



# City of Tacoma

## City Council Study Session Minutes

747 Market Street, Tacoma WA 98402, Council Chambers  
Dial: 253-215-8782 Meeting ID: 894 9617 1192  
Webinar Link: [www.zoom.us/j/89496171192](https://www.zoom.us/j/89496171192) Passcode: 896569  
**June 21, 2022**  
**12:00 PM**

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### Call to Order

Mayor Woodards called the study session to order at 12:00 p.m.

### Roll Call

**Present:** 8 - Blocker, Bushnell, Daniels, Hines, Rumbaugh, Ushka, Walker  
and Mayor Woodards  
**Absent:** 1 - McCarthy

Deputy Mayor Ushka and Council Member Walker participated virtually.

### Other Items of Interest

5. [22-0705](#) Council Consideration Request - LGBTQ+ Pride Painting

Mayor Woodards stated that Item No. 5 will be presented first on the agenda. Council Member Walker presented a Council Consideration Request to allocate \$2,500 of Council Contingency Funds for three LGBTQ+ Pride painting projects, including temporary rainbow crosswalks, permanent rainbow bricks, and temporary rainbow barriers; expressed appreciation for Downtown on the Go and Public Works staff for their coordination; and stated the proposed resolution will come forward for action at next week's City Council meeting.

### Briefing Items

1. [22-0700](#) Tacoma Smelter Plume Project Update

At approximately 12:03 p.m., Shirley Schultz, Principal Planner, Planning and Development Services (PDS), provided opening remarks and introduced Marian Abbett, Tacoma Smelter Plume Project Manager, and Justin Zakoren, Yard Program Outreach Coordinator, Washington State Department of Ecology (DOE). Together, they presented an update on the Tacoma Smelter Plume project, including topics; history of the Asarco Smelter; a map of

the smelter plume area; health impacts; ways people can be exposed; healthy actions to help mitigate risks; an overview of the project, noting the original breakdown of the Asarco settlement for the future cost of cleaning up the Tacoma Smelter Plume, and cumulative spending over the life of the project; outreach and education with the Tacoma-Pierce County Health Department (TPCHD); working with residents to cover bare patches of soil; community garden outreach; the DOE Dirt Alert map available online at [apps.ecology.wa.gov/dirtalert/](https://apps.ecology.wa.gov/dirtalert/); the yard program service area; a breakdown of arsenic sampling results; property cleanup status; soil replacement, noting work completed in 2022; the sequence for soil replacement, noting the evolving approach, the focus in 2016 on areas with the highest concentrations, and the shift starting in 2020 to factor in environmental health equity. Abbett concluded by reviewing technical assistance to replace soil as land is being developed, noting voluntary cleanup program project locations, and the Tacoma Smelter Plume Model Remedies Guidance document; the road ahead, noting outreach to new residents and developers; and additional information available from DOE and TPCHD.

Discussion ensued regarding how residents find out whether they need soil replacement, partnerships with TPCHD and the Pierce County Assessor's Office, impacts of the equity analysis on project maps and sequencing, identifying local contractors for cleanup work, suggestions for additional outreach to Neighborhood Councils, testing kits, the Dirt Alert map, funding sources and timelines, and public awareness and communicating with new residents.

2. [22-0701](#) Comprehensive Plan and Land Use Regulatory Code Proposed Amendments  
Public Hearing Debrief Part 2

At approximately 12:43 p.m., Stephen Atkinson, Principal Planner, PDS, provided a debrief of the 2022 Annual Amendments to the Comprehensive Plan and Land Use Regulatory Code, including a summary of previous activities, noting the City Council public hearing on the Planning Commission's recommendations held on June 7, 2022; the debrief and discussion at the June 14, 2022, study session; the decision to postpone first reading of the proposed legislation to the June 21, 2022, meeting; and the plan to schedule second reading of the related legislation on June 28, 2022. He further stated that staff provided additional information on the Annual Amendments in the City Manager's Weekly Report to the Mayor and City Council, including details on the City's noise ordinance and the noise study that was conducted for the NewCold land use designation change application.

Discussion ensued regarding a suggestion that the proposed legislation be postponed to allow time for staff to provide information and Council Members to draft potential amendments, possible noise code violations at the NewCold site, options for a moratorium, timing to present proposed amendments, and next steps to move forward with first reading of the proposed legislation at tonight's meeting.

## Other Items of Interest - Continued

### 3. [22-0702](#) Process and Selection Criteria for Council Member Appointment

Mayor Woodards presented on the process and selection criteria for the appointment to the City Council At-Large Position 7 vacancy, including the requirements in the Rules of Procedure of the Council of the City of Tacoma (Council Rules of Procedure), the process in past years, and gathering high-level criteria and competencies that Council Members would like to see in the applicant pool.

Discussion ensued regarding the Council Members' desired criteria and competencies, including diversity, noting ethnicity, experience, gender, age, race, sexual orientation, and other factors to fill gaps in the existing Council Member representation; skills, noting decision-making, communication, teamwork, business acumen, knowledge of the community, leadership, working through complex issues, finding consensus, and moving initiatives forward; and experience, noting board or committee, economic development, small business, budget, legal, and environmental or science backgrounds. Discussion continued regarding other desired qualities of applicants, including strong integrity, ethics, and values; ability to represent a myriad of issues; valuing the different experiences of people who live in Tacoma; residence in geographic areas of the City that are underrepresented; experience both living and working in Tacoma; a willingness to commit substantial time to the role; ability to get up-to-speed quickly; interest in running for election after the appointment ends; a passion for the City; and offering fresh ideas on homelessness.

Discussion continued regarding the appointment process, including past vacancies, handling a large number of applications, options to suspend the Council Rules of Procedure, whether a committee should be formed or all Council Members should review the applications, the process to narrow down applicants, Open Public Meetings Act requirements, which topics are discussed in an executive session, being respectful to applicants and providing sufficient time for interviews, a desire for increased participation by the full City Council, a suggestion for all Council Members to select their

top applicants, having the initial group of selected applicants provide a three-minute presentation or pre-recorded video, providing proposed criteria and competencies to the public, and consensus to clean up the draft process and have further discussion at next week's study session.

4. [22-0704](#) Emergency Rule No. 4 Delivery Fee Caps

Mayor Woodards presented on the proposal to rescind Proclamation of Emergency Rule No. 4 regarding delivery fee caps, noting that the rule was adopted on November 17, 2020, but due to a numbering error, a separate Rule No. 4 regarding virtual format meetings was adopted, and has since been rescinded. She further explained the original purpose of the cap on delivery fees, protecting businesses and employees, the return to in-person dining, and that she plans to bring forward a motion at tonight's meeting to rescind the rule.

Discussion ensued regarding impacts of the COVID-19 pandemic on small businesses, the shutdown of restaurants and other businesses, and the intent of the original rule to protect against exorbitant fees.

5. [22-0705](#) Council Consideration Request - LGBTQ+ Pride Painting

This item was addressed earlier in the study session.

## Committee Reports

There were no committee reports.

## Agenda Review and City Manager's Weekly Report

6. [22-0706](#) Weekly Report to the Mayor and City Council, June 16, 2022

City Manager Elizabeth Pauli stated that there are no ceremonies, and several changes expected on tonight's agenda, including that a motion may be considered to amend Ordinance No. 28819, regarding the NewCold application, to add a cumulative traffic impact study, and for a noise study; and a motion to continue Resolution No. 40985, related to the South Tacoma Economic Green Zone, to study a moratorium. She concluded by reminding everyone that Council Member McCarthy will be recognized during tonight's meeting.

## **Executive Session - Potential Litigation**

**MOTION:** Council Member Blocker moved to convene to an Executive Session pursuant to RCW 42.30.110(1)(i) to discuss potential litigation, not to exceed 15 minutes.

**SECONDED BY:** Council Member Hines.

**ACTION:** Voice vote was taken and carried. The motion was declared adopted.

**Ayes:** 7 - Blocker, Bushnell, Daniels, Hines, Rumbaugh, Ushka and Mayor Woodards

**Absent:** 2 - McCarthy and Walker

The City Council recessed to Executive Session at 1:47 p.m.  
City Attorney Bill Fosbre was present.

The Executive Session concluded, and the study session reconvened, at 2:03 p.m.

## **Adjournment**

There being no further business, the study session was adjourned at 2:04 p.m.

  
Victoria R. Woodards, Mayor

  
Doris Sorum, City Clerk