



City Council Minutes

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

December 13, 2005

The meeting was called to order at 5:17 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 Anderson.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Neighborhoods and Housing Committee, October 17, 2005.
- b. Minutes of the Public Utility Board study session, October 12, 2005.
- c. Minutes of the Tacoma Community Redevelopment Authority, September 22, October 27, and November 3, 2005.
- d. Minutes of the Tacoma Housing Authority special session, October 26, 2005.
- e. Minutes of the Tacoma Public Library Board of Trustees, October 19, 2005.

CONSENT AGENDA

Approval of the minutes of the City Council study session, November 8, 2005.

RESOLUTIONS

Resolution No. 36733

Accepting a grant in the amount of \$5,000 from the Milgard Family Foundation; depositing said sum into the HR & HS- Special Revenue Fund, for client support services provided by the Human Rights and Human Services Department's Domestic Violence Program.

Resolution No. 36734

Authorizing the execution of an Interlocal Agreement with Pierce County for the organization of the Tacoma-Pierce County Health Department to reflect the Legislature’s action and make other changes to improve the operation of the Health Department.

Deputy Mayor Ladenburg moved that the Consent Agenda, including Resolution Nos. 36733 and 36734, be approved. Seconded by Council Member Talbert. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36733 and 36734, was declared approved.

PROCLAMATIONS

There were no proclamations.

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 5:25 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Allen Douglass	University Place resident	Resolution Nos. 36738 and 36740; and Ordinance No. 27446
Phyllis Barrett	912 South Cushman Avenue	Resolution No. 36740; Ordinance Nos. 27449 and 27450
Tim Bunch	10013 59 th Avenue SW, Lakewood	Ordinance No. 27451
Judy Colarusso	Harbor Lights Restaurant	Ordinance No. 27451
Dan Hilger	Owner, Katie Downs	Ordinance No. 27451
Jim Holman	4041 Ruston Way	Ordinance No. 27451
Ben Barcus	4302 Ruston Way	Ordinance No. 27451
Kelly Haughton	Russell Investment Group	Resolution No. 36739
Bruce Kendall	Economic Development Board	Resolution No. 36739
Christopher Algeo	Broadway Center for the Performing Arts	Resolution No. 36737; Ordinance No. 27446
Jerry Guthrie	3245 North 28 th Street	Substitute Ordinance No. 27450
Paul Ellis	Tacoma-Pierce County Chamber	Resolution No. 36738

Public Comment closed at 6:05 p.m.

The Public Hearing was heard here.

R E G U L A R A G E N D A

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS

Resolution No. 36735

Appointing individuals to the Citizens Recognition Committee, Landmarks Preservation Commission, Planning Commission, and Tacoma Arts 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.

COMMUNICATION

City Clerk advising that the Pierce County Auditor has verified and validated a sufficient number of signatures (4,048) on the petitions submitted by the Associated Casino Employees for Survival (ACES) regarding the continued operation of four state licensed mini-casinos, including the prohibition of new mini-casinos.

This was Informational only. No action was necessary.

RESOLUTIONS

Purchase Resolution No. 36736

Awarding a contract to:

Bud Clary Chevrolet, Inc., in the amount of \$61,726, plus sales tax, budgeted from the General Fund, for four 2006 Chevrolet cargo vans – State of Washington Contract No. 05705.

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. 36737

Authorizing the execution of an amendment to the Design and Construction Agreement with the Broadway Center for the Performing Arts (BCPA) to revise the BCPA's funding obligation and provide for the BCPA to fund repayment of the project costs incurred by the City.

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. 36738

Recognizing and endorsing the formation of a private Downtown Tacoma Parking Committee; and expressing the City Council's intent to give due consideration to the concerns, advice, and recommendations of the Committee in formulating and carrying out City parking policy.

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. 36739

Authorizing the execution of a two-year agreement with the Economic Development Board of Tacoma-Pierce County, in the amount of \$85,000, budgeted from the General Fund, to provide services and assistance in the continued implementation of economic development plans.

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. 36740

Authorizing the City Manager to further investigate a service tax to fund the full costs of Police, Fire and Library services in Tacoma and establishing a stakeholder task force to include two business representatives, two neighborhood representatives, two non-profit organization representatives, two civic organization representatives, and an at-large chair to be designated by the City Council, to analyze the service tax proposal and its impacts, and make recommendations to the City Council by June 27, 2006.

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

Deputy Mayor Ladenburg moved to amend the Resolution to include two labor representatives in addition to those already mentioned. Seconded by Council Member Talbert. Voice vote taken and carried. The motion was declared adopted.

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

Ayes: 7 – Anderson, Evans, Ladenburg, Manthou, Phillips, Talbert, and Mayor Baarsma.

Nays: 2 – Lonergan and Stenger.

The Resolution, as amended, was declared adopted.

FINAL READING OF ORDINANCES

Substitute 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.

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. 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.

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. 27448

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

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. 27449

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

Mayor Baarsma moved to instruct the City Manager to reallocate in his proposed 2005/2006 general fund budget adjustment, \$800,000, from one-time funds derived from additional revenues and savings from reductions in General Fund departments, to fund such street improvements including sidewalks and lighting, as may be recommended by each Neighborhood Council, up to \$100,000 per Neighborhood Council, subject to approval by the City Council. Seconded by Deputy Mayor Ladenburg.

Council Member Evans moved to instruct the City Manager to reallocate in his proposed 2005/2006 general fund budget adjustment, \$268,000, from one-time funds derived from additional revenues and savings from reductions in General Fund departments, to the street fund for traffic and pedestrian safety infrastructure improvements within neighborhood business districts with specific projects to be identified through the City's normal processes. Seconded by Mayor Baarsma.

Deputy Mayor Ladenburg moved to instruct the City Manager to reallocate in his proposed 2005/2006 general fund budget adjustment, \$130,000, from one-time funds derived from additional revenues and savings from reductions in General Fund departments, to fund the cost of any professional consulting services related to City Council inquires or initiatives that the Council may deem desirable or necessary in 2006. Seconded by Council Member Talbert.

Council Member Stenger moved to instruct the City Manager to reallocate his proposed 2005/2006 general fund budget adjustment for *operating costs* of \$500,000 from recurring revenues as follows:

1. Increase the Neighborhood and Community Council appropriation by \$13,500 to restore the former \$5,000 operating grant for each council.
2. Increase the Cross Business District appropriation by \$10,000 so that two additional, officially-recognized, business districts receive a \$5,000 operating contract for business, information, promotion, and visitor services.
3. Decrease the "chip seal" street repair appropriation by \$23,500. The Council intends to seek other and additional funding sources for this work in 2006.

Seconded by Deputy Mayor Ladenburg.

Council Member Talbert moved to instruct the City Manager to reallocate his proposed 2005/2006 general fund budget adjustment for *operating costs* of \$500,000 from recurring revenues as follows:

4. Increase the Tacoma Public Library appropriation by \$222,700 to restore services and branch operating hours.
5. Decrease the Local Improvement District (“LID”) appropriation by \$200,000, leaving \$0, leaving unchanged the Manager’s recommended \$3.8 million LID in infrastructure *improvement*, funded from one-time revenues. The Council intends to seek other and additional funding sources for LID work in 2006.
6. Decrease the “chip seal” street repair appropriation by \$22,700. The Council intends to seek other and additional funding sources for this work in 2006.

Seconded by Deputy Mayor Ladenburg.

Speaking before Council:

Name	Affiliation/Address
Allen Douglass	University Place resident
Marion Weed	4735 42 nd Street NE
Jerry Guthrie	3245 North 28 th Street

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

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

Nays: 0

The Resolution was declared adopted.

Substitute 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 No. 2 of Ordinance No. 27450. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council:

Name	Affiliation/Address
Jerry Guthrie	3245 North 28 th Street

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Allen Douglass

University Place resident

Roll call vote was taken, resulting as follows:

Ayes: 6 – Anderson, Evans, Lonergan, Manthou, Phillips, and Talbert.

Nays: 3 – Ladenburg, Stenger, and Mayor Baarsma.

Substitute No. 2 of the Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27451

Amending Chapter 9.08 of the Municipal Code, relating to street occupancy fees, to include a use fee and adding a new fee schedule to be applied City-wide, effective April 1, 2006.

The Ordinance was set over for final reading January 3, 2006.

Ordinance No. 27452

Amending Title 5 of the Municipal Code, relating to the Health Department, by repealing Chapter 5.02 “Health Department – General Provisions,” in its entirety.

The Ordinance was set over for final reading January 3, 2006.

PUBLIC HEARINGS AND APPEALS

This is the date set for a public hearing by the City Council on the annexation of the property owned by Brad Burkhartzmeyer and Susanne Nuriel located at 8601 and 8607 McKinley Avenue East in unincorporated Pierce County.

The Public Hearing began at 6:05 p.m.

There were no speakers wishing to speak during the public hearing.

The Public Hearing was declared closed at 6:09 p.m.

Deputy Mayor Ladenburg moved to accept the annexation property located at 8601 and 8607 McKinley Avenue East in unincorporated Pierce County when the owner presents the City with a valid petition bearing the signatures of the owners not less than 75 percent of the assessed value for general taxation, and that upon annexation the City waive all voter approved debt of the City of Tacoma other than the emergency medical service levy and that the City include the area in the city’s comprehensive plan as required by the Growth Management Act. Seconded by Council Member Talbert. Voice vote was taken and carried.

The motion was declared adopted.

UNFINISHED BUSINESS

None.

REPORTS BY THE CITY MANAGER

City Manager Eric Anderson gave an update regarding the Winthrop Apartment building. He added that the inspection by the Fire Department resulted in no evacuation at this time and that the owner has engaged several measures to repair the identified safety hazards and the work is in progress. He stated that all of the safety hazards are scheduled for remediation by December 24th. He stated that the owner of the Winthrop is scheduled to meet with all the residents tomorrow to inform them of the safety concerns that have been identified, to discuss the results of this morning's fire drill, to find substitute housing for any resident who desires to vacate the building while repairs are being made. He indicated that around the clock fire watch will continue until the repairs are made followed by a certification of an inspection. He also thanked Ms. Jolene Davis for her work as Special Assistant in the City Manager's Office.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

◆ Neighborhoods and Housing Committee update

Mayor Baarsma reported that he invited former Mayor Karen Vialle to attend the last committee meeting to discuss the community summits that were held during her tenure as Mayor. He listed the programs and projects that emanated from the summits. He also stated there were reports from each of the Neighborhood Councils.

Council Member Stenger stated his concern regarding an issue that will bypass the Neighborhoods and Housing Committee and go straight to study session.

Council Member Lonergan indicated that sometimes Council Members want to bring issues forward for the whole Council for further discussion. He thanked the City Manager and Fire Marshall for the extra effort in balancing the safety concern with the disruption of relocation for the Winthrop Apartment tenants. He stated that over the weekend he and his wife went out with Senator Rosa Franklin, who is on the Board of the new Phoebe House for the third anniversary celebration. He also congratulated the Stadium Historic Business District for the first "Dickens Holidays at Stadium" event last Saturday. He concluded by stating the Central Neighborhood Council will hold board elections at its regular monthly meeting Jan 5, 2006.

Deputy Mayor Ladenburg suggested having additional discussion regarding committees at the Committee of the Whole meeting.

Council Member Evans asked Council and the public to go to google.com and perform a search using the words *Metropolis Magazine*, followed by a search using the word Tacoma, then performing another search using *Sierra Club*, again followed by a search using the word Tacoma. He also mentioned the free Clean Air Agency's calendars that are available for 2006. He stated he was recently at the University of Washington, Seattle campus, where Council Member Elect Jake Fey was introduced along with 60 other newly elected Council Members from all over the region.

Council Member Talbert requested a substitute for Ordinance No. 27451 that would accomplish removing the Ruston Way properties until further investigation takes place or an amendment prepared for the January 3rd meeting. He also added comments regarding discussion on study session items from Council.

Mayor Baarsma clarified that items discussed at study session may be forwarded to committee and that they can also be discussed at the Committee of the Whole meeting. He stated the streetlights on 38th Street are all out and asked for that to be checked. He stated that the City Council joined with the City of Seattle and nearly 200 cities throughout the United States embracing the concepts that are related to the Kyoto accord, which have been signed by every major country except the United States of America and Australia.

Mayor Baarsma reminded everyone that the City Council study sessions and business meetings for Tuesday, December 20 and December 27, 2005, were canceled and the next regularly scheduled City Council study session and business meeting would be held on Tuesday, January 3, 2006, at noon and 5:00 p.m. respectively.

Mayor Baarsma stated Council Member Evans and Council Member Lonergan will switch seats at the Council Meeting on January 3, 2006, due to the appointment of Council Member Lonergan to Deputy Mayor.

Mayor Baarsma presented a proclamation to Council Member Phillips. The City seal was presented by Deputy Mayor Ladenburg. The "Three Domes of Tacoma" print was presented by City Manager Eric Anderson.

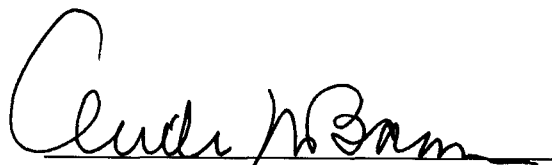
Mayor Baarsma and Council Members Anderson, Evans, Manthou, Stenger, and Talbert thanked Council Member Phillips for his service.


Council Member Phillips expressed his great honor and distinct pleasure to serve on the City Council and also expressed his appreciation to City staff and to Council Members for all their support. He thanked all the constituents for allowing him to serve them.

Mayor Baarsma presented Deputy Mayor Ladenburg with a mounted gavel for her service as Deputy Mayor for the year 2005.

Mayor Baarsma wished everyone a safe and joyous holiday and a happy new year.

On proper motion, the meeting was adjourned at 8:26 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK