



City of Tacoma City Council Minutes

747 Market Street, First Floor, Tacoma, WA 98402

City Council Chambers

November 05, 2013

5:00 PM

CALL TO ORDER

Mayor Strickland called the meeting to order at 5:05 p.m.

ROLL CALL

Present: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

FLAG SALUTE

The flag salute was led by Council Member Boe.

MOMENT OF SILENCE

Mayor Strickland dedicated the moment of silence to Donna Stewart, Office Manager in the Public Works Department, who passed away unexpectedly on November 3, 2013.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. **13-0235** Minutes of the City Events and Recognitions Committee, September 30, 2013.
2. **13-0195** Minutes of the Neighborhoods and Housing Committee, October 7, 2013.
3. **13-0240** Citizen Petition regarding the Schuster Stadium Hillside.

CONSENT AGENDA

4. **13-0247** Minutes of the Committee of the Whole meeting of September 17, 2013.

RESOLUTIONS

5. **RES38763** A resolution setting Tuesday, November 19, 2013, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the surplus and proposed sale of 27,499 square feet of Tacoma Water property located at 7704 6th Avenue, to David A. Sizemore, in the amount of \$22,500.
[Maureen Barnes, Real Estate Officer; Linda McCrea, Superintendent, Tacoma Water]
6. **RES38764** A resolution setting Tuesday, November 19, 2013, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the proposed sale of four former substation sites located at 5001 North Visscher Street, 1801 North Orchard Street, 4924 North 31st Street, and 1009 South 35th Street, owned by Tacoma Power, previously declared as surplus, to Reggie Brown for the cumulative amount of \$317,000.
[Maureen Barnes, Real Estate Officer; Ted Coates, Superintendent, Tacoma Power]

MOTION: Deputy Mayor Campbell moved to adopt the Consent Agenda, including Resolution Nos. 38763 and 38764.

SECONDED BY: Council Member Woodards.

ACTION: Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 38763 and 38764, was declared adopted.

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

There were no proclamations, presentations, presentations, or announcements.

PUBLIC COMMENT

Public comment began at 5:08 p.m.

Speaking before Council:

Philip Dandy, Washington Cannabis Association, speaking on Ordinance No. 28183.

Micah Anderson, citizen, speaking on Substitute Ordinance No. 28182.

Public comment ended at 5:10 p.m.

REGULAR AGENDA

APPOINTMENTS

7. **RES38765** A resolution appointing Chris Beale to serve on the Planning Commission, representing Council District No. 5, to fill an unexpired term through June 30, 2015.
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

MOTION: Deputy Mayor Campbell moved to adopt Resolution No. 38765.

SECONDED BY: Council Member Lonergan.

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

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

PURCHASE RESOLUTIONS

8. **RES38766** A resolution awarding a contract to David Evans and Associates, Inc., in the amount of \$267,854, sales tax not applicable, budgeted from the Solid Waste Fund, for engineering services for the Tacoma Landfill Site Traffic Circulation Improvements - Specification No. CT12-0001F.
[Geoffrey Smyth, P.E., Science and Engineering Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

MOTION: Deputy Mayor Campbell moved to adopt Resolution No. 38766.

SECONDED BY: Council Member Woodards.

ACTION: Voice vote was taken and carried, with Council Member Boe recusing himself. The Resolution was declared adopted.

Ayes: 8 - Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

Recused: 1 - Boe

RESOLUTIONS

9. **RES38767** A resolution authorizing the execution of an agreement with Moss Adams LLP, in the amount of \$1,196,000, for component unit audits for the City's Power, Water, Rail, Wastewater and Surface Water, and Solid Waste Management utilities, budgeted from said utilities, for the years 2013 through 2017 with the option to renew for three additional one-year terms.
[Susan Ramirez, Assistant Director; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Campbell moved to adopt Resolution No. 38767.

SECONDED BY: Council Member Lonergan.

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

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

10. **RES38768** A resolution accepting the donation of three parcels of real property owned by DJL Investments, LLC, located in Northeast Tacoma, for ongoing routine maintenance of the stormwater facilities on the parcels.
[Troy Stevens, Senior Real Estate Specialist; Michael P. Slevin III, P.E., Director, Environmental Services]

MOTION: Deputy Mayor Campbell moved to adopt Resolution No. 38768.

SECONDED BY: Council Member Woodards.

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

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

11. **RES38769** A resolution establishing four additional taxicab stands in the following locations: 6th Avenue and Anderson Street; 6th Avenue and Pine Street; 2403 6th Avenue; and Court C between South 21st and 23rd Streets. [Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Campbell moved to adopt Resolution No. 38769.

SECONDED BY: Council Member Lonergan.

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

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

FINAL READING OF ORDINANCES

12. **ORD28182** A substitute ordinance amending Title 13 of the Municipal Code, entitled "Land Use Regulatory Code", to adopt interim regulations regarding the production, processing, and retail sale of recreational marijuana associated with Initiative 502. [Brian Boudet, Planning Division Manager; Peter Huffman, Interim Director, Planning and Development Services]

MOTION: Deputy Mayor Campbell moved to amend Substitute Ordinance No. 28182 at Page 6, in new section 13.06.565, entitled "Marijuana Businesses", to add the word "retail" to the first line of subsection C.9.b in order to limit the 1,000-foot buffer referenced therein to apply to retail uses only, and to delete both instances of the word "or" in the same subsection, replacing the second instance with the word "and."

SECONDED BY: Council Member Woodards.

The amendment had substantive changes. Public comment was requested. No one came forward to address the amendment.

ACTION: Voice vote was taken and carried on the amendment. The motion was declared adopted.

ACTION: Roll call vote was taken on Substitute Ordinance No. 28182, as amended.

ACTION: The Substitute Ordinance, as amended, was declared passed by the following vote:

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

- 13. ORD28183** A substitute ordinance amending Chapter 8.30 of the Municipal Code, relating to public nuisances, to identify nuisance activities related to recreational marijuana. [Lisa Wojtanowicz, Division Manager, Community Services Division; Tansy Hayward, Director, Neighborhood and Community Services]

MOTION: Deputy Mayor Campbell moved as a substitute, Substitute Ordinance No. 28183.

SECONDED BY: Council Member Woodards.

The substitute had substantive changes, therefore, public comment was requested. No one came forward to address the substitute.

ACTION: Voice vote was taken and carried on the substitute. The motion was declared adopted.

ACTION: Roll call vote was taken on Substitute Ordinance No. 28183.

ACTION: The Substitute Ordinance was declared passed by the following vote:

Ayes: 9 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland

FIRST READING OF ORDINANCES

- 14. ORD28184** An ordinance amending Subtitle 6B of the Municipal Code, relating to licenses, by amending Section 6B.160.025; and repealing Chapter 6B.190 relating to Scrap Metal and Recyclable Material Dealers in its entirety; and amending Chapter 8.37 relating to Theft, by adding a new Section 8.37.115 Metal Businesses - "Unlawful Acts and Exceptions," to comply with state law. [Danielle Larson, Tax and License Division Manager; Andy Cherullo, Director, Finance]

ACTION: Ordinance No. 28184 was set over for final reading next week.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

15. 13-0241 Weekly Report to the City Council, October 31, 2013
- City Manager T.C. Broadnax stated on October 28, 2013, the City received a corporate award from Toastmasters International presented by International President George Yen on a visit from Taipei, Taiwan. He then stated the City's Human Rights Division of the Neighborhood and Community Services Department and the King County Office for Civil Rights were awarded \$109,500 in Fair Housing Assistance Program Partnership funds for fiscal year 2014. Finally, he noted the City is now accepting applications for 2014 Community Cleanups.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Public Safety, Human Services, and Education Committee

Council Member Woodards stated the Public Safety, Human Services, and Education Committee has met twice since the last report, and during those meetings, the Committee heard an update on the funding process for the Mental Health and Chemical Dependency Program; heard about key findings from the 2012-2013 State Gang Grant Performance Report; and finally, received a report on the program re-design for Youth Build Tacoma and on voluntary compliance rates and community outreach related to the West End Alcohol Impact Areas. She stated the next meeting is scheduled for November 21, 2013, and the Committee is scheduled to receive an update from the Tacoma Police Department on their jail services transition.

Council Member Ibsen discussed ongoing soil remediation in Council District No. 1.

Mayor Strickland reminded everyone that today is the General Election and encouraged all citizens to exercise their right to vote.

ADJOURNMENT

On proper motion, the meeting was adjourned at 5:36 p.m.

Marilyn Strickland, Mayor

Doris Sorum, City Clerk