019

Background: Due to the turmoil with the international markets, Solid Waste Management (SWM) needs to make adjustments to accommodate changes in the recycling market. These could come in a few different forms, and were presented to the Infrastructure, Planning, and Sustainability (IPS) Sub-Committee on December 12, 2018. The IPS Sub-Committee asked SWM to gather feedback from the community on which of the options they would like to see implemented. We are currently in the process of a multifaceted community engagement strategy to have discussions with Neighborhood Councils, the Sustainable Tacoma Commission, the Environmental Services Commission, focus groups, a variety of community organizations, and well as outreach at community events. Below is a timeline of planned activities and a chart of options that are being presented to community members. Additional information and resources can be found at www.tacomarecycles.org/changes, which will be updated regularly with new events and opportunities to engage with City representatives.

Community Engagement Project Timeline:

	Date	Activities
PHASE 1 Community Engagement	January 2019	<ul style="list-style-type: none">• Conduct three focus groups with Tacoma residents• Begin outreach to Neighborhood Councils and other community groups• Gather survey responses at community events (e.g. MLK Celebration, APCC New Year Festival)
	February 2019	<ul style="list-style-type: none">• Analyze focus group results• Continue meeting with community groups to get feedback• Continue gathering surveys
	March 2019	<ul style="list-style-type: none">• Continue meeting with community groups to get feedback• Continue gathering surveys• Make recommendation to IPS Sub-Committee.
PHASE 2 Rollout of Changes	April 2019	<ul style="list-style-type: none">• Based on recommendation from IPS Sub-Committee, and likely Council resolution, begin to develop messaging for changes• Identify opportunities for pushing out messaging around changes• Plan for legal notices to occur at <u>LEAST 45 days</u> in advance of the implementation of any new rate changes or surcharges.
	May 2019	<ul style="list-style-type: none">• Continue working with consultants to refine messaging and prepare rollout strategy for changes
	June 2019	<ul style="list-style-type: none">• Rollout changes via multiple media avenues (e.g. social media, door hangers, news coverage, website, radio, etc.)

Upcoming Meetings

February

February 4th at 6:00PM – [North End Neighborhood Council Meeting](#), Trimble Forum, University of Puget Sound, 1565 North Union Avenue, Tacoma, WA 98416

February 7th at 7:00PM – [Central Tacoma Neighborhood Council](#), Tacoma Nature Center, 1919 S Tyler St, Tacoma, WA 98405

February 9th at 11AM – [Asia Pacific Cultural Center New Year Festival](#), Tacoma Dome, 2727 E D St, Tacoma, WA 98421

February 13th at 5:30PM – [New Tacoma Neighborhood Council](#), Room 248, Tacoma Municipal Building, 747 Market St, Tacoma, WA 98402

February 20th at 7:00PM – [West End Neighborhood Council](#), Tacoma Fire Station 16, 7217 6th Avenue, Tacoma, WA 98406

February 21st at 6:00PM – [Northeast Neighborhood Council](#), The Center at Norpoint, 4818 Nassau Ave. NE, Tacoma, WA 98422

February 28th at 6:00PM – Tacoma Community Council, Room 16, Tacoma Municipal Building North, 728 Market St, Tacoma, WA 98402

March

March 2nd at 10:00AM – [12th Annual South Sound Sustainability Expo](#), Greater Tacoma Convention Center, 1500 Commerce St, Tacoma, WA 98402

Proposed Actions

1: Limited Recycling	2: Partial Recycling	3: Maintain Full Curbside Recycling	4: Maintain Full Recycling Plus
<ul style="list-style-type: none">• Additional 3% (\$1.33/month average) residential rate increase for additional landfill costs• Eliminates curbside recycling• 2 satellite drop-off recycle centers	<ul style="list-style-type: none">• \$2.40 recycle surcharge/month• Eliminate curbside glass recycling• Provide satellite glass boxes or recycle stations	<ul style="list-style-type: none">• \$3.00 recycle surcharge/month• Remove problem items from commingle recycle list	<ul style="list-style-type: none">• \$4.00 recycle surcharge/month• Remove problem items from commingle recycle list• Provide satellite glass boxes or recycle stations• Increased education on recycling



TO: Elizabeth A. Pauli, City Manager
FROM: Kurtis D. Kingsolver, P.E., Public Works Director/City Engineer *KDK*
CC: Tadd Wille, Assistant City Manager
SUBJECT: Public Works Engineering Capital Projects
DATE: January 25, 2019

Public Works is pleased to provide the attached update to our capital projects planning document. The purpose of this document is to provide additional information regarding funding, costs and schedules for active capital projects within Public Works. Updates include changes to project schedules and funding, the addition of new projects, and deletion of projects that have been completed. The document lists projects in categories according to work phase with projects in design listed first, followed by projects in advertisement, construction and closeout. The update also includes Public Works support services for Tacoma Rail projects, building demolition and board-ups for Neighborhood and Community Services, and Community and Economic Development projects and others.

This project list is a result of the residents of Tacoma approving the Street Initiatives (Proposition No. 3 and Transportation Benefit District Proposition A) in November 2015 to fund additional maintenance and improvements to transportation infrastructure. The project funding sources include Propositions A and No. 3, other City funds, grants, gas tax, and City utility funds. Several of the projects are currently funded for design only with construction funding sources to be determined.

Please note this is a planning document that is subject to change as new funding becomes available and as progress is made on capital projects, whether it be in designs and/or construction. Questions regarding this document can be addressed to Chris Larson, Public Works Engineering Division Manager, at 253-591-5538 or clarson@cityoftacoma.org.

Attachment: Capital Projects Planning Document, January 2019

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Projects in Planning																													
1 Streets Initiative #14	\$1,710,000	\$1,710,000	Fund 1085 - \$1,710,000	Planning	Planning	12/18	1/19																						
					Design	2/19	12/19																						
					DBDesign																								
					ROW																								
					AdAward	1/20	3/20	PL	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
					Construction	4/20	10/20																						
					DBConst																								
				CloseOut	11/20	12/20																							
				Other																									
2 Warhoop Bridge	\$100,000	\$100,000	Tacoma Rail - \$100,000	Planning	Planning	6/19	7/19																						
					Design																								
					DBDesign																								
					ROW																								
					AdAward	8/19	9/19					D	D	Ad	Ad	CN	CN	CN	CN	CO									
					Construction	10/19	1/20																						
					DBConst																								
				CloseOut	2/20	2/20																							
				Other																									
3 Streets Initiative #26	\$3,250,000	\$3,250,000	Fund 1085 - \$3,250,000	Planning	Planning	1/19	2/19																						
					Design	3/19	6/19																						
					DBDesign																								
					ROW																								
					AdAward	7/19	9/19	PL	PL	D	D	D	D	Ad	Ad	Ad	CN	CN	CN	CN	CN	CN	CN	CN	CN	CO	CO		
					Construction	10/19	6/20																						
					DBConst																								
				CloseOut	7/20	8/20																							
				Other																									
4 Schuster Parkway Promenade	\$1,616,659	\$1,616,659	FHWA (STP) - \$1,170,172 Storm Fund - \$95,173 Open Space (Active) - \$91,314 Fund 1140 Paths - \$60,000 Fund 1065 - \$200,000	Planning	Planning	1/18	12/19																						
					Design																								
					DBDesign																								
					ROW																								
					AdAward																								
					Construction																								
					DBConst																								
				CloseOut																									
				Other																									
5 Streets Initiative #22	\$1,900,000	\$1,900,000	Fund 1085 - \$1,900,000	Planning	Planning	12/18	1/19																						
					Design	2/19	12/19																						
					DBDesign																								
					ROW																								
					AdAward	1/20	3/20	PL	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		
					Construction	4/20	10/20																						
					DBConst																								
				CloseOut	11/20	12/20																							
				Other																									
6 Streets Initiative #25	\$1,900,000	\$1,900,000	Fund 1085 - \$1,900,000	Planning	Planning	12/18	1/19																						
					Design	2/19	12/19																						
					DBDesign																								
					ROW																								
					AdAward	1/20	3/20	PL	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		
					Construction	4/20	10/20																						
					DBConst																								
				CloseOut	11/20	12/20																							
				Other																									
Projects in Design																													
1 56th and Cirque Drive Corridor Ph 2	\$9,357,651	\$9,357,651	Fund 1060 MVFT - \$207,750 General Fund - \$34,991 FHWA (STP) - \$489,250 FHWA (STP) - \$6,955,729 Fund 1085 - \$1,669,931	Design	Planning	11/17	9/19																						
					Design																								
					DBDesign																								
					ROW																								
					AdAward	10/19	12/19	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		
					Construction	1/20	12/20																						
					DBConst																								
				CloseOut																									
				Other																									

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2 Pac Ave/SR7	\$995,166	\$995,166	HSIP - \$945,166 Fund 1060 MVFT - \$50,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/181 2/19																							
3 Blix & Stanley Safe Routes to Schools	\$495,000	\$495,000	REET - \$495,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18 1/19																							
4 Puyallup River Railroad Bridge Maintenance & Repairs	\$1		Tacoma Rail - \$1	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	8/18 8/18																							
5 Marine View Drive Crossing Improvements	\$1,406,180	\$1,406,180	Tacoma Rail - \$40,420 Rail Grant - \$682,880 Rail Grant - \$682,880	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	3/17 9/17 10/17 6/18																							
6 East 64th Street: Pacific to McKinley	\$9,501,958	\$9,501,958	Fund 1085 - \$850,000 TIB - \$6,501,958 Fund 1085 - \$2,150,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/17 5/19																							
7 Prairie Line Trail Phase III	\$900,000	\$900,000	REET - \$900,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	5/17 4/18 1/19																							
8 Prairie Line Trail Phase II	\$1,065,601	\$1,065,601	REET - \$780,986 Fund 1060 MVFT - \$172,615 General Fund - \$37,000 Fund 1085 - \$75,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/15 5/18 12/18																							
9 Water Ditch Trail Phase III Final Design & ROW	\$377,955	\$377,955	REET - \$136,991 CMAQ - \$89,907 Fund 1060 MVFT - \$51,057 Fund 1085 - \$100,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	8/17 6/19																							

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS		TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE		2019												2020											
								Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
10	Norpoint Way	\$125,000	\$125,000	Fund 1085 - \$125,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/17	6/18																							
11	Yakima Avenue Bridge	\$3,456,950	\$3,456,950	BRAC - \$2,990,000 Fund 1085 - \$466,950	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/19	3/19	D	D	D	Ad	Ad	Ad	CN	CN	CN	CO	CO	CO											
12	Ruston Way Seawalls (Silver Cloud, Puget Creek & Dickman Mill Park)	\$100,000	\$100,000	Fund 1060 MVFT - \$100,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	3/18	5/19	D	D	D	D	D																		
13	Striping 2019	\$500,000	\$500,000	Multimodal - \$500,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/19	2/19	D	D	Ad	Ad	Ad	CN	CN	CN	CO	CO													
14	Pipeline Trail Phase 3	\$2,511,057	\$2,511,057	TAP Grant - \$1,936,057 Fund 1085 - \$575,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	2/18	3/18	D	Ad	Ad	Ad	CN	CN	CN	CN	CN	CO	CO	CO											
15	Streets Initiative 20	\$1,330,000	\$1,330,000	Fund 1085 - \$1,330,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18	1/19	D	Ad	Ad	Ad	CN	CN	CN	CN	CO	CO	CO												
16	Streets Initiative 17	\$2,805,000	\$2,805,000	Fund 1085 - \$2,805,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18	3/19	D	D	D	Ad	Ad	Ad	CN	CN	CN	CO	CO												
17	Municipal Dock Deck Demo and Esplanade Improvements, Sites 10 and 12 Esplanade	\$1,780,000	\$1,780,000	General Fund - \$950,000 General Fund - \$800,000 FWDA - \$30,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/17	12/18	Ad	Ad	Ad	CN	CN	CO	CO																

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE		2019												2020											
							Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
18 Site 10 and 12 Esplanade Seawall Repair	\$2,610,000	\$2,610,000	General Fund - \$2,010,000 REET - \$600,000	Design	Planning																									
					Design	3/18	4/19																							
					DBDesign																									
					ROW																									
					AdAward	5/19	7/19	D	D	D	D	Ad	Ad	Ad																
				Construction	9/19	2/20																								
				DBConst																										
				CloseOut	3/20	5/20																								
				Other																										
19 Dome District Rail Crossings	\$985,000	\$985,000	REET - \$985,000	Design	Planning																									
					Design	10/18	8/19																							
					DBDesign																									
					ROW																									
					AdAward	9/19	11/19	D	D	D	D	D	D	D	D	Ad	Ad	Ad	CN											
				Construction	12/19	7/20																								
				DBConst																										
				CloseOut	8/20	10/20																								
				Other																										
20 Taylor Way	\$23,375,409	\$23,375,409	FMSIB - \$2,500,000 PSRC Fed - \$1,384,300 PSRC Fed - \$4,000,000 Fund 1085 - \$569,999 ES Sanitary - \$208,789 PSE - \$1,000,000 NHFP - \$8,894,996 Fund 1085 - \$1,200,825	Design	Planning																									
					Design	1/18	8/19																							
					DBDesign																									
					ROW																									
					AdAward	9/19	11/19	D	D	D	D	D	D	D	D	Ad	Ad	Ad												
				Construction	1/20	3/21																								
				DBConst																										
				CloseOut																										
				Other																										
			Tacoma Rail - \$250,000 Water - \$3,000,000 Prologis - \$10,000 DCT - \$156,500 Port of Tacoma - \$200,000																											
21 Fawcett Avenue	\$1,263,290	\$1,263,290	Fund 1085 - \$250,000 WSDOT Bike Ped - \$1,013,290	Design	Planning																									
					Design	10/18	11/19																							
					DBDesign																									
					ROW																									
					AdAward	12/19	2/20	D	D	D	D	D	D	D	D	D	D	D	Ad											
				Construction	3/20	9/20																								
				DBConst																										
				CloseOut	10/20	12/20																								
				Other																										
22 6th Avenue (Titlow) Rail Crossing	\$1,166,750	\$1,166,750	Fund 1085 - \$60,000 WSDOT Grant - \$1,106,750	Design	Planning																									
					Design	10/18	8/19																							
					DBDesign																									
					ROW																									
					AdAward	9/19	11/19	D	D	D	D	D	D	D	D	Ad	Ad	Ad	CN											
				Construction	12/19	7/20																								
				DBConst																										
				CloseOut	8/20	10/20																								
				Other																							</			

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
25 East Portland Ave Corridor Safety Improvements	\$1,790,540	\$1,790,540	HSIP - \$1,224,481 Fund 1085 - \$566,059	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	3/18	5/19																						
						6/19	8/19	D	D	D	D	D	Ad	Ad	Ad	CN	CN	CN	CN	CN	CN	CN	CN	CN	CO	CO	CO		
						9/19	6/20																						
						7/20	9/20																						
26 Steele Street ROW	\$173,000	\$173,000	Misc. - \$173,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/18	1/19																						
						2/19	3/19	D	Ad	Ad	CN	CN	CO	CO															
						4/19	5/19																						
						6/19	7/19																						
27 Revitalizing Brewery District	\$2,725,975	\$2,725,975	TAP Grant - \$2,201,474 Fund 1085 - \$524,501	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	11/18	10/19																						
						11/19	1/20	D	D	D	D	D	D	D	D	D	Ad	Ad	Ad	CN	CN	CN	CN	CN	CN	CN			
						2/20	8/20																						
28 S. 19th Street: Union to Mullen	\$3,367,865	\$3,367,865	Misc. - \$2,517,865 Fund 1085 - \$850,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	11/18	3/19																						
						4/19	6/19	D	D	D	Ad	Ad	Ad	CN	CN	CN	CO	CO											
						7/19	9/19																						
						10/19	11/19																						
29 Streets Initiative Package 13	\$2,292,000	\$2,292,000	Fund 1085 - \$2,292,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18	2/19																						
						3/19	5/19	D	D	Ad	Ad	Ad	CN	CN	CN	CN	CN	CN	CO	CO	CO								
						6/19	11/19																						
						12/19	2/20																						
30 Links to Opportunity (TOD) Streetscape	\$1,930,000	\$1,930,000	FTA - \$1,494,000 Fund 1060 MVFT - \$168,855 REET - \$261,145 General Fund - \$6,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	2/16	5/16																						
						9/16	8/19																						
								D	D	D	D	D	D	D															
31 Beautification of STW & Pacific Ave	\$200,000	\$100,000	Street Ops - \$200,000	Design	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	11/18	2/19																						
						3/19	5/19	D	D	Ad	Ad	Ad	CN	CN	CN	CO	CO												
						6/19	8/19																						
						9/19	10/19																						

Projects in Ad-Award

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1 Streets Initiative Package 10	\$1,955,000	\$1,955,000	Fund 1085 - \$1,955,000	Ad-Award	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/18 11/18 3/19 8/19	10/18 1/19 7/19 10/19																						
2 Safe Routes to Schools - Lister and First Creek	\$949,000	\$919,000	SRTS Grant - \$450,115 Fund 1085 - \$100,000 SRTS Grant - \$318,885 Fund 1085 - \$80,000	Ad-Award	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	12/17 12/18 3/19 8/19	11/18 2/19 7/19 10/19																						
3 S. 19th Street Sidewalk: Cedar to Bates	\$502,190	\$502,190	TIB - \$346,000 Fund 1085 - \$156,190	Ad-Award	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/18 1/19 4/19 7/19	11/18 3/19 6/19 9/19																						
4 Guard Rails	\$295,000	\$245,000	REET - \$245,000 Private - \$50,000	Ad-Award	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18 11/18 2/19 5/19	10/18 1/19 4/19 5/19																						
Projects in Construction																													
1 N. 21st Street Proctor to Pearl	\$800,000	\$800,000	General Fund - \$500,000 Fund 1085 - \$250,000 Fund 1060 MVFT - \$50,000	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/18 7/18 11/18 5/19	6/18 10/18 4/19 6/19																						
2 Puyallup River Bridge F16A and B	\$42,014,905	\$41,886,043	BRAC - \$15,628,538 Dept. Com. (SI) - \$6,950,000 FMSIB - \$5,000,000 FHWA (STP) - \$12,200,000 Fund 1060 MVFT - \$81,005 Port of Tacoma - \$500,000 REET - \$1,620,206 Fund 4301 ENV - \$12,299 Fund 1065 - \$22,857	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/16 8/17 4/16 4/18 4/19	6/17 3/18 6/17 3/19 6/19																						
3 Streets Initiative Package 11	\$2,930,345	\$2,930,345	Fund 1085 - \$2,930,345 Water - \$0	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	9/17 3/18 6/18 3/19	2/18 5/18 2/19 5/19																						

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
4	Parcell 77/Kaiser	\$150,000	\$150,000	Tacoma Rail - \$150,000	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	4/18	8/18																					
5	Puyallup River Bridge Bearing Upgrades	\$1,300,000	\$1,300,000	Fund 1060 MVFT - \$539,443 - \$760,557	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	12/18	2/19	7/19	9/19																			
6	Pipeline Trail Phase 2	\$2,787,867	\$2,787,867	REET - \$290,000 Fund 1085 - \$455,267 CMAQ - \$2,042,600	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	8/16	2/18																					
7	Firemans Park	\$302,817	\$302,817	RPS - \$12,000 Reclamation Fund - \$290,817	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	5/18	11/18																					
8	Street Initiative 12	\$2,400,000	\$2,400,000	Fund 1085 - \$2,400,000	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	11/17	6/18																					
9	Ruston Way Sidewalk	\$349,616	\$349,616	General Fund - \$349,616	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/18	9/18																					
10	Lincoln Ave Business District Phase 2 Festival Street	\$2,224,024	\$2,224,024	TIB - \$1,039,624 TIB - \$250,000 Fund 1085 - \$134,400 General Fund - \$800,000	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	6/17	3/18																					
11	Streets Initiative Package 6 Stadium/North Slope	\$2,000,000	\$2,000,000	Fund 1085 - \$2,000,000	Construction	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	11/17	5/18																					

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE		2019												2020											
							Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
12 Capital Sidewalk 2018 Package 1	\$250,000	\$250,000	REET - \$250,000	Construction	Planning	11/17	2/18																							
					Design																									
					DBDesign																									
					ROW	3/18	6/18	CN	CO	CO	CO																			
					AdAward	7/18	1/19																							
				Construction																										
				DBConst	2/19	4/19																								
				CloseOut																										
				Other																										
13 Capital Sidewalk 2018 Package 2	\$250,000	\$250,000	REET - \$250,000	Construction	Planning	11/17	5/18																							
					Design																									
					DBDesign																									
					ROW	6/18	8/18	CN	CO	CO	CO																			
					AdAward	9/18	1/19																							
				Construction																										
				DBConst	2/19	4/19																								
				CloseOut																										
				Other																										
14 Pantages Theater	\$4,308,768	\$4,308,768	Misc. - \$4,308,768	Construction	Planning																									
					Design																									
					DBDesign																									
					ROW	5/18	3/19	CN	CN	CN																				
					AdAward																									
				Construction																										
				DBConst																										
				CloseOut																										
				Other																										
Projects in Close Out																														
1 Prairie Line Trail Phase I	\$4,995,702	\$4,989,702	Fund 1140 Paths - \$60,000 FHWA (STP) - \$465,000 Ecology Grant - \$53,330 PSRC Fed - \$1,919,372 Fund 4301 ENV - \$325,000 Metro Parks - \$415,000 REET - \$1,532,000 Fund 1060 MVFT - \$144,833 LTGO Bond 2010 - \$21,167 Misc. - \$60,000	Close Out	Planning	3/14	10/15																							
					Design																									
					DBDesign																									
					ROW	2/16	9/16																							
					AdAward	10/16	11/17																							
				Construction																										
				DBConst	12/17	12/18																								
				CloseOut																										
				Other																										
2 Pedestrian Accessibility Improvements	\$796,000	\$796,000	Fund 1085 - \$575,000 RPS - \$187,000 Private - \$5,000 Fund 1065 - \$29,000	Close Out	Planning	9/17	3/18																							
					Design																									
					DBDesign																									
					ROW	4/18	6/18	CO																						
					AdAward	7/18	11/18																							
				Construction																										
				DBConst	12/18	1/19																								
				CloseOut																										
				Other																										
3 Lincoln District Streetscape	\$8,892,162	\$8,394,019	General Fund - \$622,000 General Fund - \$1,020,000 REET - \$500,000 TIB - \$259,906 REET - \$1,934,821 LTGO Bond 2009 - \$123,120 LTGO Bond 2009 - \$73,205 LTGO Bond 2009 - \$1,030,104 LTGO Bond 2009 - \$214,693 LTGO Bond 2010 - \$842,491 LTGO Bond 2010 - \$294,530 TPU Power Rebate - \$6,039 Fund 1085 - \$118,600 Storm Fund - \$1,062,883 ES Sanitary - \$253,529 Water - \$536,241	Close Out	Planning	3/15	11/16																							
					Design																									
					DBDesign																									
					ROW	12/16	6/17	CO	CO																					
					AdAward	7/17	11/18																							
				Construction																										
				DBConst	12/18	2/19																								
				CloseOut																										
				Other																										

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
4 East 25th Street	\$1,000,000	\$1,000,000	Misc. - \$950,000 Fund 1085 - \$50,000	Close Out	Planning: 6/17 12/17 Design: 6/17 12/17 DBDesign: 6/17 12/17 ROW: 6/17 12/17 AdAward: 1/18 4/18 Construction: 5/18 11/18 DBConst: 12/18 2/19 CloseOut: 12/18 2/19 Other: 12/18 2/19																								
5 South Stevens/Tyler/66th Bike and Pedestrian Connector Phase 1 Construction	\$2,850,232	\$1,725,790	REET - \$1,249,380 WSDOT Bike Ped - \$1,280,392 Fund 1085 - \$305,460 Misc. - \$15,000	Close Out	Planning: 1/16 2/18 Design: 1/16 2/18 DBDesign: 1/16 2/18 ROW: 1/16 2/18 AdAward: 3/18 5/18 Construction: 6/18 12/18 DBConst: 1/19 3/19 CloseOut: 1/19 3/19 Other: 1/19 3/19																								
Projects in Other																													
1 Bridge Inspection	\$350,000	\$350,000	Fund 1060 MVFT - \$350,000	Other	Planning: 8/19 10/19 Design: 8/19 10/19 DBDesign: 8/19 10/19 ROW: 8/19 10/19 AdAward: 8/19 10/19 Construction: 8/19 10/19 DBConst: 8/19 10/19 CloseOut: 8/19 10/19 Other: 8/19 10/19																								
2 Foss Groundwater Monitoring	\$150,000	\$150,000	Fund 1060 MVFT - \$150,000	Other	Planning: 1/19 1/19 Design: 1/19 1/19 DBDesign: 1/19 1/19 ROW: 1/19 1/19 AdAward: 1/19 1/19 Construction: 1/19 1/19 DBConst: 1/19 1/19 CloseOut: 1/19 1/19 Other: 1/19 1/19																								
3 Curb Ramp Inventory	\$50,000	\$50,000	Fund 1085 - \$50,000	Other	Planning: 1/18 12/20 Design: 1/18 12/20 DBDesign: 1/18 12/20 ROW: 1/18 12/20 AdAward: 1/18 12/20 Construction: 1/18 12/20 DBConst: 1/18 12/20 CloseOut: 1/18 12/20 Other: 1/18 12/20																								
4 Sidewalk Program	\$1		General Fund - \$1	Other	Planning: 1/18 12/20 Design: 1/18 12/20 DBDesign: 1/18 12/20 ROW: 1/18 12/20 AdAward: 1/18 12/20 Construction: 1/18 12/20 DBConst: 1/18 12/20 CloseOut: 1/18 12/20 Other: 1/18 12/20																								
5 RR Crossing Support at McCarver	\$450,000	\$450,000	Fund 1060 MVFT - \$400,000 UTC Grant - \$50,000	Other	Planning: 8/17 6/19 Design: 8/17 6/19 DBDesign: 8/17 6/19 ROW: 8/17 6/19 AdAward: 8/17 6/19 Construction: 8/17 6/19 DBConst: 8/17 6/19 CloseOut: 8/17 6/19 Other: 8/17 6/19																								

Public Works Engineering Capital Projects Funding, Cost and Schedule

CAPITAL PROJECTS	TOTAL FUNDING	TOTAL PROJECTED COST	FUNDING SOURCES	CURRENT PHASE	TENTATIVE SCHEDULE	2019												2020											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
6 House Demos, Board Ups, Nuisance Abatement	\$1		General Fund - \$1	Other	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other																								
Projects in On Hold																													
1 Buffelen Curve	\$50,000	\$50,000	Tacoma Rail - \$50,000	On Hold	Planning Design DBDesign ROW AdAward Construction DBConst CloseOut Other	1/18	5/18																						
								Ad	Ad	CN	CN	CN																	



TO: Elizabeth A. Pauli, City Manager
FROM: Peter Huffman, Director, Planning and Development Services *JPM*
Elliott Barnett, Senior Planner, Planning and Development Services
SUBJECT: **Cushman and Adams Substations Adaptive Reuse**
DATE: January 30, 2019

At Council's request, Planning and Development Services (PDS), in consultation with Tacoma Public Utilities (TPU) staff, are providing an update on planning efforts for the Cushman and Adams substations. PDS and TPU staff are currently collaborating, with input from representatives of the North End Neighborhood Council and other community members, to develop a broad, inclusive public engagement process to begin in Summer 2019. Input received during this process will help inform future City Council and TPU Board decisions on the re-use of these sites. Additional information and project updates are available at www.cityoftacoma.org/cushman.

BACKGROUND:

The Cushman and Adams substations were built in the mid-1920s to bring electricity from the Cushman Hydroelectric project to Tacoma. For many years, the substations served as active parts of the electric system. The Adams substation was declared surplus to utility needs in 2009, and the Cushman substation has not yet been declared surplus to TPU's needs.

In June 2017, the City Council placed the exteriors of both substations on the Tacoma Register of Historic Places and directed General Government and TPU staff to work collaboratively and engage the community on future redevelopment of the properties. A Memorandum of Understanding (MOU) was signed in July 2018 and designated that General Government will lead, with TPU support, an outreach effort to ensure broad community involvement and input regarding future re-use of the properties.

In the meantime, staff are laying the groundwork for the public engagement effort, and have met periodically with interested stakeholders, supported the North End Neighborhood Council with various outreach efforts, and made preliminary information available on the General Government and TPU websites. On September 22, 2018, the North End Neighborhood Council hosted a well-attended public event titled "Discover Cushman!" and gathered initial input from the public regarding potential future use alternatives.

NEXT STEPS:

In collaboration with TPU and the North End Neighborhood Council, PDS staff will conduct a broad, inclusive community and stakeholder engagement effort with multiple opportunities to provide input on the future use of the site. The process will be informed by the goals and policies of the One Tacoma Plan and the Tacoma 2025 Strategic Plan, community priorities, urban design considerations, site environmental characteristics, historic designations, and economic/fiscal feasibility. The outcomes of this process will be one or more publicly vetted preferred future use options for the City Council and TPU Board's consideration and future action.

During the next few years, TPU will continue its work to identify alternatives for the equipment repair and storage currently taking place at Cushman substation. TPU has also been working to identify environmental clean-up needs. The facility replacement and clean-up initiatives are ongoing and will be executed according to the terms of the MOU and informed by any future adaptive re-use plan(s) for the properties approved by the TPU Board and City Council.

Elizabeth A. Pauli, City Manager
Cushman and Adams Substations
January 30, 2019
Page 2 of 2

For questions, please contact Senior Planner Elliott Barnett at (253) 591-5389 or elliott.barnett@cityoftacoma.org; or TPU Community and Government Relations Manager Clark Mather at (253) 441-4159 or cmather@cityoftacoma.org.

ATTACHMENTS:

- Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

BETWEEN

CITY OF TACOMA

AND

TACOMA POWER

THIS MEMORANDUM OF UNDERSTANDING is memorialized this 24th day of July, 2018, by and between the City of Tacoma Department of Public Utilities, Light Division, (d.b.a. Tacoma Power), and the City of Tacoma's general government. Each of Power and the City of Tacoma's general government are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

WITNESSETH:

WHEREAS, the Tacoma City Council enacted Substitute Resolution 39741 on June 6, 2017, which added the exteriors of the following properties to the Tacoma Register of Historic Places: Cushman Substation, located at 3713 North 19th Street, and adjacent Adams Street Substation located at 1920 North Adams Street ("Properties"); and

WHEREAS, the Cushman substation property and transmission line were previously added to the National Register of Historic Places in 2016; and

WHEREAS the Properties are of primary historical significance to Tacoma, are significant for their association with the region's growth as a result of hydroelectric power production, and are an excellent example of monumental, neoclassical revival style architecture; and

WHEREAS the Cushman Substation is the subject of a 2017 Memorandum of Agreement (MOA) among the US Army Corps of Engineers, the Washington State Historic Preservation Officer, and Tacoma Power calling for the rehabilitation, restoration and preservation of certain historic features Cushman Substation as mitigation for the modernization of the Henderson Crossing portion of the historic Potlatch Transmission line; and

WHEREAS, Tacoma Power is undertaking the North 21st Street Transmission Line Project, which is planned to replace aging lattice towers originally part of the Potlatch Transmission Line with steel poles in the 2018 calendar year. At completion of that work plan, Cushman substation will no longer serve as an active substation; and

WHEREAS, at the completion of the North 21st Street Transmission Line Project, the Cushman Street Substation will continue for a time to serve a number of

other purposes for Tacoma Power's ratepayers, including housing a 50-ton capacity crane that is used for heavy equipment repair, large equipment storage, and other uses, and is not currently surplus to utility operations; and

WHEREAS, the adjacent Adams Street Substation was previously determined to be surplus to utility operations by Public Utility Board Resolution No. U-10270 and Tacoma City Council Resolution No. 37730 enacted on January 28, 2009, and February 10, 2009, respectively; and

WHEREAS, in addition, City Council Substitute Resolution No. 39741 directs the City's general government and Tacoma Power to work collaboratively to plan and provide for disposition of the Cushman Substation, including winding down of Tacoma Power operations on the site, environmental assessment and remediation, and contemplates a lead role for general government in the future redevelopment of the Cushman and Adams Street Substations; and

WHEREAS, under Resolution 39741 it is further contemplated that the City's general government and Tacoma Power will enter into a Memorandum of Understanding (MOU) addressing matters to include an orderly winding down of utility operations at Cushman Street Substation, a process for assessment and remediation of any environmental issues, consideration of a potential internal transfer of the Substation premises when determined to be surplus to the utility, and community outreach and input in planning future redevelopment of both the Cushman and Adams Street Substations, and

WHEREAS, the City's general government and Tacoma Power have established a joint staff task force which developed this MOU to meet the objectives of Resolution 39741, and which will continue to meet periodically as the contact group to ensure the Parties respective and collective obligations under this MOU are timely and reasonably fulfilled, and

NOW, THEREFORE, it is hereby agreed as follows:

1. Tacoma Power anticipates proceeding with its scheduled work plan on the replacement of the original North 21st Street Transmission Line Towers, including future de-energizing of the Cushman Street Substation from the Tacoma Power transmission and distribution system. The Cushman Street Substation is currently planned to be disconnected from the system by the end of calendar year 2018.
2. Tacoma Power is currently reviewing cost-effective options to replace the storage and crane capabilities that Cushman Substation currently provides to Tacoma Power's ratepayers, as well as reviewing the storage inventory for reduction in items that will need to be relocated. This work is underway, and Tacoma Power's goal is to have replacement facilities and capabilities in

operation by the end of calendar year 2021, rendering the Cushman Street Substation surplus to the utility.

3. Tacoma Power has initiated environmental studies to characterize legacy environmental issues at or below grade of the properties. Consistent with best practice, those studies will proceed in phases. Depending on the location and extent of contamination, some investigation may be delayed until the Cushman Street Substation is de-energized. Full environmental characterization may not be complete in calendar year 2018. Tacoma Power's goal is to complete the environmental assessment and characterization by the end of calendar year 2019. Once the environmental characterization is complete Tacoma Power will identify the scope and cost of available options to complete any necessary environmental remediation.
4. Prior to any transfer, Tacoma Power will maintain the interior and exterior of both properties to a standard that is consistent with its utility operations, and will fulfill its obligations under the 2017 Memorandum of Agreement (MOA) among the US Army Corps of Engineers, the Washington State Historic Preservation Officer, and Tacoma Power.
5. After the environmental condition of the property is fully characterized, and the cost of available remediation options is established, the Parties will work cooperatively and collaboratively to fully allocate financial and operational responsibility for any required clean up and to determine the fair market value of the Cushman and Adams properties, including an independent appraisal. The parties acknowledge that any potential future internal transfer is dependent on negotiation of an agreement setting the terms of transfer including consideration, as well as future decisions of the Public Utility Board and City Council.
6. The City of Tacoma's general government will be the lead for scoping, scheduling and conducting the community outreach process regarding the future redevelopment of the properties, as well as solicitation of redevelopment proposals. The community outreach process will serve as an initial phase of a master planning process and should ensure broad community involvement and identify community goals for redevelopment of the Properties, which will be reconciled with costs and market constraints that could include public amenities and private development. In order to generate data necessary to allow Tacoma Power to appropriately scope the level and extent of any necessary environmental cleanup of the properties, Tacoma Power will fund up to \$50,000.00 of outside consultant work for the public outreach, and general government will include necessary environmental cleanup levels as a deliverable within the scope of such consulting services. Community outreach may occur with or without a transfer of the properties from Tacoma Power to the City's general government as the Parties deem most efficacious. The

community outreach/initial master planning phase should begin in calendar year 2018.

7. The Parties agree that the intended completion dates for the tasks identified herein are subject to extension for unforeseeable or uncontrollable circumstances, but the Parties remain committed to accomplishing them in a timely and efficient manner.
8. The joint staff task force will periodically report through the Director of Utilities to the Public Utility Board, and through the City Manager to the Tacoma City Council regarding the status of the work undertaken by the Parties in this MOU.

APPROVED:

City of Tacoma



City Manager

ACCEPTED AND AGREED:

Tacoma Public Utilities



Interim Director of Utilities

Is Your Camping Ordinance Constitutional?

A recent Ninth Circuit Federal Court of Appeals case, *Martin v. City of Boise*, ruled that it is unconstitutional for the city to enforce ordinances prohibiting camping in public places against homeless individuals at times when no shelter space is available. Washington is part of the Ninth Circuit so this decision applies to Washington municipalities.

Many Washington municipalities have ordinances that prohibit camping and sleeping on public property (e.g., camping ordinances). This article will examine the case and provide thoughts on the status of such ordinances in light of the *Martin* decision.

Martin Requires Alternatives to Public Camping

Martin was a challenge brought by homeless individuals to Boise's enforcement of camping ordinances against the homeless individuals when no shelter space is available. They argued that citing homeless individuals under such circumstances is tantamount to criminalizing homelessness. The court agreed, stating:

an ordinance violates the Eighth Amendment insofar as it imposes criminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them.

There was extensive discussion of Boise's attempt to show that there is sufficient shelter space for Boise's homeless population. Of the three shelters in Boise, two are operated by churches and there was evidence that the church shelters required participation in religious activities. The court ruled that shelter space is not "available" if homeless individuals are required to participate in religious instruction in exchange for shelter. The court also noted that all the shelters had limits on how long a person can stay, and that the annual, point-in-time

homeless counts suggested there were more unsheltered homeless than shelter spaces in Boise.

From the court's standpoint, it is not a simple question of whether an ordinance prohibiting camping on public property is constitutional. Rather, enforcement of such an ordinance is cruel and unusual punishment under the Eighth Amendment if a homeless person has no alternative to living and sleeping outside:

As long as there is no option of sleeping indoors, the government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter.

In other words, camping ordinances are not inherently unconstitutional but a municipality can be in violation of the Eighth Amendment if the person cited had no meaningful alternative to sleeping outside.

Additional Information

In footnote 8, the *Martin* court set forth some limits on the scope of its decision:

1. It does not cover individuals who do have access to adequate temporary shelter but choose not to use it.
2. Even when shelter is unavailable, an ordinance may prohibit sitting, lying, or sleeping outside at certain times or in certain locations.
3. An ordinance may prohibit obstruction of rights-of-way or the erection of certain types of structures.
4. Whether such ordinances are consistent with the Eighth Amendment will depend on "whether it punishes a person for lacking the means to live out the 'universal and unavoidable consequences of being human...'"

What Should Cities Do?

Martin raises both legal and policy issues for a municipality to consider. If a municipality is enforcing

camping ordinances, it should obtain review by its legal counsel in light of the *Martin* case and suspend enforcement until that process is complete. Many camping ordinances predate the rise of the homelessness population in this region. As a policy matter, a municipality may want to review its camping ordinances to determine whether they are in keeping with current legislative priorities.

A municipality should decide, as a matter of policy, if it wants to create a system that tracks the number of available shelter beds and the number of homeless individuals in its jurisdiction. Being able to show that shelter beds are available will require ongoing efforts and may be logistically difficult since the number of homeless individuals and the number of shelter beds in a jurisdiction will fluctuate over time. Municipalities will need to coordinate with other entities to the extent shelters in the area are operated by third-party agencies or nonprofits. If a municipality opts not to track this information, then it will be vulnerable to a legal challenge if it enforces ordinances that prohibit camping or sleeping in public.

A municipality can consider limiting the applicability of camping ordinances to certain times of day or certain types of properties. Under *Martin*, the questions will be whether there is shelter space available or whether there are places in the jurisdiction where a homeless individual can sleep or camp without violating camping ordinances.



By Oskar Rey
Legal Consultant
MRSC
orey@mrsc.org



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

TO: Mayor & City Council
FROM: Council Member Chris Beale and Senior Management Fellow Bucoda Warren
COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Assistant City Manager; Bill Fosbre, City Attorney; Executive Leadership Team; File
SUBJECT: **Support Tenant Outreach and Education through Funding for the Tenants Union of Washington and The Tacoma Tenants Organizing Committee**
DATE: January 28, 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 \$20,000 from the City Council Contingency Fund and negotiate a contract for services to support tenant outreach and education through the Tenants Union of Washington and The Tacoma Tenants Organizing Committee.

BRIEF BACKGROUND:

On November 20, 2018, the City of Tacoma unanimously passed a robust set of tenant rights and protections to help promote housing security, address the impacts of displacement, and prevent homelessness. These protections include extended notice to vacate, relocation assistance, extended notice of rent increase, prohibition of retaliation, and installment payments for move in costs, among others.

The City's Office of Equity and Human Rights budgeted \$25,000 for public outreach to educate tenants and landlords on the new laws and their rights under the laws, and the responsibility of landlords to provide information. These meetings will take place in each district of the city and provide translation and other accessibility options as needed to provide equitable outreach to as many tenants as possible. This additional outreach provided by the Tenants Union of Washington and The Tacoma Tenants Organizing Committee will supplement existing efforts to connect tenants to resources and advocate for their interests.

This proposal is aligned with the City's Affordable Housing Action Strategy, which includes a strategic objective to "help people stay in their homes and communities." A recommended action is to "work with partners to increase community organizing" (Action 3.3). Helping people stay in their homes is beneficial for the population of Tacoma as a whole. Renters, particularly those with fewer resources, often rely on their neighbors and community for support, so remaining in place helps maintain community strength and vitality.

These efforts would occur in 2019. The deliverables provided over this timeframe as identified by the Tacoma Tenants Organizing Committee include:

- 8 tenant led public meetings in central, south, and east Tacoma with 50 attendees per meeting.

- “Train the trainer” training for community groups and direct service providers who work with tenants, with a goal of reaching 10 groups and at least 50 direct service providers.
- Outreach to 5,000 tenants through 25 volunteers

The Tacoma Tenants Organizing Committee is not able to directly contract with the City which requires contracting will be done through the Tenants Union of Washington. The Tacoma Tenants Organizing Committee has worked closely with the Tenants Union of Washington which would also provide technical support and assistance for the project.

Success will be measured through the following metrics:

- Track the number of people who attended meetings
- Track the number of people we contacted
- Track the number of organizations and community groups reached
- Track how many tenants are reporting landlord violations to the City
- Evaluation sheets for meetings (more tenants will agree that our presentations improved their knowledge of Tacoma’s tenant protections and how to report violations)
- Collect feedback on barriers to reporting landlord violations, enforcement processes, and how tenants can be better supported by the city
- Collect feedback on what would help tenants better understand the tenant protection laws

Below is a breakdown of the budget proposed.

Topic	Item	Amount
Public Meetings	Space rental	1000
	Food	1000
	Language interpreters	2000
Outreach	Printed materials (fliers, handouts, door hangers, etc)	1000
	Social media advertising	200
Coordination	Tenant leader coordinator, 10 hrs/week, \$15/hr, (Feb-July)	3800
	program manager, part-time salary, contracted with Futurewise (May-July)	6000
Technical Support	Tenants Union of WA (serve as fiscal sponsor and provide training curriculum and additional support to program staff)	2500
Admin fees	Payroll, accounting, etc.	1000
	Contingency	1500

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.
- Ensure all Tacoma residents are valued and have access to resources to meet their needs.

POLICY DEVELOPMENT PATH:

☐ **Request for policy development and legislation**

This item is best aligned with the purview of the following Council Standing Committee (refer to Council Standing Committee Process Manual):

☐ Community Vitality and Safety

☐ Economic Development

☐ Government Performance and Finance ☐ Infrastructure, Planning and Sustainability

☒ **Request for Resolution**

☒ **Is there a specific deadline for this request?** (Note: All Council Consideration Requests will be expedited as soon as possible) 2/5/2019

Please provide a brief explanation of deadline. Next Study Session.

FUNDING REQUESTED:

☒ **Council Contingency Fund Request** *Please provide the Council Contingency Fund Biennial Budget Document if this request is for the use of this fund.

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

\$20,000

☒ Pursuant to TMC 1.06.256 and 1.06.257 procurement of the services through this CCR are deemed to be in the best interests of the City and the competitive solicitation process should be waived. (Check if competitive waiver is requested)

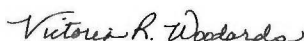
In you have a question related to the Council Consideration Request, please contact Bucoda Warren at (253) 594.7925 or Bucoda.Warren@CityofTacoma.org.



SUBMITTED FOR COUNCIL CONSIDERATION BY: _____
Council Member Chris Beale

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. _____

POS # _____ Mayor _____

2.  _____

POS # _____ 1 _____



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

TO: Mayor & City Council
FROM: Council Member Chris Beale and Senior Management Fellow Bucoda Warren
COPIES TO: Elizabeth Pauli, City Manager; Tadd Wille, Assistant City Manager; Bill Fosbre, City Attorney; Executive Leadership Team; File
SUBJECT: **Support the Installation of a Rain Garden at One or More Schools in Tacoma**
DATE: January 29, 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 \$10,000 from the City Council Contingency Fund to support the installation of a rain garden at one or more schools in Tacoma to support Orca health in the Puget Sound.

BRIEF BACKGROUND:

Orcas Love Raingardens (OLR) is a collaborative partnership between the City of Tacoma, Metro Parks Tacoma, Tacoma Public Schools, Pierce Conservation District, Defenders of Wildlife, and Washington Environmental Council. The program is designed to oversee and support the installation and continued maintenance of raingardens and other forms of GI at public schools and parks in Tacoma. This partnership works to save the Resident Orcas of the Puget Sound through the building of rain gardens and other green infrastructure. OLR also strives to use these projects to educate Tacoma Public School students and their families about the role of green infrastructure in protecting orcas.

OLR has installed a half dozen rain gardens across schools focusing on those that lack opportunity while committing to their values of equity, diversity, inclusion, and ensuring social, racial, and environmental justice concerns are recognized. This funding would support the addition of one or more rain gardens and show the City's commitment to protecting orcas.

Environmental Services supports OLR's vision that all Tacoma Public Schools students and their families will have access to educational, interactive raingardens and will have opportunities to learn about the role of Green Infrastructure in protecting orcas. Environmental Services also provides technical support and some in-kind services for design. Staff has assisted in a couple of planting of the raingardens at schools. The permeable pavement project coming to the IDEA school in south Tacoma is an example of this work.

Specific OLR duties include:

- Conducting outreach to schools interested in OLR and coordinating with teachers and staff on installing and/or maintain school raingardens.
- Assist in securing funding and coordinating volunteers to install new raingardens at schools.
- Check in on the maintenance needs of new raingardens for no more than 5 years after their installation. Partners will assist with securing funding and coordinating volunteers to complete necessary maintenance.

- Provide free educational resources and opportunities to teachers participating in the program, including curriculum guides, expert presentations, and field trips. Teachers will have the freedom to select any resources that are relevant to their existing lesson plans (i.e. the use of these resources is not required for school participation in the program).

Projects identified for 2019 by OLR include restoring raingardens at Baker and Fern Hill schools, and building a new raingarden at Skyline school.

STRATEGIC POLICY PRIORITY:

- Assure outstanding stewardship of the natural and built environment.

POLICY DEVELOPMENT PATH:

☐ **Request for policy development and legislation**

This item is best aligned with the purview of the following Council Standing Committee (refer to Council Standing Committee Process Manual):

☐ Community Vitality and Safety

☐ Economic Development

☐ Government Performance and Finance ☐ Infrastructure, Planning and Sustainability

☒ **Request for Resolution**

☒ **Is there a specific deadline for this request?** (Note: All Council Consideration Requests will be expedited as soon as possible) 2/5/2019

Please provide a brief explanation of deadline. Next Study Session.

FUNDING REQUESTED:

☒ **Council Contingency Fund Request** *Please provide the Council Contingency Fund Biennial Budget Document if this request is for the use of this fund.

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

\$10,000

☐ Pursuant to TMC 1.06.256 and 1.06.257 procurement of the services through this CCR are deemed to be in the best interests of the City and the competitive solicitation process should be waived. (Check if competitive waiver is requested)

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: _____

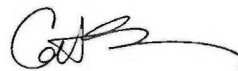
Council Member Chris Beale

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.  _____

POS # _____1_____

2.  _____

POS# _____4_____

2019-2020 Council Contingency Commitments

[illegible]

2019 Council Retreat

9am – 4pm

Briefing items

- Refresh on Priorities
 - 2018 progress in priority areas
 - 2019-2020 budget allocation aligned
- Affordable Housing Action Plan Implementation

Discussion and workshop topics

- Review of 2018 Procedures and processes (what worked/ what didn't)
- Prioritization of Strategies related to Priority areas (digging deeper on priority work)
- Prioritization of Capitol Planning priorities/ projects
- Narrowing in on priorities- like the committee whole meetings

Draft Agenda

8:30- 9:00	Breakfasts	
9:00-9:10	Welcome/ Agenda review	10 mins
9:10-9:25	Ice breaker (TBD)	15 mins
9:25-10:25	Year in Review	60 mins
	<i>Discussion of the how things worked- communication, info, etc.</i>	
10:25-10:30	Break	5 mins
10:30-11:00	Briefing- Priorities Refresh	45 mins
	<ul style="list-style-type: none">• Public Safety• Affordable Housing• Economic Development• Homelessness• Digital Equity• Walkability• Transit Access• Health Equity• Regional cooperation• Civic Engagement	
	15 mins- Budget/ 15 mins- Major Successes/ 15 mins- Work in progress or 4.5 mins on each area	
11:00-12:30	Discussion/ Activity- What's next in the priority areas	75 mins
	<i>Policy discussions and individual council priorities and work</i>	
12:30 -1:00	Lunch	30 mins
1:00-1:15	Mind Meld	15 mins
1:15-1:35	Briefing- Deeper Dive -Affordable Housing	30 mins
	<i>EP&Co discussion the implementation plan</i>	
1:35-2:15	Discussion/ Activity- Affordable Housing Policy Priorities	40 mins
	<i>Council identify policy priorities related to affordable housing</i>	

2:15- 2:25	Break	10 mins
2:25-2:45	Briefing- Capital Funding	20 mins
	<i>EP&Co provide background on capital funding projects and funding opps</i>	
2:45-3:30	Discussion- Prioritization of priorities/ funding opportunities	45 mins
	<i>Council identify their priorities and funding options</i>	
3:30- 4:00	Wrap up and reflection	20 mins

Briefing time: 70 mins (16%)

Discussion time: 265 mins (63%) other: 85 mins (20%)

**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.
		Other Items of Interest: Two Council Consideration Requests Review 2019 Strategic Planning Work Session Agenda	Council Member Beale Mayor Woodards	Request for \$20,000 to support tenant outreach and education; and, request for \$10,000 for installation of a Rain Garden at Tacoma school(s) to support Orca health.
	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	
		State of the City's Assets Update and Facility Condition Assessment	OMB and PW-Facilities	Staff will provide a overview of the City's assets and recent funding decisions along with an update on the 2018 Facilities Condition Assessment.
		Executive Session - Pending Litigation	CAO	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
February 19, 2019	Joint Public Utility Board Study Session (TMBN 16, Noon)	Click! Presentation and Community Focus Group Discussion	TPU/CTC	JoAnne Hovis with CTC will present the term sheets from the Proposers. In addition there will be a discussion related to the community focus groups.
	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)	Tacoma Dome Link Extension and Hilltop Link Extension Construction	Sound Transit/GRO	Sound Transit will provide a briefing on the Tacoma Dome Link Extension development and update on Hilltop Link Extension construction.
		Review of Public Testimony at the Accessory Dwelling Unit Regulations Public Hearing	PDS	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			

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

Date	Meeting	Subject	Department	Background
March 5, 2019	City Council Study Session (TMBN 16, Noon)	Opioid Initiative	Fire	
	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
February 14, 2019	Tacoma Community Redevelopment Authority Interviews	Doris Sorum, City Clerk	3 vacancies
	Human Rights Commission Interviews	Doris Sorum, City Clerk	7 vacancies
Future			
February 28, 2019	Commission on Immigrant and Refugee Affairs Interviews	Doris Sorum, City Clerk	4 vacancies
	2019 Tacoma Gang Assessment	Vicky McLaurin, Social Wellness Program Manager, Neighborhood & Community Services Department	Tacoma gang assessment was performed within the City limits in 2018, and results were released in January 2019. The purpose of this presentation is to inform CVS the summary of results, key findings, trends in crime and violence, recommendations, and next steps in reducing gangs in the community.
March 14, 2019	Library Board of Trustees Annual Report	Kate Larsen, Director, Tacoma Public Library	Tacoma Public Library will provide an annual report on strategic initiatives and activities, as well as a look into 2019's projects and initiatives.
	Neighborhood and Community Services Pilot Project	Keith Williams, Code Compliance Supervisor, Neighborhood and Community Services	An update of NCS Pilot Project in Council Districts 4 and 5, and plans for expansion of the Pilot Project to Council District 3.

Economic Development Committee			
Committee Members: Thoms (Chair), McCarthy, Ushka, Woodards, Alternate-Beale Executive Liaison: Tadd Wille; Staff Support - Lynda Foster		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
February 12, 2019	Pierce County Workforce Development Strategic Direction and Alignment Opportunity	<i>Linda Nguyen, CEO Workforce Central</i>	
	FWDA land transactions	<i>Pat Beard, Project Manager, CEDD</i>	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.
Future			
February 26, 2019	Green Economy Update (Tentative)	<i>Gloria Fletcher, Business Development Manager, CED</i>	This is the first of three presentations intended to provide an overview and subsequent updates on how Tacoma can attract and retain businesses and workers in clean technologies and manufacturing.
March 12, 2019	<i>Cancelled</i>		

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
February 5, 2019	Cancelled		
Future			
February 19, 2019			
March 5, 2019	Annual Open Data and Results253 Report	Katie Johnston, Budget Director, Office of Management and Budget	

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
February 13, 2019	iDEA School Permeable Pavement Project	Jessica Knickerbocker, Engineer, Environmental Services	Briefing on the goals, partnerships, and desired outcomes of the permeable pavement project at the Idea's School
	Right of Way Residential Electric Vehicle Charging Pilot Program	Joe Graff, Planning and Development Services; Jana Magoon, Planning and Development Services	Update on plans for an EV Charging Pilot Program in the right-of-way of residential streets.
	JBLM Airport Compatability	Larry Harala, Associate Planner, Planning and Development Services	
Future			
February 27, 2019	Sustainable Tacoma Commission Interviews	Dorus Sorum, City Clerk	3 vacancies
	Traffic Calming	Jennifer Kammerzell, Traffic Engineer, Public Works	Public Works Department staff will present an overview of the City's Neighborhood Traffic Calming Program, which helps to address speeding and collision concerns on neighborhood streets. The presentation will also include an overview of traffic enforcement around schools.
	Six Year TIP	Jennifer Kammerzell, Traffic Engineer, Public Works	Public Works staff will present the Six-Year Comprehensive Transportation Improvement Program Amended 2019 and 2020 2025 annual amendment process. The presentation will also include a draft list of new projects.
March 13, 2019			



TO: Elizabeth Pauli, City Manager
FROM: Katie Johnston, Budget Officer
COPY: City Council
SUBJECT: Response to City Council Questions on Fees and Charges for Service vs. Fines and Penalties
DATE: January 30, 2019

SUMMARY:

The purpose of this memo is to provide an overview of the City of Tacoma's definition and use of fees, charges for service, fines and penalties. This is in response to a request from Council Member Blocker at the January 29, 2019 Study Session.

BACKGROUND:

The City manages a variety of revenue sources including traditional tax revenues, grants, state shared revenues, and intergovernmental payments. In addition to these sources, the City collects revenues for the purposes of covering the cost of providing a service and/or as a penalty to recognize a violation of a rule and discourage a specific behavior. Below are general definitions of these revenues and examples of how they are applied within the City of Tacoma.

Violations, Penalties, and Fines

Penalties and fines are used to recognize the violation of a rule and/or to discourage a specific behavior and are not intended to cover the cost of services. Historically, fine revenues are inconsistent and less predictable. While the revenues are typically unable to solely fund related programs, any amount raised is used to help defray the costs of services, such as library fines and employment standards (paid sick leave and minimum wage) fines. While penalties may help defray costs, they are typically not tied to the specific service since the related programs would continue based on the merit of the program or public benefit received independent of the revenue collected through fines. For example, the minimum wage and paid sick leave education and enforcement program has continued while not collecting any penalties since its inception.

Revenues that are high volume, significant and consistent overtime can be dedicated to support program costs, such as red light and speed camera revenue use to support traffic enforcement, education, and engineering costs.

Examples:

Penalty or Fine	Fund	Use of Revenues
Library Late Return Fines	0010 – General Fund	Support of General Fund related costs, such as library services (cost of these services exceed revenues)
Criminal Traffic and DUI Penalties	0010 – General Fund	Support of General Fund related costs, such as public safety services (cost of these services exceed revenues)
Minimum Employment Standards Violations	0010 – General Fund	No penalty collected to support related expenses for enforcement and education associated with Minimum Wage and Paid Sick Leave.
Business License Penalties for Failure to Pay	0010 – General Fund	Support of General Fund related costs
Red Light Camera and Speed Camera Fines	1650 – Traffic Engineering, Education, & Enforcement	Used to support Traffic Engineering, Education and Enforcement services. This fund is not fully sustainable and requires transfers from the General Fund to support costs.
Parking Fines	4140 - Parking Fund	Support for parking enforcement and related infrastructure.

***Charges for Services and Fees***

The City of Tacoma provides some services that are targeted to benefit specific customers or groups. The City can charge fees, also referred to as charges for services, to cover the entirety or a portion of the cost of the service. The City of Tacoma does not always recoup the entire cost of the service, since fees could be cost prohibitive to the residents or business. When the charges for service or fees does not fully support the program, other revenues, such as taxes, are used to cover the remaining programmatic costs.

Examples:

Fee or Charge for Service	Fund	Use of Revenues
Regulatory License Fees	0010 – General Fund	Intended to offset the cost of regulating specific industries and the cost of administering the license.
Facility Use Fees	0010 – General Fund	Helps to defray the costs associated with the operations of the library facilities.
Vehicle Fees	1085 – Streets Initiative	Supports the street initiative program and costs associated with maintaining street infrastructure.
Permit Fees	4110-Permit	Supports services directly associated with issuing permits.
Payment in Lieu Fees	0010 General Fund, Others	Can be to support general services or to cover a portion of the service, examples of uses are Public Works projects, development agreements- including Fee in Lieu for Affordable Housing which are specifically designated to the Affordable Housing Trust Fund.
Parking Fees	Parking Fund	Fees associated with the use of garages or the system to help support enforcement and related infrastructure.

ALTERNATIVES:

In order to track the revenues and costs associated with different programs, the City can either do so through reporting to show the costs of the program and related revenues or through administrative use of a fund or subfund.

Fines in the Tacoma Municipal Code – Throughout the municipal code, there is language that describes violations of the code which result in penalties and the amount of the penalty (“Any person violating any of the provisions of Sections X.XX.XXX through X.XX.XXX shall, upon conviction thereof, be fined in any sum not exceeding \$XXX or be imprisoned in the County Jail for a period not exceeding XX days, or be both so fined and imprisoned.”).