



# City Council Minutes

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

May 17, 2005

The meeting was called to order at 5:06 p.m.

Council Members Present: 8 – Anderson, Evans, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Council Member Absent: 1 – Ladenburg.

The Flag Salute was led by Council Member Lonergan.

## **ITEMS FILED IN THE OFFICE OF THE CITY CLERK**

- a. Minutes of the Arts Commission, April 11, 2005.
- b. Minutes of the Citizens Recognition Committee, March 17, 2005.
- c. Minutes of the Environment and Public Works Committee, April 13, 2005.
- d. Minutes of the Human Rights Commission, March 17, 2005.
- e. Minutes of the Planning Commission, April 6, 2005.
- f. Minutes of the Public Utility Board study sessions and meetings, March 9 and March 23, 2005.
- g. Minutes of the Tacoma Housing Authority special session, March 23, 2005.
- h. Minutes of the Tacoma Public Library Board of Trustees, March 16, 2005.

## **CONSENT AGENDA**

Approval of the minutes of the City Council study session, April 19, 2005; and regular meeting, May 3, 2005.

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**RESOLUTIONS**

**Resolution No. 36506**

Setting Tuesday, June 14, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the south 20 feet of Upper Park Road between East G Street and McKinley Avenue, for the development of a three-story condominium project with underground parking for each unit. (Merilee Chinn and Donald Hanson; File No. 124.1241)

**Resolution No. 36507**

Setting Tuesday, June 14, 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 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)

**Resolution No. 36508**

Setting Tuesday, June 7, 2005, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding proposed amendments to Title 13 of the Municipal Code, pertaining to the CCX – Community Commercial Mixed-Use District, to evaluate the potential of raising the height limit in the district as a way to promote increased investment and reinvestment.

**Resolution No. 36509**

Setting Tuesday, June 14, 2005, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the proposed Six-Year Comprehensive Transportation Program for the years 2006-2011 and the Amended 2005 Transportation Program.

Council Member Phelps moved that the Consent Agenda, including Resolution Nos. 36506 through 36509, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36506 through 36509, was declared approved.

**PROCLAMATIONS**

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Council Member Phelps moved to suspend the rules to present three proclamations. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Baarsma proclaimed May 18, 2005, as “Relatives Raising Children Day” and presented the proclamation to Ms. Edith Owen, Coordinator for Pierce County Relatives Raising Children.

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Mayor Baarsma proclaimed the official opening of market season and the annual return and reopening of Tacoma’s downtown Farmers Market, and presented the proclamation to Ms. Melisa Evangelos, Executive Director of the Tacoma Farmers Market.

Mayor Baarsma proclaimed the week of May 15 through May 21, 2005, to be Public Works Week and presented the proclamation to Mr. Steve Jackson, Wastewater Management and Ms. Shirley Schultz, Building and Land Use Services.

**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 5:20 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
Phyllis Barrett	912 South Cushman Avenue	Ordinance No. 27359
Allen Douglass	University Place resident	Ordinance No. 27360; Resolution Nos. 36514, 36516 an 36517

Public Comment closed at 5:36 p.m.

**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS**

**Resolution No. 36517**

Appointing Deputy Mayor Connie Ladenburg and Council Member Rick Talbert to the Tacoma-Pierce County Family Justice Center Board of Directors.

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.

**FINAL READING OF ORDINANCES**

**Ordinance No. 27359**

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with the Teamsters Local 313, for 112 employees, effective January 1, 2004, through December 31, 2006.

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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: 0

Absent: 1 – Ladenburg.

The Ordinance was declared passed.

**Ordinance No. 27360**

Adopting an immediate moratorium on the establishment of and/or the acceptance of applications for land use permits for Group Homes, Group Residential facilities and Emergency and Transitional Housing, to be effective for a period of 365 days; and setting Tuesday, July 12, 2005, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the moratorium; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Council Member Phelps moved to consider Substitute Ordinance No. 27360. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Council Member Lonergan moved to amend Substitute Ordinance No. 27360 on page 4 line 26 as follows:

“within the area bounded on the north by Sixth Avenue, on the west by Sprague Avenue, on the south by Center Street, and on the east by Tacoma Avenue.”

Seconded by Council Member Phelps.

Roll call vote was taken, resulting as follows:

Ayes: 2 – Phelps and Lonergan.

Nays: 6 – Anderson, Evans, Manthou, Stenger, Talbert, and Mayor Baarsma.

Absent: 1 – Ladenburg.

The motion was declared failed.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Pastor John Aquino	925 South Ainsworth Avenue
Ralph Tomberg	510 North Sheridan Avenue
Allen Douglass	University Place resident

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James Collins  
Steve Apling  
Reverend Harry Montgomery  
Charles Creso

Hilltop Action Coalition  
Central Neighborhood Council  
Under the Bridge Ministry  
5501 Broadview Avenue NE

Roll call vote was taken, resulting as follows:

Ayes: 7 – Anderson, Evans, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Nays: 1 – Lonergan.

Absent: 1 – Ladenburg.

The Substitute Ordinance was declared passed.

## FIRST READING OF ORDINANCES

### **Ordinance No. 27361**

Amending Title 4 of the Municipal Code, relating to public safety and watercraft regulations, by amending, and repealing several sections of Title 4 and adding two new Chapters to be known and designated as Chapter 4.05, entitled "Watercraft Registration;" and Chapter 4.15, entitled "Recreational Watercraft Regulation," to comply with state law, update the Harbor Code regulations, and to enhance the effectiveness of the Marine Services Unit of the Police Department.

The Ordinance was set over for final reading next week.

## RESOLUTIONS

### **Purchase Resolution No. 36510**

Awarding contracts to:

1. Pease & Sons, Inc., on its bid of \$1,317,587.78, including alternate bid A-1, plus sales tax, for the construction of an automated truck wash facility at the Tacoma Landfill – Specification No. PW04-0704F;
2. U.S. Department of Health and Human Services, Supply Service Center, in the amount of \$52,884.00, plus sales tax, for auto-injectors - Sole Source; and
3. URS Corporation, Inc., in the amount of \$198,842.14, plus sales tax; for a cumulative total of \$828,207.14, to increase its contract for the Salt Marsh Resources Restoration Project – Specification No. G-265-03.

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Council Member Phelps moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Council Member Talbert. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 2, was declared adopted.

**Resolution No. 36511**

Accepting \$40,443 from the Washington State Department of Transportation, Aviation Division, to be used for enhancing security and safety at the Tacoma Narrows Airport.

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. 36512**

Authorizing the execution of Amendment No. 2 to the Cooperative Agreement with the City of Lakewood to extend the Tacoma-Lakewood HOME Consortium partnership through 2008.

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. 36513**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Greg A. Whitman, for the construction of ten market-rate, row-house style apartments located at 3201 South 45<sup>th</sup> Street in the Tacoma Mall Mixed-Use 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. 36514**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Stadium District Development, LLC, for the construction of 20 market-rate apartment units located at 1<sup>st</sup> Street and St. Helens Avenue in the Stadium District Mixed-Use 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.

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**Resolution No. 36515**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Pacific Property Group, LLC, for the construction of four market-rate, townhome-style apartments located at 707 South 16<sup>th</sup> Street in the Tacoma Downtown Mixed-Use 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. 36516**

Authorizing the execution of an agreement with McMahon Elliott Consulting, LLC, in the amount of \$76,000, for a cumulative total of \$126,000, to provide succession planning services and create a work environment that promotes employee retention and recruitment.

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.

**PUBLIC HEARINGS**

This is the date set for a public hearing by the City Council regarding the proposed sale of property located at South 19<sup>th</sup> and Meyers Streets.

The Public Hearing began at 5:37 p.m.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	University Place resident
Tom Krilich	1732 South Meyers Street

The Public Hearing ended at 5:43 p.m.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

No Report.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Mayor Baarsma invited everyone to attend the 2005 City of Destiny Award ceremony on May 24, 2005, at Jason Lee Middle School Auditorium, 602 North Sprague Avenue at

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7:00 p.m., and expressed his appreciation to Public Utilities for joining with the City for making the event possible.

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Council Member Phelps moved to excuse Deputy Mayor Ladenburg from tonight's meeting. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Lonergan gave an update of the Government and Performance Committee. He stated the Human Resource Department has formed a Performance Audit Oversight Committee and a staff member committee for inside steering.

Council Member Manthou stated he recently attended the Boy Scouts of America Court of Honor Ceremony where Caleb Crocco was recognized for becoming an Eagle Scout. He also mentioned that William Factory Small Business Incubator was recognized for excellence in business incubation and was awarded the "2005 Incubator of the Year."

Council Member Talbert mentioned the newspaper article regarding the Sea Scouts. He also stated he sent a letter to the Liquor Board relating to the liquor license for a local business at South 56<sup>th</sup> Street and Portland Avenue and that he would share the letter with Council. He stated he and Deputy Mayor Ladenburg were appointed to the Family Justice Center Board of Directors and that he is honored to represent the Council and serve on this board.

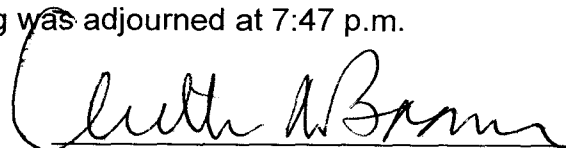
Mayor Baarsma stated this past weekend was the 21<sup>st</sup> anniversary of the most successful fundraising event, "Relay for Life," the world has ever seen. It began here in Tacoma when Dr. Gordon Klatt wanted to do something to make a statement in the fight against cancer. This worldwide event has raised about 1.5 billion dollars for research against cancer. This year's event in Tacoma raised close to one million dollars.

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Council Member Phelps moved to authorize the City's full and final settlement of all claims against the City by Mary Herrman upon payment by the City of the amount of \$750,000. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting was adjourned at 7:47 p.m.

  
WILLIAM H. BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK

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