



# City Council Minutes

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

December 6, 2005

The meeting was called to order at 5:03 p.m.

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

The Flag Salute was led by Council Member Talbert.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Environment and Public Works Committee, October 26, 2005.
- b. Minutes of the Finance-Investment Committee, August 8, 2005.

## CONSENT AGENDA

### RESOLUTIONS

#### **Resolution No. 36716**

Setting Tuesday, January 3, 2006, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Center Street located at the northeasterly corner of the intersection of Center and South Tyler Streets, for a retail and commercial development. (Kyong Ho and Elizabeth Kim; File No. 124.1258)

#### **Resolution No. 36717**

Accepting a grant in the amount of \$315,000 from the Washington State Department of Ecology; requiring a \$105,000 match, budgeted from the Solid Waste Operating Fund, for the recycling and hazardous waste programs.

Deputy Mayor Ladenburg moved that the Consent Agenda, including Resolution Nos. 36716 and 36717, be approved. Seconded by Council Member Talbert. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36716 through 36717, was declared approved.

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**PROCLAMATIONS**

Mayor Baarsma proclaimed the year 2006 to be “Healthy Youth Awareness Year” and presented the proclamation to Mr. Kevin Phelps and Mr. Steph Farber, American Leadership Forum members.

**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 5:06 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
David Droge	814 North Washington Street	Resolution No. 36729
Dan Eberle	7218 South 17 <sup>th</sup> Street	Resolution No. 36729
Phyllis Barrett	912 South Cushman Avenue	Ordinance No. 27449
Michele Reich	1205 Earnest S. Brazill Street	Resolution Nos. 36722 and 36728
Willie Anderson	2327 Court G, Apt. 223	Resolution No. 36732; and Ordinance No. 27444
Alton McDonald	Resident	Resolution Nos. 36731 and 36732

Public Comment closed at 5:25 p.m.

The proclamation for “Healthy Youth Awareness Year” was presented here.

The public hearing was heard here.

**REGULAR AGENDA**

**RESOLUTIONS**

**Purchase Resolution No. 36718**

Awarding contracts to:

1. Aronson Security Group, in the amount of \$87,000.00, plus sales tax, budgeted from the Police Facility Fund, for design, materials, and installation of integrated security systems servicing the four Police Substations – State Contract No. 08601;
2. Compview, Inc., in the amount of \$112,567.98, plus sales tax, budgeted from the Police Facility Fund, for design purchase of materials, and installation of audio visual equipment for the Police Headquarters – United States General Services Administration Contract No. GS-03F-0045R; and

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3. Leo Finnegan Construction Company, in the amount of \$600,000.00, plus sales tax, for a cumulative total of \$14,917,128.00, budgeted from the Police Facility Construction Fund, to increase its contract for additional services for the Police Headquarters – Specification No. PD03-0897F.

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. 36719**

Authorizing the execution of an agreement with Robert E. Mack, in the amount of \$70,000, plus 10 percent for expenses, budgeted equally from the Surface Water Fund and by the Department of Public Utilities, for legislative liaison and other related activities during the 2006 session of the Washington State Legislature and continuing through December 31, 2006.

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. 36720**

Authorizing the execution of an amendment to the agreement with Simon and Company, in the amount of \$35,000, plus \$2,500 for expenses, budgeted from the Surface Water Fund, for congressional liaison and related activities during the 2006 session of the United States Congress and continuing through December 31, 2006.

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. 36721**

Adopting the “City of Tacoma 2006 Legislative Priorities”.

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. 36722**

Authorizing the execution of an assignment of a note and a deed of trust, in the amount of \$150,640, to the Tacoma Community Redevelopment Authority (TCRA); and authorizing the execution of Amendment No. 240 of the TCRA Agreement by allocating said sum to TCRA for the Hilltop Neighborhood Development Program account for affordable housing in the Hilltop area.

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. 36723**

Authorizing the execution of Amendment No. 2 to the Management/Operator Services Agreement with Republic Parking Northwest, Inc., in the amount of \$2,616,000, for a cumulative total of \$5,027,624, budgeted from the Garages Enterprise Fund and the Parking Lot Reserve Fund, by amending the parking facilities list and extending the contract through April 30, 2007.

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. 36724**

Authorizing the execution of a five-year agreement with the Tacoma Events Commission, in the amount of \$30,000 per year, for a total amount of \$150,000, with one 2-year extension option, budgeted from the General Fund, to organize and produce the Fourth of July celebration on Ruston Way.

Deputy Mayor Ladenburg moved as a substitute, Substitute Resolution No. 36724. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken on the Substitute Resolution and carried. The Substitute Resolution was declared adopted.

**Resolution No. 36725**

Authorizing the execution of an agreement with Endelman & Associates, PLLC, in the amount of \$185,493, budgeted from the General Fund, to conduct Americans with Disabilities Act Title II surveys or audits of 77 city buildings and facilities.

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. 36726**

Authorizing the execution of an amendment to the professional services agreement with James G. Billingsley, M.D., in the amount of \$55,456.32, budgeted from the Emergency Medical Services Special Revenue Fund, to continue his service as Medical Services Director of the Emergency Medical Services program through December 2007.

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. 36727**

Authorizing the execution of various grant agreements with the Washington State Department of Transportation and the Washington State Transportation Improvement Board, in the amount of \$17,592,032, for various state and federally funded grants previously accepted and appropriated.

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. 36728**

Renaming the Mayor's Veterans' Task Force to the Mayor's Veterans Commission.

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. 36729**

Renaming the Tacoma Area Task Force on Disabilities to the Tacoma Area Commission on Disabilities.

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. 36730**

Authorizing the execution of an agreement with EnergyAnswers Corporation, in the amount of \$250,000, budgeted from the Solid Waste Operating Fund, for a Phase 1 feasibility study for the City's Steam Plant.

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

**Resolution No. 36731**

Expressing support for and consenting to changing the name of the Tacoma-Pierce County Family Justice Center to The Crystal Judson Family Justice Center; and authorizing the execution of an amendment to the agreement for said purpose.

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. 36732**

Proclaiming April 26 of each year as Domestic Violence Awareness Day in 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.

**FINAL READING OF ORDINANCES**

**Ordinance No. 27280**

Vacating a portion of Union Avenue north of the intersection of South 31<sup>st</sup> Street and Union Avenue to combine the vacated right-of-way with the abutting property for the purpose of installing a free-standing advertising sign for the abutting business in the additional landscaping area. (Tacoma Land Company; File No. 124.1222)

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27280. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, 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. 27443**

Annexing property owned by Mr. Timothy W. and M. Diane Scott, and Tacoma Public Utilities, located in the vicinity bordered by Marine View Drive to the west, Varco Road to the east, and 51<sup>st</sup> Street NE to the north, effective January 1, 2006.

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. 27444**

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation of various collective bargaining agreements as negotiated, and for certain unrepresented employees, effective January 1, 2006; to implement other provisions of such agreements; and to allow for payment of certain employment related expenses.

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27444. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, 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. 27445**

Amending Chapter 2.09 of the Municipal Code, relating to buildings and fee codes, to increase the fees charged for permits required by the City's Critical Areas Ordinance.

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27445. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Substitute Ordinance was declared passed.

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**FIRST READING OF ORDINANCES**

**Ordinance No. 27446**

Providing for the issuance of a Limited Tax General Obligation Line of Credit Note, 2005, in the principal amount not to exceed \$2,500,000; depositing said sum into the Theater Fund for financing the construction of the improvements to the Pantages Theater; and amending the Biennial Budget for 2005-2006.

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27446. Seconded by 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.

**Ordinance No. 27447**

Amending Chapters 1.23 and 17.01 of the Municipal Code, relating to public safety and morals, health, and sanitation, to include responsibility for animal control and licensing services, effective January 1, 2006.

The Ordinance was set over for final reading next week.

**Ordinance No. 27448**

Amending Chapter 1.30 of the Municipal Code, relating to the Retirement Code, to clarify when suspension of payments shall not occur.

The Ordinance was set over for final reading next week.

**Ordinance No. 27449**

Modifying the Biennial Budget for the fiscal years 2005-2006; and adopting the 2005-2006 Mid-Biennial Modification.

The Ordinance was set over for final reading next week.

**Ordinance No. 27450**

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for employees in unrepresented executive classifications; amending the executive salary plan for classifications related to ten positions at Tacoma Public Utilities; adding the classifications of Deputy Utilities Director and Deputy Power Division Superintendent to said plan; and amending the salary range for Assistant City Manager.

Deputy Mayor Ladenburg moved as a substitute, Substitute Ordinance No. 27450. Seconded by 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.

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**PUBLIC HEARINGS AND APPEALS (Will begin at approximately 5:30 p.m.)**

This is the date set for a public hearing by the City Council to consider the modified Biennial Budget for the years 2005-2006.

The Public Hearing began at 5:31 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>
Mary Ann Brennan	14675 Interurbane Avenue South, Tukwila
Judi Quicici	3815 North 26 <sup>th</sup> Street
Michele Reich	1205 Earnest S. Brazill Street
John Trueman	2311 North 30 <sup>th</sup> Street
Alton McDonald	Resident
Charlotte Alfred	7618 McKinley Avenue East
Hayes Alexander	5308 Ridge Drive
Willie Anderson	2327 Court G, Apt. 223

The Public Hearing ended at 5:55 p.m.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

No report.

**COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL**

No reports.

**CITIZENS' FORUM**

Citizens' Forum began at 7:48 p.m.


Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Topic</b>
Phyllis Barrett	912 South Cushman Avenue	Heroic citizens
Michele Reich	1205 Earnest S. Brazill Street	General
Willie Anderson	2327 Court G, Apt. 223	Human Rights
Jerry Guthrie	3245 North 28 <sup>th</sup> Street	General
Alton McDonald	Resident	Discrimination

Citizens' Forum closed at 8:06 p.m.

On proper motion, the meeting was adjourned at 8:06 p.m.

  
WILLIAM H. BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK