



# City Council Minutes

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

August 9, 2005

The meeting was called to order at 5:10 p.m.

Council Members Present: 7 – Ladenburg, Lonergan, Manthou, Phillips, Stenger, Talbert, and Mayor Baarsma.

Council Members Absent: 2 Anderson and Evans. (Council Member Anderson arrived at 5:38 p.m. and Council Member Evans arrived at 5:12 p.m.)

The Flag Salute was led by Council Member Talbert.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Human Rights Commission, June 16, 2005.
- b. Minutes of the Economic Development Committee, July 19, 2005.
- c. Minutes of the Environment and Public Works Committee, June 22, 2005.
- d. Minutes of the Government Performance and Finance Committee, June 8 and June 22, 2005.
- e. Minutes of the Landmarks Preservation Commission, June 22 and July 13, 2005.
- f. Minutes of the Neighborhoods and Housing Committee, July 18, 2005.
- g. Minutes of the Tacoma Public Library, Board of Trustees, May 11 and May 18, 2005.
- h. Minutes of the Tacoma Housing Authority, Board of Commissioners, June 22, 2005.
- i. Browne's Star Grill Customer Survey.

## CONSENT AGENDA

Approval of the minutes of the City Council study sessions, July 12 and July 19, 2005.

## RESOLUTIONS

### **Resolution No. 36599**

Setting Tuesday, September 13, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a 10-foot x 120-foot strip of land between 7214 South 17<sup>th</sup> and 7208 South 17<sup>th</sup> Streets, located in the plat of "Mount-Narrow Second Addition", for landscaping purposes. (Erik Waterland; File No. 124.1248)

### **Resolution No. 36600**

Setting Tuesday, September 13, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South Alder Street in the vicinity of South 8<sup>th</sup> Street to create an additional access to the existing residence. (Robert Sonnman; File No. 124.1243)

### **Resolution No. 36601**

Authorizing the execution of an Interlocal Agreement with the Washington State Patrol for the City to provide routine maintenance and repairs of some of the State Patrol vehicles subject to reimbursement of the costs for said services by the Washington State Patrol.

## FIRST READING OF ORDINANCES

### **Ordinance No. 27400**

Vacating a portion of South Proctor Street, approximately 252 feet south of the intersection of South 56<sup>th</sup> and South Proctor Streets, for landscaping and open space area. (SDK Ventures, LLC; File No. 124.1242)

Deputy Mayor Ladenburg moved that the Consent Agenda, including Resolution Nos. 36599 through 36601 and Ordinance No. 27400, be approved. Seconded by Council Member Talbert.

Deputy Mayor Ladenburg moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner for Ordinance No. 27400. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Consent Agenda. The Consent Agenda, including Resolution Nos. 36599 through 36601 and setting Ordinance No. 27400 over for final reading to a date to be determined, was declared approved.

Council Member Evans arrived here.

The motion to continue the Public Hearing was considered at this time.

14

## RECOGNITION

Mayor Baarsma recognized Mr. Dennis Seinfeld for his dedication to improving the City of Tacoma and expressed condolences to the members of Mr. Seinfeld's family regarding his sudden and unexpected passing.

## 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 5:16 p.m.

Speaking before Council:

| <u>Name</u>                                  | <u>Address/Affiliation</u>   | <u>Subject</u>   |
|--|--|--|
| Alton McDonald<br>Phyllis A. Barrett         | Box 9005 Tacoma, WA<br>912 South Cushman   | Ordinance No. 27404<br>Resolution Nos.<br>36601, 36608, 36609<br>and Ordinance<br>No. 27399        |
| David Boe                                    | 705 Pacific Avenue.  | Substitute Ordinance<br>No. 27266  |
| Jim McGraw<br>Rick Cvitanich<br>Ian Forraker | Resident<br>2808 North 8 <sup>th</sup> Street<br>3113 – 44 <sup>th</sup> Avenue NE | Ordinance No. 27404<br>Resolution. No. 36603<br>Resolution No. 36602<br>and Ordinance<br>No. 27404 |
| Jerry Guthrie                                | Peanut Butter and Jelly<br>Ministry  | Ordinance No. 27393  |

Public Comment closed at 5:36 p.m.

Council Member Anderson arrived here.

## REGULAR AGENDA

### ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS

#### Resolution No. 36593

Appointing Mayor Baarsma, Deputy Mayor Ladenburg as an alternate, and City Manager Eric A. Anderson, or his designee, to the joint City of Tacoma and Pierce County Health Department Agreement Task Force.

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

**Resolution No. 36611**

Appointing the Mayor and Council Members to various committees, boards, and commissions.

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

**FINAL READING OF ORDINANCES**

**Ordinance No. 27266**

Vacating a portion of Commerce Street from South 17<sup>th</sup> Street south to the previous vacation of Commerce Street to provide the University of Washington's Tacoma Campus (North) controlled access and parking in the area. (University of Washington – Tacoma Campus (North); File No. 124.1216)

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27266. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on Substitute Ordinance No. 27266, resulting as follows:

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

Nays: 0

The Substitute Ordinance was declared passed.

**Ordinance No. 27267**

Vacating a portion of Commerce Street from South 21<sup>st</sup> Street, north to the previous vacation of Commerce Street and C Street, including the entire intersection of Commerce and C Streets, to incorporate the area into the University of Washington, Tacoma Campus (South), for the construction of a loading dock and stairwell/elevator structure for the Lindstrom Cabinetworks Building. (University of Washington, Tacoma Campus (South); File No. 124.1217)

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27267. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on Substitute Ordinance No. 27267, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phillips, Stenger, and Talbert.

Nays: 0

Recused: 1 – Mayor Baarsma.

The Substitute Ordinance was declared passed.

16

**Ordinance No. 27393**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at 3713 Pacific Avenue from an "R-3" Two-Family Dwelling District to a "C-2" Commercial District for the development of a 6,000 square-foot retail building and associated off-street parking. (Apex Engineering; File No. 40000046576)

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27399**

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with the United Transportation Union, Switch Crews Unit, for 37 employees, effective January 1, 2002 through December 31, 2010.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

**Ordinance No. 27401**

Approving and confirming the Assessment Roll for Local Improvement District No. 8627 for the placement of permanent alley pavement with storm drainage on the alleys:

- between South I and South J Streets, from South 59<sup>th</sup> to South 61<sup>st</sup> Streets;
- between South G Street and Yakima Avenue, from South 19<sup>th</sup> to South 21<sup>st</sup> Streets;
- between South J Street and Martin Luther King, Jr. Way, from South 25<sup>th</sup> to South 27<sup>th</sup> Streets;
- between South L and South M Streets, from South 25<sup>th</sup> to South 27<sup>th</sup> Streets; and
- between South 34<sup>th</sup> and South 35<sup>th</sup> Streets, from South D Street to Fawcett Avenue.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

17

**Ordinance No. 27402**

Approving and confirming the Assessment Roll for Local Improvement District No. 8628 for the placement of permanent alley pavement with storm drainage on the alleys:

- between North 44<sup>th</sup> and North 45<sup>th</sup> Streets, from Stevens to Verde Streets;
- between North 29<sup>th</sup> and North 30<sup>th</sup> Streets, from Mullen to Ferdinand Streets;
- between North K and North L Streets, from North 6<sup>th</sup> to North 7<sup>th</sup> Streets;
- between Sixth Avenue and North 7<sup>th</sup> Street, from Cedar to Alder Streets; and
- between South 7<sup>th</sup> and South 8<sup>th</sup> Streets, from Adams to Proctor Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

**FIRST READING OF ORDINANCES**

**Ordinance No. 27403**

Providing for the issuance and sale of the City's Electric System Revenue and Refunding Bonds, 2005 Series A and 2005 Series B, in the amount of \$250,000,000, for capital improvements and to allow for the option of paying, defeasing or refunding all or a portion of the City's Electric System Revenue Bonds, 1994, 1997, 1999, and 2001A.

The Ordinance was set over for final reading next week.

**Ordinance No. 27404**

Authorizing the execution of two grant award agreements with the Washington State Interagency Committee for Outdoor Recreation, for funds from the Washington Wildlife and Recreation Program, in the amount of \$554,221, and funds from the Aquatic Land Enhancement Account, in the amount of \$478,099; accepting the total grant awards of \$1,032,320 and depositing said sum into the Capital Projects Fund; providing for a required City match of \$1,039,679 by accepting and depositing \$20,000 from the Chinese Reconciliation Foundation in cash or equivalent in-kind services or goods into the Capital Projects Fund and by transferring \$1,019,679 from the Economic Development Special Revenue Fund, including \$497,239 from a previous state legislative grant to the Capital Projects Fund; appropriating a total of \$2,071,999 from the Capital Projects Fund for the Chinese Reconciliation Park project; and amending the 2005-2006 Biennial Budget.

The Ordinance was set over for final reading next week.

18

## RESOLUTIONS

### **Purchase Resolution No. 36602**

Awarding contracts to:

1. CEI Group, Inc., in the amount of \$90,000, plus sales tax, for a cumulative total of \$355,000, to increase its contract for Auto Accident Management Services through November 19, 2005 – Washington State Contract No. 31800;
2. Pacific Northwest Energy Company, in the amount of \$30,000, plus sales tax, for a cumulative total of \$152,500, to increase and extend its contract for motor oils, lubricants, and hydraulic fluid for vehicle maintenance through September 30, 2005 – Washington State Contract No. 02799;
3. Nextel Communications, in the amount of \$140,000, plus sales tax, for a cumulative total of \$403,000, to increase its contract for cellular airtime services through June 30, 2006 – Washington State Contract No. 12-00115; and
4. Authorizing the execution of an interlocal agreement with the City of Bellevue for cooperative purchasing.

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

### **Resolution No. 36603**

Authorizing the execution of a ten-year lease agreement with Park Choi, Inc., under which the lessee will pay to the Convention Center Enterprise Fund a total of approximately \$293,749.80 to operate a United Parcel Service store within the Greater Tacoma Convention Center.

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

### **Resolution No. 36604**

Adopting and authorizing the implementation of the TV Tacoma Government Programming Sponsorship Policy, Principles and Guidelines; and depositing sponsorship fees into the TV Tacoma subfund to be used for local government programming on TV Tacoma.

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

**Resolution No. 36605**

Authorizing the execution of Amendment No. 236 to the Tacoma Community Redevelopment Authority Agreement to authorize the use of up to \$200,000 annually of Neighborhood Preservation Program income on an as needed basis to fund the Emergency Major Home Repair and the Down Payment Assistance programs.

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

**Resolution No. 36606**

Authorizing the execution of Amendment No. 237 to the Tacoma Community Redevelopment Authority Agreement to modify the Down Payment Assistance (DPA) program from \$10,000 to \$20,000; reducing the minimum required by the borrower from half of the down payment to \$500; accepting a third position in title for certain loans, and including the downtown area as an area eligible for DPA assistance.

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

**Resolution No. 36607**

Authorizing the execution of a supplement to the agreement with CES, Inc., in the amount of \$370,785 through a second federal grant, for a cumulative amount of \$1,526,367, for engineering services for the replacement of an additional 196-foot segment of the Puyallup River Bridge located on Highway 99.

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

**Resolution No. 36608**

Authorizing the execution of a professional services agreement with CH2MHill, in the amount of \$638,000, budgeted and appropriated through the Wastewater and Surface Water Funds, in the amount of \$319,000 each, to conduct a performance audit of the Environmental Services Wastewater Operations, Sewer Maintenance and Science and Engineering Divisions of the Public Works Department.

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

20



**Resolution No. 36609**

Authorizing the execution of a professional service agreement with CDM, in the amount of \$277,000, budgeted and appropriated from the Solid Waste Fund, to conduct a performance audit of the Solid Waste Management Division of the Public Works Department.

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

**Resolution No. 36610**

Changing the meeting times from 2:30 p.m. to 3:00 p.m. for the Economic Development Committee, which are held on the second, third, and fourth Tuesday of each month, in the 9<sup>th</sup> Floor Visibility Center, Tacoma Municipal Building.

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

**PUBLIC HEARINGS AND APPEALS**

This is the date set for a public hearing by the City Council regarding the proposed transfer of property located at Lake Kapowsin, Pierce County, and a portion of the land in the upper Green River Watershed near Friday Creek, King County, to the Muckleshoot Indian Tribe.

Council Member Stenger moved to continue the Public Hearing to the meeting of Tuesday, August 23, 2005. Seconded by Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

No Report.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Mayor Baarsma provided background information regarding the decision to have Council Committee updates at the City Council meetings on a rotating basis.

21

◆ Neighborhoods and Housing Committee Update.

Mayor Baarsma provided an update on the Neighborhoods and Housing Committee. He stated the next meeting would be held on August 15, 2005, at 4:30 p.m., in Conference Room 248. He said the topics for the session include a Landmarks Preservation Ordinance and updates from Reuben McKnight of the Tacoma Economic Development Department (TEDD); and a Group Homes and Facilities Land Use update from Peter Huffman, TEDD.

He also discussed issues from the previous meeting, including the design review process and the draft Administration Plan for the Affordable Housing Levy. He then invited anyone who is interested in the issues to attend the meetings.

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Council Member Stenger discussed the petitions that were received from the patrons of Browne's Star Grill. He requested additional information regarding the litigation filed by Mr. Ferguson, and hoped it would provide more opportunities to rebuild Martin Luther King, Jr. Way and the Hilltop neighborhood.

Council Member Lonergan welcomed Council Member Jonathan Phillips to the Government Performance and Finance Committee. He stated there would be a meeting the following day at 9:00 a.m., in Conference Room 248, where they would discuss the personnel system performance audit that was done for the Human Resources Department, and the issue of compensation. Council Member Lonergan complimented the Streets and Grounds Division of the Public Works Department on the condition of the streets. He also provided kudos to the Police Department for the work they do.

Council Member Talbert reminded people of the McKinley Avenue Street Fair, which will be held this Saturday on McKinley Avenue between 35<sup>th</sup> and Morton Streets, from 11:00 a.m. to 11:00 p.m. He also mentioned a Back to School supply fair that will be held at the Portland Avenue Community Center on the same day. He reported that Congressman Joe Knollenberg, from the 9<sup>th</sup> District in Michigan, was in town to view the transportation concerns here in Tacoma and Pierce County. He stated Congressman Knollenberg is the Chair of the Transportation Appropriations Committee and is well aware of the number of projects that are being worked on here in the area.

Council Member Evans stated that he, the Mayor, Deputy Mayor, and Council Members Phillips and Anderson were present when 14 new police officers were sworn-in. He stated it was great to see these officers and wished them well for their future. He also stated he hoped the McKinley Avenue Street Fair will be as well attended as the Proctor Art Festival.

Mayor Baarsma said that Mr. Ron Hanna, Pierce County Juvenile Court, has assembled a Youth Forum focusing on the issue of the high number of youth in the justice system. He said the forum is scheduled for September 17, 2005, at the Evergreen State College auditorium. Mayor Baarsma stated Mr. Hanna has requested that the City of Tacoma be a sponsor for this event. He also said there was a


22

Resolution passed by the U.S. Conference of Mayors in Chicago regarding the prohibition and elimination of nuclear weapons and weapons-related materials. He said he was unable to attend the event in Chicago but will be sending a statement indicating support of the Resolution.

**ADJOURNMENT**

On proper motion, the meeting was adjourned at 7:12 p.m.

  
WILLIAM H. BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK