



City Council Minutes

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

August 23, 2005

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

Council Members Present: 7 – Anderson, Evans, Lonergan, Manthou, Phelps, Stenger, and Mayor Baarsma.

Council Members Absent: 2 – Ladenburg and Talbert.

The Flag Salute was led by Council Member Evans.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Economic Development Committee, July 26 and August 9, 2005.
- b. Amended minutes of the Human Rights Commission, June 16, 2005.
- c. Minutes of the Neighborhood and Housing Committee, August 1, 2005.
- d. Minutes of the Tacoma Community Redevelopment Authority, June 9 and July 14, 2005.
- e. Monthly Financial Reports for Business Information Systems, Fleet Services Fund, Self-Insurance Claim Fund, Tacoma Power, Tacoma Rail, and Tacoma Water.

CONSENT AGENDA

Approval of the minutes of the City Council meeting, July 12, 2005.

RESOLUTIONS

Resolution No. 36623

Setting Tuesday, September 27, 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 Cedar Street between South 47th and South 45th Streets, to remodel 90 existing apartment units and to construct 40 apartment units. (Dobler Management Company; File No. 124.1251)

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Resolution No. 36624

Setting Tuesday, September 27, 2005, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of North Monroe Street between North 34th and North 35th Streets to expand and remodel the existing residential structure. (Neil and Heidi Wachter; File No. 124.1252)

Council Member Evans moved that the Consent Agenda, including Resolution Nos. 36623 and 36624 and approving the removal of the City Council minutes, be approved. Seconded by Council Member Anderson. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36623 and 36624 and the removal of the City Council minutes, was declared approved.

PROCLAMATIONS

Mayor Baarsma proclaimed September 10, 2005, "AIDS Walk Day" and presented the proclamation to Ms. Jeannie Darneille, Executive Director of the Pierce County AIDS Foundation.

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 5:14 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Phyllis Barrett	912 South Cushman Avenue	Resolution Nos. 36627 and 36628; Ordinance No. 27406
Rick Cvitanich	2808 North 8th Street	Resolution No. 36627
Charles Creso	5501 Broadview Avenue NE	Purchase Resolution No. 36625

Public Comment closed at 5:23 p.m.

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REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27269

Vacating a portion of the Center Street right-of-way located on the southwest side of Center Street and abutting the Madrona Point Apartment complex for the construction of a terraced wall and a new entryway sign and the installation of landscaping.
(George Petrie; 124.1220)

Council Member Evans moved to consider Substitute Ordinance No. 27269. Seconded by Council Member Anderson. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Anderson, Evans, Lonergan, Manthou, Phillips, Stenger, and Mayor Baarsma.

Nays: 0

Absent: 2 – Ladenburg and Talbert.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27405

Providing for the sale and issuance of the City's Water System Revenue and Refunding Bonds, in the amount of \$62,000,000, for capital improvements and extensions to the existing water system and to refund a portion of the City's outstanding Water System Revenue Bonds, 1997.

The Ordinance was set over for final reading next week.

Ordinance No. 27406

Amending Title 6 of the Municipal Code by increasing fees for regulatory licenses effective January 1, 2006, generating \$170,000 in revenues to be deposited into the General Fund.

The Ordinance was set over for final reading next week.

Public Hearings were held here.

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RESOLUTIONS

Purchase Resolution No. 36625

Awarding a contract to:

Husky International Trucks, Inc., d.b.a. Husky Truck Center, in the amount of \$128,092, plus applicable sales tax, for three 2006 step vans, budgeted from the 2005 Equipment Rental Capital Outlay Fund and the 2005 Wastewater Management Fund - Specification No. GF05-0441F.

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

Resolution No. 36626

Authorizing the execution of an agreement with Post Advisory Group, LLC, in the amount of \$1,350,000, to provide investment management services for a portion of the Tacoma Employees' Retirement System portfolio, budgeted from the Retirement Fund, effective September 1, 2005 through August 31, 2008.

Council Member 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. 36627

Authorizing the execution of Multi-Family Housing Limited Property Tax Exemption Agreement with Carol T. and Brian C. Laird for the construction of four apartment units located at 1611 South Yakima Avenue in the Downtown Mixed-Use Center.

Council Member 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. 36628

Directing the City Manager to develop a balanced budget through the 2007-2008 biennium, and to report back to the City Council with his recommendations to achieve this by mid-November 2005.

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

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PUBLIC HEARINGS AND APPEALS

- a. 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. (Continued from the meeting of August 9, 2005)

The Public Hearing began at 5:38 p.m.

There were no speakers that wished to address Council.

The Public Hearing ended at 5:56 p.m.

- b. This is the date set for a public hearing by the City Council regarding the annexation of property located in the vicinity of 90th Street and McKinley Avenue East in unincorporated Pierce County. (Tsugua Investments, LLC and JoAnn Tornquist; Parcel Nos. 781000-015-4 and 781000-016-0)

The Public Hearing began at 5:56 p.m.

There were no speakers that wished to address Council.

The Public Hearing ended at 6:00 p.m.

- c. This is the date set for a public hearing by the City Council regarding the annexation of property located in the vicinity of East 88th Street and McKinley Avenue in unincorporated Pierce County. (William G. Sager; Parcel Nos. 781000-010-0 and 781000-011-0)

The Public Hearing began at 6:00 p.m.

There were no speakers to address Council.

The Public Hearing ended at 6:02 p.m.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Eric Anderson stated he was contacted by Mr. Arnie Blaker, Interim LESA Director, who informed him that LESA dispatcher Ms. Kris Woodrow, will be featured on the television show *Prime Time Live* this Thursday evening. He stated the incident featured occurred in Lakewood where a child called 911 for assistance and the information associated with the call was incorrect. He added that dispatching assistance to the child was a real challenge but was handled well. Mr. Anderson then gave kudos to Assistant City Attorney Eric Walker for his response in assisting a defendant experiencing a medical crisis in the court room.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

◆ Government Performance and Finance Committee update

Council Member Lonergan reported on recent issues discussed, which included the following: creation of an audit committee made up of City Council and Public Utility Board members and a municipal financial expert to be named later; TV Tacoma new sponsorship policies; IBM overview of SAP and Business Information Systems Performance Audit; personnel system performance audit implementation update; philosophy of pay and compensation, draft statement, and total competition philosophy; and discussions on administration leave policies. He mentioned the upcoming Committee meeting will have the following agenda topic discussions: fiscal discipline with City Manager Eric Anderson; classified versus unclassified employees; and enterprise properties.

◆ Public Safety and Human Services Committee update

Mayor Baarsma moved to continue the Public Safety and Human Services Committee update until next week. Seconded by Council Member Lonergan. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger mentioned a recent appeal heard by the Central Puget Sound Growth Management Hearings Board on the critical areas ordinance that Pierce County passed. He stated the Board overturned the ordinance and there is now an order that Pierce County must include marine shorelines as critical fish and wildlife habitat. He asked for an update on the City's position regarding this order.

Council Member Manthou reminded citizens of Senior Citizens Awareness Day tomorrow. He mentioned that Asarco recently filed for bankruptcy and the fourteen Tacoma residential properties still in stages of remediation clean-up will continue.

Council Member Lonergan gave kudos to the outstanding staff support for the Government Performance and Finance Committee. He stated he recently received the report he asked for regarding cellphone usage. He noted the recent retirement of Police Chaplain Bill Bowlby and thanked him for his tremendous service to Tacoma.

Mayor Baarsma stated that Council Members Evans, Stenger, and Phillips joined him at a very special and historic celebratory groundbreaking event for the Chinese Reconciliation Park. He also stated that 120 years after the expulsion of the 600 hundred citizens of Tacoma that were of Chinese descent, this event remembers the sad history but remembers a better future, working closely with the Chinese government to bridge the gap. He also mentioned three recent festivals, which included the Southeast Asian Water Festival, 9th Annual festival at St. John's Baptist Church, and the Annual South Tacoma Car Show with over 10,000 in attendance.

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

Council Member Evans moved to authorize the settlement with the Great American Insurance Company for claims involving the Thea Foss and Wheeler-Osgood Waterways and Commencement Bay Natural Resource Damages in the matter of City of Tacoma v. Great American Insurance Company, et al., US District Court, Cause Number C97-5504 RJB, in the amount of seven million eight hundred thousand dollars (7,800,000). Seconded by Council Member Anderson. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to authorize the City's full and final settlement of all claims against the City in the case of Stacy Smith v. City of Tacoma, Pierce County Superior Court, Cause No. 04-2-12472-2, upon payment by the City of the amount of \$55,000. Seconded by Council Member Anderson.

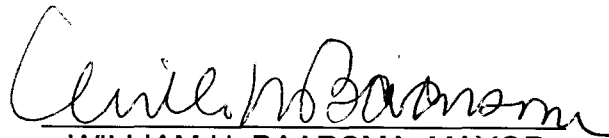
Council Member Anderson asked for a report from the City Manager of any lessons learned as a result of this settlement and any changes in practice in the City of Tacoma.


Council Member Lonergan mentioned for the audience that this case was regarding a vehicle accident.

Voice vote was taken and carried. The motion was declared adopted.

ADJOURNMENT

On proper motion, the meeting was adjourned at 6:47 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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