



# City Council Minutes

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City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

March 29, 2005

The meeting was called to order at 5:04 p.m.

Council Members Present: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

The Flag Salute was led by Council Member Manthou.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Government Performance and Finance Committee, February 23, 2005.
- b. Minutes of the Joint Municipal Action Committee, January 21 and February 18, 2005.
- c. Minutes of the LESA Executive Board, February 16, 2005.
- d. Minutes of the Tacoma Public Library Board of Trustees, February 16, 2005.
- e. Humane Society Animal and Service Delivery Reports, January 2005.

## CONSENT AGENDA

Approval of the amended minutes of the City Council Committee of the Whole, March 1, 2005.

Deputy Mayor Ladenburg moved that the Consent Agenda be approved. Seconded by Council Member Phelps. Voice vote was taken and carried. The Consent Agenda was declared approved.

## PROCLAMATIONS

Mayor Baarsma proclaimed March 30, 2005, as "Dr. Gordon Klatt Day" and presented the proclamation to Mr. David Flentge, CEO of Community Health Care.

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**PUBLIC COMMENT**

This is the time set aside for public comment on items on the agenda. Speakers are asked to identify the specific agenda items they wish to address and comments will be limited to up to five minutes per person.

Public Comment began at 5:11 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
Phyllis Barrett	912 South Cushman Avenue	Purchase Resolution No. 36460
Allen Douglass	University Place resident	Resolution Nos. 36462 and 36463

Public Comment closed at 5:17 p.m.

**R E G U L A R   A G E N D A**

**FINAL READING OF ORDINANCES**

**Ordinance No. 27279**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 5038 Tacoma Mall Boulevard, from an "R-2" One-Family Dwelling District to a "C-1" General Neighborhood Commercial District for the construction of a 9,200-square-foot two-story, office/retail building. (SKXU, L.L.C.; File No. 40000027693)

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27330**

Amending Ordinance No. 27237, which loaned funds to the Foss Waterway Development Authority for various capital improvements, to include two additional uses: \$50,000 for utility relocation expenses and up to \$150,000 for potential cleanup costs for disposal of contaminants in the South 16<sup>th</sup> Street view corridor; and revising the loan repayment date to March 31, 2006.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

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Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27342**

Amending Title 8 of the Municipal Code, relating to public safety and morals, by adding Chapter 8.150, "Prohibition of Sexual Encounter Establishments," prohibiting "sexual encounter establishments" from operating in the City.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27343**

Amending Chapter 6B.30 of the Municipal Code, relating to tax and license, by deleting language referring to the licensing of "sexual encounter establishments."

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27344**

Accepting \$83,102 from the United States Department of Commerce, Economic Development Administration to promote business development on the east side of Tacoma, including the Portland Avenue Business District; authorizing the execution of an agreement with said agency for said purpose; and amending the 2005-2006 Biennial Budget.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 0

The Ordinance was declared passed.

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## FIRST READING OF ORDINANCES

### **Ordinance No. 27345**

Authorizing the execution of a two-year agreement with the National Development Council, in the amount of \$109,600, to assist with identifying sources of funds for recapitalization of business loan programs and the development of additional financing tools; and amending the 2005-2006 Biennial Budget for said purpose.

The Ordinance was set over for final reading next week.

## RESOLUTIONS

### **Purchase Resolution No. 36460**

Awarding contracts to:

1. Peninsula Auto World, Inc./Frontier Ford, in the amount of \$107,907.50, plus applicable sales tax, for five 2005 Ford Explorer 4x4 midsize utility vehicles; and
2. Bud Clary Chevrolet Cadillac, Inc., in the amount of \$70,987.50, plus applicable sales tax, for five 2005 Chevrolet Express cargo vans.

Deputy Mayor Ladenburg moved that the Purchase Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

### **Resolution No. 36461**

Authorizing the execution of an amendment to the agreement with The Law Offices of John Francis Kennedy, in the amount of \$50,000, for a cumulative total of \$75,000, for legal services in the matter of Ting Kray; Samaun Srip; and Sap Kray v. City of Tacoma.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was declared adopted.

### **Resolution No. 36462**

Approving Tacoma Water's request to add approximately 200 acres of undeveloped land in the Spanaway/Frederickson area to its water service area.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 36463**

Approving Tacoma Water's request to add two areas totaling 190 acres of undeveloped land in the Spanaway/Frederickson area to its water service area.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 36464**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption with Tracer and Associates, LLC, for the construction of five townhouses located at 810 South Yakima Avenue in the Downtown Mixed-Use Center.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 36465**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption with Apex Apartments, LLC, for the construction of approximately 160 units of market-rate for rent and/or for sale residential housing located in the 2400 block of South 41<sup>st</sup> Street in the Tacoma Mall Mixed-Use Center.

Council Member Phelps moved that the Resolution be adopted. Seconded by Council Member Anderson. Voice vote was taken and carried. The Resolution was declared adopted.

**Resolution No. 36466**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption with Apex Apartments, LLC, for the construction of approximately 75 units of market-rate for rent and/or for sale residential housing located in the 2400 block of South 41<sup>st</sup> Street in the Tacoma Mall Mixed-Use Center.

Deputy Mayor Ladenburg moved that the Resolution be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was declared adopted.

**UNFINISHED BUSINESS**

None.

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## REPORTS BY CITY MANAGER

City Manager James L. Walton announced that Ms. Mary Brown, Assistant Director Human Resources Department, will retire at the end of March. He also stated Mr. Kurtis Kingsolver, Special Assistant to the City Manager, will return to Public Works as Assistant Engineering Division Manager and wished him well.

## COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Mayor Baarsma asked that temporary fill be placed in the large pot holes located at Schuster Parkway and Pacific Avenue.

Council Member Phelps expressed his appreciation of Mr. Kingsolver's exceptional performance as the Special Assistant.

Council Member Anderson read a note she received from Ms. Claire Hall regarding trash in the community.

Council Member Evans thanked Mr. Kingsolver for his service as Special Assistant. He also mentioned Vladivostok, Russia would be highlighted at the upcoming Film and Food Festival night at the Blue Mouse Theatre.

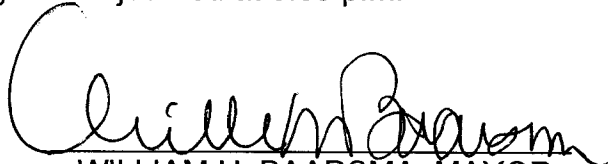
Council Member Lonergan reported that the Hillside Gardens Apartments and Eliza McCabe Townhomes received the VISION 2020 Award at a recent general assembly meeting of the Puget Sound Regional Council. He also reported on his tour of the HOPE VI Salishan Project. He noted that false alarms have been reduced by one-half, which he attributed in part to the licensing of 69 alarm operators.

Council Member Talbert thanked Mr. Michael Mirra and staff for putting together HOPE VI Salishan Project tour. He announced the dedication of the mural honoring military men and women had been cancelled and may be rescheduled to May. He also thanked Mr. Kingsolver for his services as Special Assistant to the City Manager.

Deputy Mayor Ladenburg thanked Mr. Kingsolver and recognized City Manager James Walton for his selection of the Special Assistants.

Council Member Manthou also thanked Mr. Kingsolver.

On proper motion, the meeting was adjourned at 6:09 p.m.

  
WILLIAM H. BAARSMA, MAYOR

ATTEST:



DORIS SORUM, CITY CLERK