



City Council Minutes

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

December 7, 2004

The meeting was called to order at 5:11 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 Council Member Phelps.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Economic Development Committee, November 16, 2004.
- b. Minutes of the Human Rights Commission, October 21, 2004.
- c. Minutes of the Neighborhoods and Housing Committee, October 18, 2004, and Joint Neighborhoods and Housing Committee/Tacoma Community Redevelopment Authority, November 1, 2004.
- d. Minutes of the Tacoma Public Library Board of Trustees, October 21, 2004.

CONSENT AGENDA

Approval of the minutes of the City Council meeting November 2, 2004; study session, November 16, 2004; and City Council Budget Workshop, November 17, 2004.

RESOLUTIONS

Resolution No. 36363

Authorizing the execution of an Interlocal Agreement with Pierce County to transfer permitting authority to the City for all construction and development activities in specified areas at the Tacoma Narrows Airport.

Deputy Mayor Evans moved that the Consent Agenda, including Resolution No. 36363, be approved. Seconded by Council Member Phelps. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 36363, was declared approved.

PROCLAMATIONS

Mayor Baarsma proclaimed the 15th day of January 2005, to be "Ruth McElliott Day" and presented the proclamation to Ms. McElliott's family members.

Deputy Mayor Evans moved to suspend the rules to consider Ordinance No. 27300 at this time. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27300

Amending Chapter 13.11 of the Municipal Code, relating to critical areas preservation, to ensure adequate protection of critical resources while permanent regulations are drafted and adopted.

Deputy Mayor Evans moved to continue Ordinance No. 27300 to the meeting of December 14, 2004, per the request of staff. Seconded Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of December 14, 2004.

Deputy Mayor Evans moved to suspend the rules to consider Resolution No. 36350 at this time. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 36350 (Continued from the meeting of November 23, 2004)

Approving the Annual Funding Priorities for the 2005-2006 Consolidated Plan Annual Action Plan.

Deputy Mayor Evans moved to continue Resolution No. 36350 to a date to be determined, per the request of staff. Seconded Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

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 5:19 p.m.

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Speaking before Council:

Name	Address/Affiliation	Subject
Michael Price	1431 North Woodlawn Avenue	Ordinance No. 27301
Charles Creso	5301 Broadview Avenue NE	Ordinance Nos. 27305 and 27306; Resolution No. 36350
Phyllis Barrett	912 South Cushman Avenue	Ordinance Nos. 27302 and 27305
George Holmgren	Tacoma Public Schools	Ordinance No. 27306

Public Comment closed at 5:35 p.m.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27299

Amending Chapter 12.10 of the Municipal Code, relating to water regulations and rates, to implement a system average increase of 12.4 percent in two steps beginning January 1, 2005, through December 31, 2006, to meet projected costs of operation and maintenance, debt service, and mandated programs.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Talbert, and Mayor Baarsma.

Nays: 1 Stenger.

The Ordinance was declared passed.

Ordinance No. 27300

Amending Chapter 13.11 of the Municipal Code, relating to critical areas preservation, to ensure adequate protection of critical resources while permanent regulations are drafted and adopted.

Ordinance No. 27300 was continued to the meeting of December 14, 2004.

Ordinance No. 27301

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for represented and unrepresented employees and changes in classification to reflect the organizational structure.

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Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 1 – Ladenburg.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27302 (Continued from the meeting of November 30, 2004)

Approving the 2005-2010 Capital Facilities Program and amending the Comprehensive Plan.

This Ordinance was set over for final reading next week.

Ordinance No. 27304

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for employees represented under the District Lodge #160, on behalf of Local Lodge #297, of the International Association of Machinists and Aerospace Workers, Wastewater Treatment Plant Maintenance Supervisors contract, which currently covers three employees, effective January 1, 2005, through December 31, 2006; and changes in classification to reflect the organizational structure.

The Ordinance was set over for final reading next week.

Ordinance No. 27305

Amending Chapter 2.09 of the Municipal Code, relating to the Fee Code, to increase fees for various services related to construction, including plumbing, sewer, and grading permits; sign and billboard permits; overtime parking and miscellaneous service fees.

The Ordinance was set over for final reading next week.

Ordinance No. 27306

Amending the 2003-2004 Biennial Budget by appropriating funds for additional contract obligations, transfers and other budget adjustments; accepting, depositing, and appropriating miscellaneous donations, contributions, and/or fees; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Deputy Mayor Evans moved to consider Substitute Ordinance No. 27306. Seconded by Council Member Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Deputy Mayor Evans moved to suspend the rules to consider an additional Ordinance No. 27307. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27307

Amending Title 6 of the Municipal Code by repealing and reenacting Sections 6A.30.090 and 6A.30.100 removing the general deduction allowed for non-profit 501-C-3 organizations and adding specific non-profit exemptions and deductions.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Laure Nichols	Franciscan Health System, Sr. Vice President
Laird Pisto	MultiCare Health System
Pamela Brewer	Franciscan Health System
James Collins	St. Joseph's Neighborhood

The Ordinance was set over for final reading next week.

RESOLUTIONS

Resolution No. 36350 (Continued from the meeting of November 23, 2004)

Approving the Annual Funding Priorities for the 2005-2006 Consolidated Plan Annual Action Plan.

Resolution No. 36350 was continued to a date to be determined.

Purchase Resolution No. 36364

Awarding contracts to:

1. South Central Concrete, Inc., on its bid of \$54,120.00, sales tax not applicable, for hazardous sidewalk replacement – Specification No. PW04-0664F;
2. US Bearings and Drives, on its bid of \$145,454.50, plus sales tax, for an assembled apron conveyor – Specification No. PW04-0706F;

3. Transtech Electric, Inc., on its bid of \$130,349.55, sales tax not applicable, for installation of a new traffic signal at South 72nd and Alaska Streets – Specification No. PW-04-0612F; and
4. General Mechanical, on its bid of \$75,258.00, plus sales tax, for the replacement of the air conditioning cooling tower at the Pantages Theater – Specification No. BR04-0477F.

Deputy Mayor Evans moved that the Purchase Resolution be adopted. Seconded by Council Member Talbert.

Voice vote was taken and carried on the Purchase Resolution with Council Member Ladenburg voting in opposition. The Purchase Resolution was declared adopted.

Resolution No. 36365

Authorizing the execution of revised lease agreements with Names Capital Investment Limited Partnership and Hawk International, Inc., each providing payment of monthly rental, in the amount of \$875.94, for approximately 40,600 square feet of land at the Tacoma Narrows Airport, effective August 1, 2004, to August 31, 2013, with two 10-year renewal options.

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

Resolution No. 36366

Authorizing the execution of a ten-year agreement, with two 5-year renewal options, with the State of Washington, Department of Corrections, in the amount of \$62,000, allowing the City to utilize an existing communications tower and equipment shelter building on McNeil Island in lieu of building a new site at Narrows Crossing.

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

Resolution No. 36367

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Court 17, LLC, to construct a 129 unit market-rate apartment building at 1717 Market Street.

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

Resolution No. 36368

Authorizing the execution of agreements with the Tacoma Urban League, in the amount of \$19,269, for capacity building; Nativity House, in the amount of \$25,254, to remain open from 4 p.m. to 5 p.m. through July 31, 2005, to address gaps in the downtown human services system; and with Martin Luther King Housing Development Association, in the amount of \$45,242, to remain open from 5 p.m. to 8:30 p.m. through July 31, 2005, to further address gaps in the downtown human services system.

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

Resolution No. 36369

Accepting \$128,817 from the Washington State Juvenile Accountability Incentive Block Grant program; transferring \$14,313 from the General Fund to the Human Rights & Human Services Special Revenue Fund as a required match; and authorizing the execution of agreements with the Tacoma-Pierce County Health Department for the Gang Reduction/Moderate Offender Program and Tacoma School District No. 10 for the Truancy Center.

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

Resolution No. 36370

Approving the issuance of tax-exempt nonrecourse revenue bonds by the Economic Development Corporation of Pierce County, in an amount not to exceed \$8,250,000, for the acquisition, construction and equipping of industrial development facilities at 1840 Marine View Drive for Jesse Engineering Company.

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

Resolution No. 36371

Accepting \$6,362 from the Washington State Arts Commission to be used for small projects in the City's neighborhoods.

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

Resolution No. 36372

Directing the Planning Commission to review and develop recommendations concerning the height restrictions in the Lower Portland Avenue Mixed-Use District and the report of the Commission's findings and recommendations to the Council no later than May 6, 2005.

Deputy Mayor Evans 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.

REPORTS BY CITY MANAGER

No Report.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Phelps read a letter to the editor of the *Tacoma News Tribune* published in November 2002 opposing the construction of the Tacoma Link Light Rail and noted that contrary to the opinion expressed in the letter, current ridership has already exceeded the 2010 projections.

Council Member Ladenburg announced an upcoming Washington Historical Court of Justice, to be convened to reassess the validity of the 1856 judgment of Chief Leschi, chief of the Nisqually Tribe of Indians. Council Member Ladenburg encouraged citizens to attend this historic proceeding.

Deputy Mayor Evans noted that the Tacoma Link Light Rail project represents public sector money and is a key factor in the economic revitalization of the downtown business district by attracting private sector investment.

Council Member Talbert stated that an Eastside neighborhood group is selling pointsettias to raise money to continue to fund the kind of projects that Ruth McElliot, who had been recognized earlier in the meeting, would have supported.

Council Member Lonergan complimented City Manager Jim Walton for his concise, but informative, performance review report, which had been presented to the Performance Review Committee that morning. Council Member Lonergan also extended a welcome to Ms. Cheryl Dell, the new publisher of the *Tacoma News Tribune*.

CITIZENS' FORUM

Citizens' Forum began at 7:08 p.m.


Speaking before Council:

Name	Address/Affiliation	Topic
Charles Creso	5501 Broadview Avenue NE	Economic considerations
Phyllis A. Barrett	912 South Cushman Avenue	Fat Thursday/Take home vehicles
Steve Apling	1401 South 14th Street	Budget
Rick Cvitanich	2808 North 8th Street	General comments
John Ormsby	2311 North 30th Street	Music festival
Darren Pen	Tacoma resident	Budget
David Kiesig	Ft. Lewis	Operation Give A Hug
Susan Agustin	Ft. Lewis	Operation Give A Hug

Citizens' Forum closed at 7:40 p.m.

On proper motion, the meeting was adjourned at 7:40 p.m.


 WILLIAM H. BAARSMA, MAYOR

ATTEST: 
 DORIS SORUM, CITY CLERK