



# City of Tacoma City Council Minutes

747 Market Street, First Floor, Tacoma WA 98402

City Council Chambers

**October 10, 2017**

**5:00 PM**

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## CALL TO ORDER

Mayor Strickland called the meeting to order at 5:02 p.m.

## ROLL CALL

**Present:** 9 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms, Walker Lee and Mayor Strickland

## FLAG SALUTE

The flag salute was led by Council Member McCarthy.

## MOMENT OF SILENCE

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. [17-1017](#) Minutes of the Human Services Commission, July 12, 2017.
2. [17-1002](#) Minutes of the Infrastructure, Planning, and Sustainability Committee, August 23, 2017.
3. [17-1007](#) Minutes of the Landmarks Preservation Commission, September 13, 2017.
4. [17-1013](#) Minutes of the Planning Commission, August 2, 2017.
5. [17-1014](#) Minutes of the Planning Commission, August 16, 2017.
6. [17-1011](#) Minutes of the Public Utility Board study session, August 23, 2017.
7. [17-1012](#) Minutes of the Public Utility Board meeting, August 23, 2017.
8. [17-1025](#) Minutes of the Tacoma Arts Commission, September 11, 2017.

## CONSENT AGENDA

### RESOLUTIONS

9.        [RES39837](#)        A resolution setting Tuesday, October 24, 2017, at approximately 5:15 p.m., as the date for a public hearing by the City Council, on the proposed amendment to Section 13.06.565 of the Municipal Code, relating to Marijuana Uses, as recommended by the Planning Commission.  
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

**MOTION: Deputy Mayor Thoms moved to adopt the Consent Agenda.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried to adopt the Consent Agenda. The Consent Agenda was declared adopted.**

**Ayes:** 9 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms, Walker Lee and Mayor Strickland

### PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

10.       [17-1027](#)        Proclaiming Thursday, October 19, 2017 as Community Conflict Resolution Day.

Mayor Strickland proclaimed Thursday, October 19, 2017 as Community Conflict Resolution Day and presented the proclamation to Ms. Maralise Hood Quan, Executive Director, Center for Dialog and Resolution.

11.       [17-1028](#)        Proclaiming October 2017 as Human Rights Commission Recognition Month.

Mayor Strickland proclaimed October 2017 as Human Rights Commission Recognition Month and presented the proclamation to Former Mayor Bill Baarsma and Ms. Andreta Armstrong, Office of Equity and Human Rights.

12. [17-0994](#) Recognizing the Korean Women’s Association 45th Anniversary.

Mayor Strickland recognized the Korean Women’s Association 45th Anniversary and presented the recognition to Mr. Jay Kang, Director of Development and Communications, and Ms. Grace Kim and Ms. Sulja Warnick, Board Members.

## PUBLIC COMMENT

Public comment began at 5:18 p.m.

Speaking before the City Council:

1. Tracy Wiegman, Tacoma, speaking on proclamations.
2. Kit Burns, 1010 6th Avenue, speaking on Resolution No. 39841.

Public comment ended at 5:24 p.m.

## REGULAR AGENDA

13. [17-1026](#) A motion may be made to authorize the City’s full and final settlement of the judgment and dismissal of all appeals related to the matter of Allenmore Medical Investors LLC v. City of Tacoma, et al, U.S. District Court Cause No. 3:14-cv-0517-RBL, upon payment by the City in the amount of \$2,795,000.

**MOTION: Deputy Mayor Thoms moved to authorize the City’s full and final settlement of the judgment and dismissal of all appeals related to the matter of Allenmore Medical Investors LLC v. City of Tacoma, et al, U.S. District Court Cause No. 3:14-cv-0517-RBL, upon payment by the City in the amount of \$2,795,000.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried. The motion was declared adopted.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker Lee and Mayor Strickland

**Recused:** 1 - McCarthy

## APPOINTMENTS

14. [RES39838](#) A resolution appointing and reappointing individuals to the Transportation Commission.  
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

**MOTION: Deputy Mayor Thoms moved to adopt Resolution No. 39838.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**

**Ayes:** 9 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms, Walker Lee and Mayor Strickland

## PUBLIC HEARINGS AND APPEALS

- [17-1008](#) This is the date set for a public hearing by the City Council on the surplus and proposed sale of approximately 1.35 acres of property, located on the north and south sides of State Route 302 in unincorporated Pierce County, to the Key Peninsula Metropolitan Park District, for the amount of \$16,250.  
[Greg Muller, Real Estate Officer; Chris Robinson, Power Superintendent]

The public hearing began at 5:26 p.m.

Speaking before the City Council:

1. Scott Gallagher, P.O. Box 70.

The public hearing ended at 5:28 p.m.

- [17-1010](#) This is the date set for a public hearing by the City Council on the proposed modifications to and the six-month extension of the Emergency Temporary Shelters Interim Regulations.  
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

The public hearing began at 5:28 p.m.

Speaking before the City Council:

1. Rosemary Powers, 1418 South G Street.
2. Theresa Power-Drutis, 1418 South G Street.
3. Al Ratcliffe, 1424 North Winnifred Street.
4. Andrew Pitar, Tacoma.

5. Connie Brown, 1323 South Yakima.

The public hearing ended at 5:51 p.m.

## **PURCHASE RESOLUTIONS**

15. [RES39839](#) A resolution awarding a contract to AMR HoldCo. Inc., d.b.a. American Medical Response Ambulance Service, Inc., in the receipt of \$1,274,118, depositing said sum into the EMS Special Revenue Fund, to provide private ambulance emergency response and emergency transport services, beginning November 28, 2017, for an initial three-year term, with the option to renew for two additional one-year terms - Specification No. FD17-0260F.  
[Michael Fitzgerald, Assistant to the Chief; James P. Duggan, Fire Chief]

**MOTION: Council Member Mello moved to adopt Resolution No. 39839.**

**SECONDED BY: Council Member Lonergan.**

**ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

## **RESOLUTIONS**

16. [RES39840](#) A resolution naming the trail located between South 80th and South 84th Streets, "Skip Vaughn's Trail," as recommended by the Landmarks Preservation Commission.  
[Reuben McKnight, Historic Preservation Officer; Peter Huffman, Director, Planning and Development Services]

**MOTION: Council Member Mello moved to adopt Resolution No. 39840.**

**SECONDED BY: Council Member Lonergan.**

**ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

17. [RES39841](#) A resolution authorizing the execution of an amendment to the loan agreement with the Foss Waterway Development Authority, to extend the due date of the General Fund loan from November 14, 2017, to December 31, 2020.  
[Andy Cherullo, Director, Finance]

**MOTION: Council Member Mello moved to adopt Resolution No. 39841.**

**SECONDED BY: Council Member Campbell.**

**ACTION: Voice vote was taken and carried. The Resolution was declared adopted.**

**Ayes:** 7 - Blocker, Campbell, Ibsen, Lonergan, Mello, Thoms and Walker Lee

**Absent:** 2 - McCarthy and Mayor Strickland

## **FINAL READING OF ORDINANCES**

18. [ORD28454](#) An ordinance granting a non-exclusive franchise to Seattle SMSA Limited Partnership d.b.a. Verizon Wireless, to construct, operate, and maintain a telecommunications system within the City.  
[Jeff Lueders, Franchise Services Manager; Gwen Schuler, Director, Media and Communications]

**ACTION: Roll call vote was taken and carried. The Ordinance was declared passed.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

## **FIRST READING OF ORDINANCES**

19. [ORD28459](#) An ordinance amending Chapters 1.18 and 1.19 of the Municipal Code, relating to the pay and compensation of the Mayor, Deputy Mayor, and Council Members, in compliance with Section 2.3 of the City Charter and state law.  
[Kari Louie, Benefits Manager; Gary Buchanan, Director, Human Resources]

**ACTION: Ordinance No. 28459 was set over for final reading next week.**

20. [ORD28460](#) An ordinance retaining and modifying the Emergency Temporary Shelters Interim Regulations, by including temporary amendments to Chapter 13.06 of the Municipal Code, to provide more flexibility for religious and non-profit organizations to host temporary shelters; and extending the duration for six months, effective through April 16, 2018.  
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

**MOTION: Council Member Campbell moved to amend Ordinance No. 28460 Exhibit A by adding the following: Prior to approving a request for a second temporary shelter location within a sector, all other sectors should have a temporary shelter location. As part of process for approving a second location within a sector, the City shall determine whether there are adequate City services to support the second location in a sector.**

**SECONDED BY: Council Member Mello.**

**The amendment had substantive changes, therefore Deputy Mayor Thoms called for public comment.**

**Speaking before the City Council:**

**1. Marilyn Kimmerling, Tacoma.**

**ACTION: Voice vote was taken and carried. The amendment was declared adopted.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

**MOTION: Council Member Campbell moved to amend Ordinance No. 28460 Exhibit A by adding the following: A permit allowing a temporary shelter site may be terminated if the City determines the site is unfit for human habitation based upon sanitary conditions or health related concerns.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried. The amendment was declared adopted.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

**MOTION: Council Member McCarthy moved to amend Ordinance No. 28460 Exhibit A by adding the following: At the time an application is submitted to establish a temporary shelter site, the City Council shall be notified.**

**SECONDED BY: Council Member Mello.**

**MOTION: Council Member Campbell moved to table this amendment to consider the next amendment, then come back to this one.**

**SECONDED BY: Council Member Walker Lee.**

**ACTION: Voice vote was taken and carried. The amendment was tabled.**

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

**MOTION: Council Member McCarthy moved to amend Ordinance No. 28460 Exhibit A by adding the following: The final determination of an application submitted by a non-profit entity for a temporary shelter location shall be made by the City Council following consideration and recommendation by the Hearing Examiner as done in requests for a rezone.**

**SECONDED BY: Council Member Mello.**

**The amendment had substantive changes, therefore Deputy Mayor Thoms called for public comment. No one came forward to address the City Council.**

**ACTION: Voice vote was taken and failed. The amendment was declared failed.**

**Ayes:** 1 - McCarthy

**Nays:** 7 - Blocker, Campbell, Ibsen, Lonergan, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland



**MOTION: Council Member Campbell moved to bring the motion from the table back up for a vote.**

**SECONDED BY: Council Member Mello.**

**ACTION: Voice vote was taken and carried. The motion was declared adopted.**

**Ayes:** 7 - Blocker, Campbell, Ibsen, Lonergan, Mello, Thoms and Walker Lee

**Nays:** 1 - McCarthy

**Absent:** 1 - Mayor Strickland

**The motion to amend Ordinance No. 28460 Exhibit A by adding the following: At the time an application is submitted to establish a temporary shelter site, the City Council shall be notified, was before the body for consideration.**

**ACTION: Voice vote was taken and failed. The motion was declared failed.**

**Ayes:** 1 - McCarthy

**Nays:** 7 - Blocker, Campbell, Ibsen, Lonergan, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

**MOTION: Deputy Mayor Thoms moved to amend Ordinance No. 28460 Exhibit A as follows: Change the notification distance from 400 feet to 1000 feet for new applications contained in TMC 13.05.020.**

**SECONDED BY: Council Member Mello.**

**ACTION: Deputy Mayor Thoms withdrew the motion.**

**ACTION: Ordinance No. 28460, as amended, was set over for final reading next week.**

## **PUBLIC HEARINGS AND APPEALS**

21. [17-1008](#) This is the date set for a public hearing by the City Council on the surplus and proposed sale of approximately 1.35 acres of property, located on the north and south sides of State Route 302 in unincorporated Pierce County, to the Key Peninsula Metropolitan Park District, for the amount of \$16,250.  
[Greg Muller, Real Estate Officer; Chris Robinson, Power Superintendent]

The public hearing was heard earlier in the meeting.

22. [17-1010](#) This is the date set for a public hearing by the City Council on the proposed modifications to and the six-month extension of the Emergency Temporary Shelters Interim Regulations.  
[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

The public hearing was heard earlier in the meeting.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **CITIZENS' FORUM**

Citizens' Forum began at 7:24 p.m.

Speaking before the City Council:

1. Charles Valdez, Tacoma, speaking on liquefied natural gas.
2. Lacey Reuter, Tacoma, speaking on liquefied natural gas.
3. Kyle Jolibois, Tacoma, speaking on liquefied natural gas.
4. Beverly Christie, Tacoma, speaking on liquefied natural gas.
5. David Bluhm, Tacoma 98406, speaking on tideflats, Port, liquefied natural gas, fracked gas.
6. Dakota W. Case, speaking on liquefied natural gas.
7. Pamela Bond, speaking on liquefied natural gas.
8. Cady Chintis, Tacoma, speaking on bikes.
9. Tracy Wiegman, Tacoma, speaking on liquefied natural gas.
10. Kyle Price, North End Neighborhood Council, speaking on Cushman petition.
11. Nikie Walters, Tacoma, speaking on liquefied natural gas.
12. Victoria Ceistman, Sierra Club, speaking on liquefied natural gas.

13. John Carlton, resident, Tacoma, speaking on liquefied natural gas.
14. Marilyn Kimmerling, Tacoma, speaking on liquefied natural gas, and Indigenous Day.
15. Cary Bridgeford, Tacoma, speaking on liquefied natural gas.
16. Kathy Lawhon, Tacoma Rez, speaking on liquefied natural gas.
17. Darren Moore, speaking on liquefied natural gas.
18. Stacey Oaks, Tacoma, speaking on liquefied natural gas.
19. Steve Storms, Tacoma, speaking on liquefied natural gas.
20. Claudia Riedener, Tacoma, speaking on liquefied natural gas.
21. Robert Satiacum, Tacoma, speaking on liquefied natural gas.
22. Carol Kindt, 5939 North 26th Street, speaking on Tideflats regulations.
23. Susan Ryan, 3017 North 13th Street, speaking on liquefied natural gas, trees, and Walmart.
24. Nanette Reetz, Northeast Tacoma, speaking on liquefied natural gas.

Citizens' Forum ended at 8:43 p.m.

## **REPORTS BY THE CITY MANAGER**

There was no report.

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

**MOTION:** Council Member Mello moved to suspend Rule 1.A of the Rules of Procedure of the Council to allow the regular meeting of the City Council to be held at the Pantages Theater, located at 901 Broadway, on Tuesday, October 17, 2017.

**SECONDED BY:** Council Member Ibsen.

**ACTION:** Voice vote was taken and carried. The motion was declared adopted.

**Ayes:** 8 - Blocker, Campbell, Ibsen, Lonergan, McCarthy, Mello, Thoms and Walker Lee

**Absent:** 1 - Mayor Strickland

**ADJOURNMENT**

On proper motion, the meeting was adjourned at 8:45 p.m.

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Marilyn Strickland, Mayor

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Doris Sorum, City Clerk