



City of Tacoma City Council Minutes

747 Market Street, First Floor, Tacoma WA 98402

City Council Chambers

September 09, 2014

5:00 PM

CALL TO ORDER

Mayor Strickland called the meeting to order at 5:07 p.m.

ROLL CALL

Present: 8 - Boe, Campbell, Ibsen, Lonergan, Mello, Thoms, Woodards and Mayor Strickland

Absent: 1 - Walker

Council Member Walker arrived at 5:08 p.m.

FLAG SALUTE

The Flag Salute was led by Council Member Campbell.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. 14-0789 Minutes of the Commission on Disabilities, July 3, 2014.
2. 14-0806 Minutes of the Economic Development Committee, July 22, 2014.
3. 14-0788 Minutes of the Human Rights Commission, July 17, 2014.
4. 14-0809 Minutes of the Infrastructure, Planning, and Sustainability Committee, July 23, 2014.
5. 14-0810 Minutes of the Joint Government Performance and Finance Committee and Audit Advisory Board, August 6, 2014.
6. 14-0799 Minutes of the Public Utility Board study session, July 23, 2014.
7. 14-0800 Minutes of the Public Utility Board meeting, July 23, 2014.

- 8. 14-0804 Minutes of the Tacoma Arts Commission, August 11, 2014.
- 9. 14-0756 Minutes of the Tacoma Planning Commission, August 6, 2014.
- 10. 14-0780 Minutes of the Tacoma Public Library Board of Trustees, July 16, 2014.
- 11. 14-0764 Monthly Financial Reports for the Fleet Services Fund, Self-Insurance Claim Fund, Solid Waste, Tacoma Power, Tacoma Water, Tacoma Rail, Tacoma Rail Mountain Division, and Wastewater and Surface Water Management, June 2014.

CONSENT AGENDA

- 12. 14-0765 Minutes of the City Council study session of July 1, 2014.
- 13. 14-0766 Minutes of the City Council study session of July 8, 2014.
- 14. 14-0767 Minutes of the City Council study session of July 15, 2014.
- 15. 14-0768 Minutes of the City Council study session of July 22, 2014.
- 16. 14-0769 Minutes of the City Council study session of July 29, 2014.
- 17. 14-0813 Minutes of the City Council special meeting of June 17, 2014.
- 18. 14-0814 Minutes of the City Council meeting of June 17, 2014.
- 19. 14-0815 Minutes of the City Council meeting of June 24, 2014.

RESOLUTIONS

- 20. RES38996 A resolution setting Tuesday, September 23, 2014, at approximately 5:30 p.m., as the date for a public hearing by the City Council to declare surplus and approve the negotiated sale of approximately 0.85 of an acre of surplus land located near the intersection of Canyon Road and 172nd Street East in Pierce County to Fretoc, LLC for \$50,000.
[Gloria Fletcher, Sr. Real Estate Officer; Linda McCrea, Superintendent, Tacoma Water]

21. **RES38997** A resolution authorizing the execution of an amendment to the Staffing for Adequate Fire and Emergency Response (SAFER) grant award from the U.S. Department of Homeland Security, accepting and depositing \$575,380 into the Fire Miscellaneous Special Revenue Fund, for a total grant award of \$4,021,560 to pay the salary and benefit costs of five firefighters for one additional year.
[James P. Duggan, Chief, Tacoma Fire Department]

FIRST READING OF ORDINANCES

22. **ORD28242** An ordinance amending Chapter 13.06 of the Municipal Code to reclassify two parcels totaling approximately 2.23 acres located at 620 and 630 South Pearl Street from an “R-2” Single-Family Dwelling District to an “R-4-L” Low-Density Multiple-Family Dwelling District to allow for the construction of a 60-bed extended care facility.
(Avamere BelAir Properties, LLC; File No. REZ2014-40000223364)
[Wick Dufford, Hearing Examiner, Pro Tempore]

Council Member Walker arrived here, at 5:08 p.m.

MOTION: Deputy Mayor Woodards moved to adopt the Consent Agenda, including Resolution Nos. 38996 and 38997 and First Reading of Ordinance No. 28242.

SECONDED BY: Council Member Boe.

MOTION: Deputy Mayor Woodards moved to concur in the Findings, Conclusions, and Recommendations of the Hearing Examiner for Ordinance No. 28242.

SECONDED BY: Council Member Boe.

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

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

ACTION: Voice vote was taken and carried on the Consent Agenda, including setting Ordinance No. 28242 over for Final Reading to a date to be determined. The Consent Agenda was declared adopted.

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

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

23. 14-0816 Proclaiming September 9, 2014 as United Way Day of Caring Day.

Mayor Strickland proclaimed September 9, 2014 as United Way's Annual Day of Caring and presented the proclamation to Ms. Dona Ponepinto, CEO of United Way Pierce County.

PUBLIC COMMENT

Public comment began at 5:12 p.m.

Speaking before Council:

1. Judge Ron Culpepper, Pierce County Superior Court, speaking on Item No. 32, the North Downtown Subarea Plan public hearing
2. Judge Chuck Ramet, Pierce County District Court, speaking on Item No. 32, the North Downtown Subarea Plan public hearing

Public comment ended at 5:17 p.m.

REGULAR AGENDA

APPOINTMENTS

24. RES38998 A resolution reappointing Glen Garrett to the Board of Building Appeals. [Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 38998.

SECONDED BY: Council Member Boe.

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

25. **RES38999** A resolution reappointing Erle Thompson and Scott Winship to the Planning Commission.
[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 38999.

SECONDED BY: Council Member Boe.

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

26. **RES39000** A resolution awarding contracts to EnviroTech Services, Inc., in the amount of \$808,515, plus sales tax, and Salt Distributors Inc., in the amount of \$415,800, plus sales tax, budgeted from the Street Operations and Maintenance Fund, for the purchase of solid deicer (road salt) and brine salt for the snow and ice removal program - Washington State Contract 02714.
[Rae Bailey, Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39000.

SECONDED BY: Council Member Boe.

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

27. RES39001 A resolution authorizing the increase of a contract with Global Contractors, LLC, in the amount of \$50,000, sales tax not applicable, for a cumulative total of \$245,413, budgeted from the Transportation Capital Fund, for construction of the pedestrian crossing and sidewalks on Pacific Avenue at South 17th Street - Specification No. PW14-0303F.
[Chris E. Larson, P.E., Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39001.

SECONDED BY: Council Member Boe.

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

28. RES39002 A resolution awarding a contract to Pape & Sons Construction, Inc., in the amount of \$1,410,906.13, plus sales tax, plus a 10 percent contingency, for a cumulative total of \$1,551,996.75, budgeted from the Transportation Capital, Surface Water, Wastewater and Water Funds, for improving two alleys and one residential street located in north Tacoma Local Improvement District Nos. 8652-1; 8652-2; and 8655-1 - Specification No. PW14-0019F.
[Chris E. Larson, P.E., Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39002.

SECONDED BY: Council Member Campbell.

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

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

Recused: 1 - Boe

RESOLUTIONS

- 29. RES39003** A resolution modifying the existing boundaries for Local Improvement District Nos. 3967, 5728, 6980, 7726, and 8656, relating to the Point Ruston neighborhood.
[Michael San Soucie, Treasury Manager; Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39003.

SECONDED BY: Council Member Boe.

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

- 30. RES39004** A resolution relating to Sound Transit's Link Light Rail; recommending that one alternative with the following proposed Tacoma Link Stations locations be included in the Environmental Review Process: (1) Martin Luther King Jr Way ("MLK")/ South 19th Street; (2) MLK/South 11th Street; (3) MLK/6th Avenue; (4) Stadium District; (5) Stadium Way/South 4th Street; (6) Old City Hall, as an alternative to the existing Theater District Station; and (7) Division Avenue.
[Kurtis D. Kingsolver, P.E., Director, Public Works]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39004.

SECONDED BY: Council Member Boe.

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

31. **RES39005** An amended resolution relating to a lease agreement between the City and the Tacoma Community Redevelopment Authority for the Pantages Theater; authorizing an early termination of various subleases with tax credit investors and payment of a termination fee.
[Andy Cherullo, Director, Finance]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39005.

SECONDED BY: Council Member Boe.

MOTION: Deputy Mayor Woodards moved to amend Resolution No. 39005 by adding the following after the word "same" on Page 3, Line 4: "including mutual releases of any and all representations, warranties, claims, liabilities, and obligations."

SECONDED BY: Council Member Boe.

ACTION: Voice vote was taken and carried.

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

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

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

PUBLIC HEARINGS AND APPEALS

32. **14-0792** This is the date set for a public hearing by the City Council on the draft North Downtown Subarea Plan and proposed amendments to the Municipal Code Chapter 13.06A, Downtown Tacoma.
[Ian Munce, Special Assistant to the Director; Peter Huffman, Director, Planning and Development Services]

The public hearing began at 5:30 p.m.

Speaking before Council:

1. Judge Ron Culpepper, Pierce County Superior Court
(Spoke during public comment)
2. Judge Chuck Ramet, Pierce County District Court
(Spoke during public comment)

3. Denny Faker, 915 North Sheridan Street
4. David Schroedel, 950 Pacific Avenue, Suite 300
5. Ann Marinkovich, 525 Broadway No. 205
6. Kurt Anderson, 1 Stadium Way, No. 3
7. Marty Mattis, Bates Technical College

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

UNFINISHED BUSINESS

There was no unfinished business.

CITIZENS' FORUM

Citizens' Forum began at 5:52 p.m.

Speaking before Council:

1. Joey Marzano, citizen, speaking on state
2. Lamanda Lawyer, citizen, speaking on the Imagine Me Foundation
3. Michael Hagmann, citizen, speaking on bike commuting
4. Alton McDonald, New Century Justice Network, speaking on police racial profiling
5. Melanie Gladstone, citizen, speaking on Deaf Awareness Week
6. Cyndi Richardson, citizen, speaking on paid sick leave
7. Abby Lawlor, Seattle, speaking on hospitality
8. Marilyn Watkins, WA Work & Family Coalition, speaking on hospitality
9. Max Nelsen, Freedom Foundation, speaking on paid sick leave
10. Pastor Arthur C. Banb, Political Destiny, speaking on paid sick leave
11. Jeannie Mitchell, Pierce County Democrats, speaking on paid sick leave
12. Julio Quan, Conexion Latino, speaking on paid sick leave
13. Richard Sunzby, The Pierce Progressive, speaking on paid sick leave
14. Marty Mattes, Bates Technical College, speaking on the North Downtown Subarea Plan
15. Marilyn Kimmerling, JWJ, speaking on paid sick leave
16. Eric Herde, Pierce County Democrats, speaking on paid sick leave
17. Nicky Montgomery, citizen, speaking on paid sick leave
18. Sarah Morken, citizen, speaking on paid sick leave
19. Ann Adkinson, First United Methodist Church, speaking on paid sick leave
20. Alan Oldenstudent, citizen, speaking on paid sick leave
21. Vivian Schlberg, citizen, speaking on paid sick leave
22. Brenda Wiest, citizen, speaking on paid sick leave
23. Brandon Bennett, citizen, speaking on paid sick leave

Citizens' Forum ended at 6:45 p.m.

REPORTS BY THE CITY MANAGER

There was no report given.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

There were no additional Council comments.

ADJOURNMENT

On proper motion, the meeting was adjourned at 6:46 p.m.



Marilyn Strickland, Mayor



Doris Sorum, City Clerk