



City Council Minutes

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

November 30, 2004

The meeting was called to order at 5:11 p.m.

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

Council Member Absent: 1 – Talbert.

The Flag Salute was led by Council Member Manthou.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Citizens Recognition Committee, September 16, 2004.
- b. Minutes of the Civil Service Board, November 1, 2004.
- c. Minutes of the Environment and Public Works Committee, October 27, 2004.
- d. Minutes of the Human Rights Commission, October 21, 2004.
- e. Minutes of the Planning Commission, regular meeting/public hearing, November 3, 2004.
- f. Minutes of the Public Safety and Human Services Committee, November 4, 2004.
- g. Minutes of the Public Utility Board study sessions and meetings, September 22 and October 13, 2004.

CONSENT AGENDA

Approval of the minutes of the City Council study session, November 9, 2004; and City Council Budget Workshop, November 12, 2004.

Deputy Mayor Evans 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 December 4, 2004, to be "Harold Moss Day" and presented the proclamation to Mr. Harold Moss, Pierce County Council Member.

Mayor Baarsma proclaimed December 3, 2004, to be "Don S. Monroe Day" and presented the proclamation to Mr. Don Monroe, Chief Executive Officer, Pierce County Transit Authority.

Deputy Mayor Evans moved to suspend the rules to consider Ordinance No. 27302 at this time. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27302

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

Deputy Mayor Evans moved to continue Ordinance No. 27302 to the City Council meeting of December 7, 2004, per the request of staff. Seconded by Council Member Phelps. Voice vote was taken and carried.

The Ordinance was continued to the meeting of December 7, 2004.

At the request of Council Member Anderson, Ms. Diane Supler, Director of the Office of Management, Budget and Analysis, explained the process used to prepare the draft 2005-2006 Biennial Budget and outlined the timeline for final approval.

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 5:38 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Phyllis Barrett	912 South Cushman Avenue	Resolution No. 36355; Ordinance Nos. 27299, 27301, and 27303
Laure Nichols	Franciscan Health System, Senior Vice President	Biennial Budget

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Name	Address/Affiliation	Subject
Meta Dooley	MultiCare Health System	Biennial Budget
Pat McElligott	1109 South 50 th Street	Ordinance No. 27303
Bryan Flint	Tahoma Audubon Society	Ordinance No. 27300
Brent Johnsen	2501 Lemons Beach Road West	Critical Areas Preservation Ordinance
Bliss Moore	Sierra Club, Chair	Critical Areas Preservation Ordinance
Scott Hansen	Puget Creek Restoration Society	Critical Areas Preservation Ordinance
Cat Rudolph	Realtors Association	Critical Areas Preservation Ordinance
Theo Gideon	Master Builders Association	Critical Areas Preservation Ordinance
Van Collins	Associated General Contractors	Critical Areas Preservation Ordinance
Leslie Ann Rose	Citizens for a Healthy Bay	Critical Areas Preservation Ordinance

Public Comment closed at 6:38 p.m.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27298

Accepting \$25,350 from the United States Equal Employment Opportunity Commission for processing and resolving employment discrimination charges and for training.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, and Mayor Baarsma.

Nays: 0

Absent: 2 – Anderson and Talbert.

The Ordinance was declared passed.

FIRST 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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

Ordinance No. 27302

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

The Ordinance was continued to the meeting of December 7, 2004, earlier in this meeting.

Ordinance No. 27303

Adopting the 2005-2006 Biennial Budget.

The Ordinance was set over for final reading on December 14, 2004.

RESOLUTIONS

Purchase Resolution No. 36353

Awarding contracts to:

1. James G. Murphy, Inc., in the amount of \$40,000, including sales tax, to renew and increase its contract to a cumulative total of \$76,000, for auctioneer services

for surplus vehicles and equipment through September 14, 2005 – Pierce County Contract 15643; and

2. Pacific Coast Truck Center, in the amount of \$245,000, plus sales tax, for three 2005 International cab and chassis – Washington State Contract No. 07503.

Deputy Mayor Evans 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. 36354

Adopting the document entitled “City of Tacoma 2005 Legislative Priorities.”

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. 36355

Authorizing the execution of an agreement with Robert E. Mack, in the amount of \$70,000, plus 10 percent for expenses, for legislative liaison services from January 1, 2005, through December 31, 2005.

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

Resolution No. 36356

Authorizing the execution of an amendment to the agreement with Simon and Company, in the amount of \$35,000, plus \$2,500 for expenses, for congressional liaison services from January 1, 2005, through December 31, 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.

Resolution No. 36357

Authorizing the execution of a Quitclaim Deed to Pierce County for the sale of a portion of Tacoma Water property east of Canyon Road between 160th and 176th Streets to widen the intersection at Canyon Road and 176th Street.

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. 36358

Authorizing the execution of an agreement and subsequent deed with Hawthorne Hill Condominium, LLC, in the amount of \$2,250 in cash and construction of an observation tower on the roof of the condominium building to be used by the Tacoma Police Department, in exchange for 3,272 square feet of City-owned real property at 320 East 32nd Street.

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. 36359

Accepting \$33,453 from the Office of Crime Victim Advocacy of the State of Washington, Department of Community, Trade, and Economic Development, to allow 200 law enforcement officers within Pierce County to attend training for the investigation of domestic violence and special assaults.

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. 36360

Authorizing the execution of a Collective Bargaining Agreement with the Joint Labor Committee, for the continuation of employee benefits, effective January 1, 2004, through December 31, 2006.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Mayor Baarsma.

Roll call vote was requested and taken, resulting as follows:

Ayes: 5 – Anderson, Ladenburg, Lonergan, Manthou, and Mayor Baarsma.

Nays: 2 - Evans and Phelps.

Absent: 2 – Stenger and Talbert.

The Resolution was declared adopted.

Resolution No. 36361

Authorizing the execution of a Collective Bargaining Agreement negotiated with District Lodge No. 160, on behalf of Local Lodge No. 297 of the International Association of Machinists and Aerospace Workers, Wastewater Treatment Plant Supervisors, which currently covers three employees, effective through December 31, 2006.

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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. 36362

Authorizing the execution of Amendment No. 3 to the agreement with Gregory J. Murphy, in the amount of \$15,000, for a cumulative total of \$65,000, for legal services during the review and analysis process of the Washington State Patrol Administrative Investigation report.

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

City Manager James Walton requested an Executive Session to discuss potential litigation, the session not to exceed 30 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Phelps asked to have a streetlight outage on Taylor Way investigated.

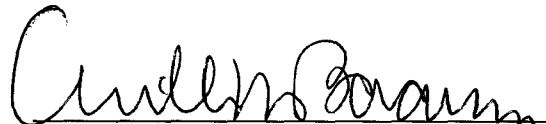
Council Member Phelps moved to convene to Executive Session to discuss potential litigation, the session not to exceed 30 minutes. Seconded by Council Member Lonergan. Voice vote was taken and carried. The motion was declared adopted.


Council convened to Executive Session at 9:28 p.m. At 9:56 p.m. the Executive Session was extended an additional 15 minutes. The Council reconvened at 10:07 p.m.

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

Deputy Mayor Evans moved to authorize the City's full and final settlement of all claims against the City in the case of Frederick Bellows v. City of Tacoma, Belt Line Division, United States District Court, Cause No. C03-5278 RBL, upon payment by the City in the amount of \$700,000.00. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 10:14 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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