



## RESOLUTION NO. U-11050

1 A RESOLUTION authorizing the renewal of the waiver of power and water utility  
2 connection and inspection fees for cities in Tacoma Power and Water's  
service territories during current declared state of emergency.

3 WHEREAS, on May 9, 2017, the City Council passed Ordinance No. 28430  
4 ("Emergency Ordinance"), declaring a state of public health emergency relating to  
5 the conditions of homeless encampments and authorizing such actions as are  
6 reasonable and necessary in light of such emergency to mitigate the conditions  
7 giving rise to such public emergency, and provided that the Emergency Ordinance  
8 would be effective through October 9, 2017, and  
9

10 WHEREAS, on June 6, 2017, by motion 17-0565, the City Council approved  
11 a temporary emergency aid and shelter plan with a three-phased approach  
12 (Mitigation, Stabilization, and Short-Term Transitional Housing) at a projected cost  
13 of \$3.4 million, and  
14

15 WHEREAS, on July 12, 2017, by Resolution U-10942, the Utility Board  
16 authorized the waiver of connection and inspection fees upon request for cities  
17 within Tacoma Power and Tacoma Water's service territories providing facilities for  
18 sheltering low-income and/or infirm persons effective through October 9, 2017, and  
19 requested the Council of the City of Tacoma to pass an ordinance approving such  
20 authority by amending Title 12 of the Tacoma Municipal Code as appropriate, and  
21

22 WHEREAS, based upon a review of the efforts made to abate the  
23 conditions giving rise to the declaration of the public emergency and a  
24 determination that such conditions continued and the public emergency created  
25 thereby had not been abated, the City Council adopted Ordinance No. 28457  
26



1 on October 3, 2017, extending the sunset date of the public emergency  
2 declaration from October 9, 2017, to December 31, 2017, and

3 WHEREAS, on December 12, 2017, the City Council adopted Ordinance  
4 No. 28477, extending again the sunset date of the public emergency declaration  
5 from December 31, 2017, to December 31, 2018, and

6 WHEREAS, on January 24, 2018, by Resolution U-10986, the Utility Board  
7 authorized the waiver of connection and inspection fees upon request for cities  
8 within Tacoma Power and Tacoma Water's service territories providing facilities for  
9 sheltering low-income and/or infirm persons effective through December 31, 2018,  
10 and requested the Council of the City of Tacoma to pass an ordinance approving  
11 such authority by amending Title 12 of the Tacoma Municipal Code as appropriate,  
12 and  
13

14 WHEREAS, on December 4, 2018, based on an additional review of the  
15 conditions giving rise to the declaration of a public emergency and a determination  
16 that the continuing and ongoing threat of significant harm to human health and life  
17 arising from the conditions in homeless encampments, as described in the  
18 Emergency Ordinance, have not yet been abated by the City's actions, the City  
19 Council adopted Ordinance No. 28565, extending the sunset date of the public  
20 emergency declaration from December 31, 2018, to December 31, 2019, and  
21

22 WHEREAS the Public Utility Board ("Board") believes it is in the best  
23 interests of the utility rate payers and the community at large to continue to  
24 provide for utility services for the poor and infirm during the current declared  
25 state of emergency for the Department of Utilities ("TPU") by extending the  
26



1 waiver of connection and inspection fees, for cities in Tacoma Power and  
 2 Tacoma Water's service territories that are establishing facilities for the  
 3 sheltering of low-income and/or infirm persons, to December 31, 2019, and

4 WHEREAS Tacoma City Charter section 4.11 requires all matters related  
 5 to the fixing of rates and charges for utility services to be initiated by the Board  
 6 and approved by the Tacoma City Council; Now, therefore,  
 7

8 BE IT RESOLVED BY THE PUBLIC UTILITY BOARD OF THE CITY OF TACOMA:

9 Sec. 1. The Director of Utilities is authorized to extend the waiver for  
 10 connection and inspection fees upon request for cities within Tacoma Power  
 11 and Tacoma Water's service territories providing facilities for sheltering low-  
 12 income and/or infirm persons during the current declared state emergency set  
 13 to expire on December 31, 2019, and the Council of the City of Tacoma is  
 14 requested to pass an ordinance approving such authority by amending Title 12  
 15 of the Tacoma Municipal Code as appropriate.  
 16

17 Sec. 2. The Director shall cause to be prepared, and submitted to the  
 18 Board a report listing the number and amount of connection and inspect fees  
 19 waived.

20 Approved as to form and legality:

21 

22 Chief Deputy City Attorney

23 \_\_\_\_\_

24 Clerk

Chair \_\_\_\_\_

Secretary \_\_\_\_\_

Adopted \_\_\_\_\_

of December 12, 2018

**REQUEST FOR RESOLUTION**

Date: December 4, 2018

INSTRUCTIONS: File request in the Office of the Director of Utilities as soon as possible but not later than nine working days prior to the Board meeting at which it is to be introduced. Completion instructions are contained in Administrative Policy POL-104.

1. Summary title for Utility Board agenda: (not to exceed twenty-five words)

Authorize renewal of the waiver of power and water utility connection and inspection fees for cities that are providing facilities for sheltering low-income and/or infirm persons and are within Tacoma Power/Water's service territories to December 31, 2019.

2. A resolution is requested to: (brief description of action to be taken, by whom, where, cost, etc.)

Provide utility services for the poor and infirm during the current declared state of emergency for the Department of Public Utilities by renewing the waiver of connection and inspection fees for cities in Tacoma Power and Tacoma Water's services territories for the sheltering of low-income and/or infirm persons to December 31, 2019.

3. Summarized reason for resolution:

The ongoing threat of significant harm to human health and life arising from the conditions in homeless encampments has not yet been abated and has resulted in a continued declaration of emergency.

4. Attachments:

a. Memo to Director of Utilities.

5.  Funds available       Proposed action has no budgetary impact

6. Deviations requiring special waivers:

Originated by:

  
\_\_\_\_\_  
Section Head

Requested by:

\_\_\_\_\_  
Division Head

Approved:

  
\_\_\_\_\_  
Director of Utilities



TO: Jackie Flower, Director of Utilities

FROM: Tom Morrill, Chief Deputy City Attorney *MM*

DATE: December 4, 2018

RE: Authorization for a Renewal of Waiver of Connection and Inspection Fees during State of Emergency

**Recommendation:** The Legal Department recommends that the Public Utility Board authorize the renewal of the waiver of power and water utility connection and inspection fees upon request for cities that are providing facilities for sheltering low-income and/or infirm persons and are within Tacoma Power/ Water's service territories to December 31, 2019.

**Background:** On May 9, 2017, the City Council passed Ordinance No. 28430, declaring a state of public health emergency relating to the conditions of homeless encampments and authorizing such actions as are reasonable and necessary through October 9, 2017.

On June 6, 2017, the City Council approved a motion for a temporary emergency aid and shelter plan with a three-phased approach (Mitigation, Stabilization, and Short-Term Transitional Housing) at a projected cost of \$3.4 million.

On July 12, 2017, the Tacoma Public Utilities Board passed U-10942, authorizing the waiver of connection and inspection fees for cities within Tacoma Power/Water's service territories providing facilities for sheltering low-income and/or infirm persons, effective through October 9, 2017, and requested City Council to pass an ordinance amending Title 12 of the Tacoma Municipal Code.

On October 3, 2017, the City Council adopted Ordinance No. 289457, extending the sunset date of the public emergency declaration from October 9, 2017, to December 31, 2017.

On December 12, 2017, the City Council adopted Ordinance No. 28477, extending the sunset date of the public emergency declaration from December 31, 2017, to December 31, 2018.

On January 24, 2018, the Tacoma Public Utilities Board passed U-10986, authorizing the waiver of connection and inspection fees for cities within Tacoma Power/Water's service territories providing facilities for sheltering low-income and/or infirm persons,

effective through December 31, 2018, and requested City Council to pass an ordinance amending Title 12 of the Tacoma Municipal Code.

On December 4, 2018, the City Council adopted Ordinance No. 28565, extending the sunset date of the public emergency declaration from December 31, 2018, to December 31, 2019.

**Schedule:** The Legal Department recommends that the Board approve the renewal of the waiver and connection fees for cities in Tacoma Power/Water's service territories that are providing facilities for sheltering low-income and/or infirm persons during the declared state of emergency to December 31, 2019.

TM/kh