



City of Tacoma City Council Minutes

747 Market Street, First Floor, Tacoma WA 98402

City Council Chambers

December 16, 2014

5:00 PM

CALL TO ORDER

Mayor Strickland called the meeting to order at 5:09 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 Ibsen.

MOMENT OF SILENCE

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

1. 14-1267 Minutes of the Human Rights Commission, October 16, 2014.
2. 14-1268 Minutes of the Tacoma Area Commission on Disabilities, September 4, 2014.
3. 14-1245 Minutes of the Tacoma Community Redevelopment Authority, November 20, 2014.
4. 14-1275 Amended minutes of the Tacoma Planning Commission, November 19, 2014.

CONSENT AGENDA

5. 14-1282 Minutes of the City Council meeting of November 4, 2014.

RESOLUTIONS

6. **RES39078** A resolution setting Thursday, January 15, 2015, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate portions of Court C and Court D south of South 17th Street, for pedestrian and bicycle improvements, landscaping, traffic management, parking and vehicle access to the University of Washington Tacoma campus and adjacent buildings.
(University of Washington Tacoma; File No. 124.1346)
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]
7. **RES39079** A resolution setting Thursday, January 15, 2015, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate portions of Jefferson Avenue south of South 17th Street, for pedestrian and bicycle improvements, landscaping, traffic management, parking and vehicle access to the University of Washington Tacoma campus and adjacent buildings.
(University of Washington Tacoma; File No. 124.1347)
[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]
8. **RES39087** A resolution authorizing the execution of an amendment to the Interlocal Agreement with the City of Fife, in the amount of \$409,382, to continue utilizing the City of Fife's Electronic Home Monitoring Program services, through December 31, 2015.
[Nadia Chandler Hardy, Assistant to the City Manager; T.C. Broadnax, City Manager]

MOTION: Deputy Mayor Woodards moved to adopt the Consent Agenda, including Resolution Nos. 39078, 39079, and 39087.

SECONDED BY: Council Member Boe.

ACTION: Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 39078, 39079, and 39087, was declared adopted.

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

PROCLAMATIONS/RECOGNITIONS/PRESENTATIONS/ANNOUNCEMENTS

9. **14-1286** Proclaiming December 31, 2014 as First Night Tacoma Day.
Mayor Strickland proclaimed December 31, 2014 as First Night Tacoma Day and presented the proclamation to Sarah Champion, First Night 2015 Board President.

- 10. 14-1287 Recognition of the City’s third place in the Digital Cities Survey Award. Mayor Strickland recognized the City’s third place Digital Cities Survey Award and presented the recognition to Shreeram Venkatdas, Information Technology, and La’Toya Mason, Customer Support Center.
- 11. 14-1285 Presentation of “Hallelujah Chorus” by the Tacoma Symphony Chorus. The Tacoma Symphony Chorus sang “Hallelujah Chorus,” led by Sarah Ioannides, Music Director.

PUBLIC COMMENT

Public Comment began at 5:25 p.m.

Speaking before Council:

- 1. Shawnda Anderson-Ide, YWCA Pierce County, speaking on Ordinance No. 28275.
- 2. Karina Jakeway, 3402 South Mason Avenue, speaking on Ordinance No. 28275.
- 3. Sarah Cherin, citizen, speaking on Ordinance No. 28275.
- 4. Darrell Shields, citizen, speaking on Ordinance No. 28275.
- 5. Gary Smith, Independent Business Association, speaking on Ordinance No. 28275.
- 6. Talisa Boad, citizen, speaking on Ordinance No. 28275.

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The City Council business meeting recessed at 5:39 p.m. in order to hold the Transportation Benefit District Governing Board meeting. The City Council meeting reconvened at 5:43 p.m.

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Public Comment continued with the following speaking before Council:

- 7. Jeff Johnson, Washington State Labor, speaking on Ordinance No. 28275.
- 8. Jeannie Liner, citizen, speaking on Ordinance No. 28275.
- 9. Michelle Douglas, citizen, speaking on Ordinance No. 28275.
- 10. Patty Rose, Pierce County Central Labor Council, speaking on Ordinance No. 28275.
- 11. Josh Putnam, citizen, speaking on Ordinance No. 28275.
- 12. Karla Rudy, citizen, speaking on Ordinance No. 28275.
- 13. Tom McCarthy, citizen, speaking on Ordinance No. 28275.
- 14. Eric Herde, citizen, speaking on Ordinance No. 28275.

15. Venus Dergan, citizen, speaking on Ordinance No. 28271.
16. Heidi White, citizen, speaking on Ordinance No. 28271.
17. Laura Martinez, citizen, speaking on Ordinance No. 28275.
18. Monique Trudnowski, 4201 South Steele Street, speaking on Ordinance No. 28275.
19. Larry Boileau, Landmark Convention Center, speaking on Ordinance No. 28275.
20. Kevin Grossman, Hilltop Business Association, speaking on Ordinance No. 28275.
21. Mykle Ann Mora, Washington Community Action Network, speaking on Ordinance No. 28275.
22. Marco Rosaire Rossi, 1515 Martin Luther King Jr. Way, speaking on Ordinance No. 28275.
23. Dorothy Harris, citizen, speaking on Ordinance No. 28275.
24. Makini Howell, Quickie Too, speaking on Ordinance No. 28275.
25. Vince Kueter, SEIU Healthcare 1199NW, speaking on Ordinance No. 28275.
26. Janis Clark, citizen, speaking on Ordinance No. 28275.
27. Casey Cowles, citizen, speaking on Ordinance No. 28275.
28. Celeste Suliin Burris, AFSCME Union, speaking on Ordinance No. 28275.
29. Pastor Gregory Christopher, NAACP, speaking on Ordinance No. 28275.
30. Lynda Foster, citizen, speaking on Ordinance No. 28275.
31. David Lewis-Jimmerson, citizen, speaking on Ordinance No. 28275.
32. Michael Collier, Micah Project, speaking on Ordinance No. 28275.
33. Felicia Jarvis, citizen, speaking on Ordinance No. 28275.
34. Jose Vargas, Washington Education Association, speaking on Ordinance No. 28275.
35. Toney Montgomery, Tacoma Ministerial Alliance, speaking on Ordinance No. 28275.
36. Mario Lorenz, 6th Avenue Business District, speaking on Ordinance No. 28275.
37. Randy Marquis, citizen, speaking on Ordinance No. 28275.
38. Marilyn Kimmerling, Jobs with Justice, speaking on Ordinance No. 28275.
39. James Wrenn, 862 South 39th Street, speaking on Ordinance No. 28275.

Public Comment ended at 7:02 p.m.

REGULAR AGENDA

APPOINTMENTS

12. **RES39080** A resolution reappointing William Driscoll and Jay Jetter to the Foss Waterway Development Authority.
 [Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39080.

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

- 13. RES39081** A resolution approving the Tacoma Employees' Retirement System Board of Administration's appointment of Timothy Allen to the position of Tacoma Retirement System Director.
[Mayor Strickland, Tacoma Employees' Retirement System Board of Trustees Chair]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39081.

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

- 14. RES39082** A resolution awarding a contract to Alcatel-Lucent USA, Inc., in the amount of \$1,100,000.00, plus sales tax, and a six-year technical support and next-day hardware replacement agreement, in the amount of \$312,842.63, plus sales tax, for a cumulative total of \$1,412,842.63, budgeted from the General Fund, to purchase City Net network electronic equipment and related services - Western States Contracting Alliance Contract No. 02702.
[Gwen Schuler, Media and Communications Manager; T.C. Broadnax, City Manager]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39082.

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

- 15. RES39083** A resolution awarding a contract to the Tacoma Regional Convention & Visitor Bureau, in the amount of \$1,551,632, sales tax not applicable, budgeted from the Convention Center Operating Fund, for marketing and promotion services to support travel and tourism development, and sales and promotion service to support the sales and marketing program for the Greater Tacoma Convention and Trade Center, for the period of January 1, 2015 through December 31, 2016, with one automatic two-year extension through December 31, 2018, for a projected contract total of \$3,103,264 - Direct Negotiation.
[Jon Houg, Deputy Director; Kim Bedier, Director, Public Assembly Facilities]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39083, including waving formal bidding procedures.

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

- 16. RES39084** A resolution awarding a contract to CompuCom Systems, Inc., in the amount of \$2,196,740, plus sales tax, budgeted from the Information Systems Fund, to purchase Microsoft licensing and software assurance services, for a three-year period from January 1, 2015 through December 31, 2017 - Washington State Contract No. T11-MST-579.
[Jack Kelanic, Director, Information Technology]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39084.

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

RESOLUTIONS

17. RES39085 A resolution granting a non-exclusive easement to Puget Sound Energy, Inc., to construct a natural gas pipeline and connection to provide compressed natural gas to the fueling station located at the Solid Waste Transfer Station.
[Richard Price, Senior Real Estate Officer; Michael P. Slevin III, P.E., Director, Environmental Services]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39085.

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

18. RES39086 A resolution authorizing the execution of a Liability Allocation Agreement with the National Railroad Passenger Corporation (Amtrak), to set forth the apportionment of liability and risk of damage between Tacoma Rail and Amtrak, in connection with activities conducted on Sound Transit-owned track between Nisqually Junction and TR Junction (the Tacoma Dome segment).
[Alan Matheson, Chief Mechanical Officer; Dale King, Rail Superintendent]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39086.

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

19. RES39088 A resolution authorizing the execution of an agreement with MultiCare Behavioral Health & Outreach Services, in the amount of \$319,462, budgeted from the Mental Health Chemical Dependency Fund, for the provision of two mental health professionals, supervision, education, and indirect administrative costs related to jail and hospital diversion services, for the period of January 1, 2015, through December 31, 2016.
[Pamela Duncan, Human Services Division Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services Department]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39088.

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

20. **RES39089** A resolution approving the cancellation of the following six regular City Council meetings in 2015: January 20; March 10; May 26; September 8; December 22; and December 29.
[Mayor Marilyn Strickland]

MOTION: Deputy Mayor Woodards moved to adopt Resolution No. 39089.

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

FINAL READING OF ORDINANCES

21. **ORD28271** An ordinance amending Title 17 of the Municipal Code, entitled "Animal Control", by amending various chapters, to clarify the definition of animal shelter, include provisions on adequate care of animals, and eliminate a \$100 appeal fee.
[Charles Taylor, Captain; Donald Ramsdell, Chief of Police]

ACTION: Roll call vote was taken on Ordinance No. 28271. The Ordinance was declared passed by the following vote:

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

22. **ORD28272** An ordinance amending Chapters 1.23, 2.01, 8.23, 8.30, and 8.122 of the Municipal Code to align all appeal rights under the jurisdiction of the Hearing Examiner relating to public nuisance vehicles, public nuisances, noise enforcement, and the Minimum Building and Structures Code.
[Lisa Wojtanowicz, Community Services Division Manager; Nadia Chandler Hardy, Director, Neighborhood and Community Services]

ACTION: Roll call vote was taken on Ordinance No. 28272. The Ordinance was declared passed by the following vote:

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

23. **ORD28273** An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to provide for time periods for employee enrollment in benefit plans to meet the requirements of the Affordable Care Act.
[Kari Louie, Benefits Manager; Joy St. Germain, Director, Human Resources]

ACTION: Roll call vote was taken on Ordinance No. 28273. The Ordinance was declared passed by the following vote:

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

24. **ORD28274** An ordinance amending Chapter 1.07 of the Municipal Code, relating to the Small Business Enterprise (SBE) Program, to add a new definition, update the certification process, and extend said Program through December 31, 2019.
[Charles Wilson, Lead Program Development Coordinator; Ricardo Noguera, Director, Community and Economic Development]

ACTION: Roll call vote was taken on Ordinance No. 28274. The 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

25. **ORD28275** An ordinance amending the Municipal Code by adding a new Title 18 entitled "Minimum Employment Standards," to establish minimum employment standards for paid leave for businesses located in the City of Tacoma.
[Mayor Marilyn Strickland]

MOTION: Council Member Mello moved to amend Ordinance No. 28275, Section 18.10.070.A.1, on page 7, by replacing the period with a comma, and adding the following language: "provided that the director shall hold one or more public hearings prior to adoption of final rules and regulations."

SECONDED BY: Deputy Mayor Woodards.

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

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

Absent: 1 - Boe

MOTION: Council Member Mello moved to amend Ordinance No. 28275, Section 18.10.020.E, on page 4, by deleting the current language and replacing it with the following: "Any accrued but unused paid leave, up to 56 hours, may be carried over to the following calendar year; provided, any leave carried over shall not increase the minimum amount of the leave the employee is entitled to use as set forth in the Section 18.10.030."

SECONDED BY: Deputy Mayor Woodards.

Mayor Strickland allowed Public Comment on the motion because the changes were substantive.

Speaking before the Council on the motion to amend Ordinance No. 28275:

1. Marilyn Watkins, Economic Opportunity Institute.
2. Joe Mizrahi, UFCW 21.
3. Monique Trudnowski, Adriatic Grill.

ACTION: Roll call vote was requested and taken. The motion failed by the following vote:

Ayes: 3 - Ibsen, Mello and Woodards

Nays: 5 - Campbell, Lonergan, Thoms, Walker and Mayor Strickland

Absent: 1 - Boe

MOTION: Mayor Strickland moved to amend Ordinance No. 28275, on page 4, Section 18.10.020.H, by adding the following words before the first sentence: "front-loading hours."

SECONDED BY: Deputy Mayor Woodards.

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

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

Absent: 1 - Boe

MOTION: Mayor Strickland moved to amend Ordinance No. 28275, on page 4, Section 18.10.020.E, by deleting the current language and replacing it with the following: "Any accrued but unused paid leave, up to 24 hours, may be carried over to the following calendar year; and employees may use hours carried over in addition to hours accrued in the calendar year, for a total not to exceed 40 hours in the calendar year."

Mayor Strickland further moved to amend Ordinance No. 28275, on page 5, Section 18.10.030.B, by adding the following language at the beginning of the first sentence: "subject to the carryover provisions of Section 18.10.020.E," and deleting the second sentence.

SECONDED BY: Deputy Mayor Woodards.

ACTION: Roll call vote was requested and taken. The motion was declared adopted by the following vote:

- Ayes:** 6 - Campbell, Lonergan, Thoms, Walker, Woodards and Mayor Strickland
- Absent:** 1 - Boe
- Abstain:** 2 - Ibsen and Mello

MOTION: Mayor Strickland moved to amend Ordinance No. 28275, on page 4, Section 18.10.020.B, by adding the following language at the beginning of the first sentence: "Nothing herein shall be construed as prohibiting or discouraging an employer from the adoption or retention of a paid leave policy that exceeds the requirements as stated therein."

SECONDED BY: Council Member Walker.

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

- Ayes:** 8 - Campbell, Ibsen, Lonergan, Mello, Thoms, Walker, Woodards and Mayor Strickland
- Absent:** 1 - Boe

ACTION: Ordinance No. 28275, as amended, was set over for final reading on January 27, 2015.

UNFINISHED BUSINESS

There was no unfinished business.

REPORTS BY THE CITY MANAGER

City Manager T.C. Broadnax stated the City Council, staff, and the public are invited to attend a performance by the First Creek Middle School chorus on Thursday, December 18, 2014 at 12:00 noon on the second floor of the Tacoma Municipal Building.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Infrastructure, Planning, and Sustainability Committee

The Infrastructure, Planning, and Sustainability Committee report was held over until the January 6, 2015 Council meeting.

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Mayor Strickland stated the City Council meeting and study session have been cancelled for the next two weeks, and noted the next regular meetings will be held on January 6, 2015. She then wished everyone a safe and joyous holiday season.

Council Member Campbell encouraged citizens to shop local during the holiday season.

ADJOURNMENT

On proper motion, the meeting was adjourned at 9:08 p.m.



Marilyn Strickland, Mayor



Doris Sorum, City Clerk