



City Council Minutes

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

November 18, 2008 – 5:00 p.m.

The meeting was called to order at 5:10 p.m.

Council Members Present: 7 – Anderson, Ladenburg, Lonergan, Manthou, Strickland, Talbert, and Mayor Baarsma.

Council Members Absent: 2 – Fey (arrived at 5:13 p.m.) and Walker (arrived at 5:12 p.m.)

The Flag Salute was led by Deputy Mayor Manthou.

Moment of Silence.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Environment and Public Works Committee, October 22, 2008.
- b. Minutes of the Government Performance and Finance Committee, October 29, 2008.
- c. Minutes of the Public Safety, Human Services, and Education Committee, October 9, 2008.
- d. Minutes of the Tacoma Community Redevelopment Authority, October 9, 2008.
- e. Minutes of the Tacoma-Pierce County Board of Health, October 1, 2008; special meeting/study session, October 15, 2008; and public hearing, October 22, 2008.
- f. City of Tacoma Economic Status Report, September 2008.
- g. Corrections to the Preliminary Biennial Budget, City of Tacoma, 2009-2010.

CONSENT AGENDA

Approval of the minutes of the study sessions of September 9 and 23, 2008; the Joint City Council/Tacoma Municipal Court study session of September 16, 2008; and the corrected minutes of the City Council meeting of September 23, 2008.

RESOLUTIONS

Resolution No. 37647

Setting Tuesday, December 2, 2008, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the 2009-2010 Biennial Budget.

Resolution No. 37648

Setting Tuesday, December 2, 2008, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the recommendations of the Human Services Commission for community services funding for local human services programs.

Resolution No. 37649

Approving the final plat of "Lam Addition", a 7-lot single-family residential subdivision located at 5053 East B Street. (Oanh and Bich Lam; File No. PLT2008-40000116404)

Resolution No. 37650

Approving the final plat of "Larabee Terrace", a 12-lot single-family residential subdivision located at 1909 East Gregory Street Court. (Apex Engineering; File No. PLT2007-40000107317)

FIRST READING OF ORDINANCES

Ordinance No. 27754

Vacating a portion of alleyway between North Adams Street and Hill Street lying southwest of Waterview Street. (Bryan Meade; File No. 124.1300)

COMMUNICATIONS

Hearing Examiner recommending concurrence of a request to modify a previously approved rezone of the site located at 3505 – 3513 South 7th Street to allow the site to be developed as a 34-stall off-street parking area subject to conditions and restrictions. (Totem Investments, LLC; File No. REZ2008-40000110061)

Council Member Walker arrived here, at 5:12 p.m.

Deputy Mayor Manthou moved to adopt the Consent Agenda, including Resolution Nos. 37647 through 37650, Ordinance No. 27754, and the Communication Item. Seconded by Council Member Talbert.

Council Member Fey arrived here, at 5:13 p.m.

Mayor Baarsma moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner for Ordinance No. 27754 and the Communication Item. Seconded by Deputy Mayor Manthou. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Consent Agenda. The Consent Agenda, including Resolution Nos. 37647 through 37650, the Communication Item, and setting Ordinance No. 27754 over for final reading to a date to be determined, was declared adopted.

Mayor Baarsma noted for the record that the City Council minutes of September 23, 2008, were adopted at the Council meeting on October 7, 2008. While reviewing the minutes, the City Clerk's Office discovered a motion that was inadvertently left out of the minutes regarding the settlement in the matter of City Waterway Investments, Inc. and Coug, Incorporated. He stated that the minutes have been corrected and were resubmitted for approval.

PROCLAMATIONS, RECOGNITIONS, PRESENTATIONS, AND ANNOUNCEMENTS

There were no proclamations, recognitions, presentations or announcements.

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. Comments will not be accepted on Ordinances or Communication Items forwarded to the City Council by the Hearing Examiner for which a public hearing has already been held. On tonight's agenda that includes Ordinance No. 27754 and the Communications item.

Public Comment began at 5:15 p.m.

Speaking before Council:

Name	Address/Affiliation	Subject
Charles Creso	5501 Broadview Avenue NE	Ordinance Nos. 27756 and 27757
David Whited	Puyallup Tribe	Resolution No. 37656
Allen Douglass	2314 70 th Avenue West, University Place	Ordinance Nos. 27755, 27756 and 27757
Roxanne Murphy	3602 East G Street	Ordinance No. 27755
Krystal Kyer	Tahoma Audubon Society	Resolution Nos. 37598 and 37656
Jeanie Peterson	1230 South Grant Street	Ordinance No. 27755
Steve Apling	1401 South 14 th Street	Ordinance No. 27755
Lena Thompson	1834 East Harrison Street	Resolution No. 37656
Guy Thompson	1834 East Harrison Street	Ordinance No. 27755
Jerry Waldron	Baseline Engineers	Resolution No. 37649
Jane Dudley	2021 East Sherman Street	Resolution No. 37656

Public Comment closed at 5:45 p.m.

PUBLIC HEARINGS AND APPEALS (Will begin at approximately 5:30 p.m.)

This is the date set for a public hearing by the City Council on the 2009-2010 Biennial Budget, the 2009-2014 Capital Facilities Program, and the amended Six-Year Comprehensive Transportation Program for the years 2009-2014.

The public hearing began at 5:45 p.m.

Speaking before Council:

Name	Address/Affiliation
Charles Creso	5501 Broadview Avenue NE
Sharon Winters	Historic Tacoma
Jeanie Peterson	1230 South Grant Street
Allen Douglass	2314 70 th Avenue West, University Place

The public hearing was declared closed at 6:59 p.m.

REGULAR AGENDA

RESOLUTIONS

Resolution No. 37598 (Continued from the meeting of September 23, 2008)

Amending current and adopting new statements of City legislative policy for the 2009 and 2010 sessions of the Washington Legislature and United States Congress.

Deputy Mayor Manthou moved to adopt Resolution No. 37598. Seconded by Council Member Talbert.

Deputy Mayor Manthou moved to amend the portion of Exhibit A of Resolution No. 37598 entitled "Growth Management" by adding "The City supports the recommendations of the Land Use/Climate Change Advisory Committee which facilitate local government planning for climate change and providing additional infrastructure to accomplish those recommendations" after the first paragraph on the second page. Seconded by Council Member Talbert.

Council Member Fey offered a friendly amendment to add the word "funding" after the word infrastructure. Seconded by Deputy Mayor Manthou.

Council Member Anderson offered a friendly amendment to reference the statute that created the committee. Seconded by Deputy Mayor Manthou.

Public comment was offered on the motion; no one came forward. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Manthou moved to amend the portion of Exhibit A of Resolution No. 37598 entitled "Parks & Recreation" by adding "The City is strongly committed to working collaboratively with the Metropolitan Park District to investigate alternate funding mechanisms and authority to ensure that Tacoma's parks are attractive and well maintained." after the fourth paragraph. Seconded by Council Member Talbert.

Public comment was offered on the motion; no one came forward. Voice vote was taken and carried. The motion was declared adopted.

Council Member Fey moved to amend Resolution No. 37598 to approve the document as it relates to General Government and refer back to Tacoma Public Utilities their legislative document for further refinement and be brought back to the Council at a later date. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Council Member Walker moved to amend the portion of Exhibit A of Resolution No. 37598 entitled "Beltway planting", by adding the words "local roads, and non-motorized pathways" in line two of the third paragraph, to read as "The City supports a legislative strategy that would revise and upgrade the quality of landscaping and beltway planting along freeways, highways, local roads, and non-motorized pathways to improve the overall aesthetic appearance of cities for visitors, guests, motorists and other citizens..." Seconded by Council Member Talbert.

Public comment was offered on the motion. Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Douglas Tooley	Tacoma Resident
Allen Douglass	2314 70 th Avenue West, University Place

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

Voice vote was taken and carried on Resolution No. 37598, as amended. The Resolution, as amended, was declared adopted.

Resolution No. 37639 (Continued from the meeting of October 28, 2008)

Approving a pay structure concept and compensation philosophy; and authorizing the implementation of the pay structure concept for non-represented classifications.

Deputy Mayor Manthou moved to adopt Resolution No. 37639. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

Purchase Resolution No. 37651

Awarding contracts to:

1. Fischer General Contracting, Inc., on its bid of \$1,312,000.00, plus an 11 percent contingency, for a total of \$1,456,320.00, plus sales tax, budgeted from the Capital Projects Fund, for the Sector Four Tacoma Police Substation located at 400 East 56th Street – Specification No. PD08-0621F;
2. Harlow Construction Co., Inc., in the amount of \$1,000,000.00, plus sales tax, Holroyd Company Inc., in the amount of \$750,000.00, plus sales tax, and Andrew Noel Construction, Inc., in the amount of \$250,000.00, plus sales tax, for crushed and natural aggregate materials on an as-needed basis from November 1, 2008 through October 31, 2009, with the option to renew for four (4) additional one-year terms – Specification No. CT08-0746F;
3. Bud Clary of Yakima, Inc., d.b.a. Toyota of Yakima, in the amount of \$236,000.00, plus sales tax, budgeted from the Fleet Equipment Rental Capital Outlay Fund, for Toyota hybrid vehicles on an as-needed basis from November 15, 2008 through October 31, 2009 – Washington State Contract No. 04408;
4. U.S. Bank National Association, as the City of Tacoma's Visa purchasing card issuer and service provider through October 31, 2011, with the option to renew for one additional two-year term – Washington State Contract No. 03907;
5. KONE Inc., in the amount of \$76,432.00, plus sales tax, budgeted from the Tacoma Dome, Convention Center, and Bicentennial Pavilion Funds, for repair, service, and maintenance of conveyance equipment from December 1, 2008 through April 30, 2010 – Washington State Contract No. 01507;
6. Software House International, in the amount of \$68,800.00, plus sales tax, budgeted from the Information Services Fund, for software subscription licenses – King County Contract No. B18032B;

7. Western Peterbilt, in the amount of \$243,739.00, including sales tax, for a cumulative total of \$1,592,523.27, budgeted from the Solid Waste Fund, to increase the contract for one automated side-loader collection truck, and extending the contract through June 26, 2009 – Specification No. PW07-0363F; and
8. State of Washington, Department of Information Services, in the amount of \$1,749,717.78, budgeted from the Information Services Fund, for the renewal of the Microsoft Enterprise Agreement for licensing of the City's computer workstations – Washington State Department of Information Contract No. T08-TSD-982.

Deputy Mayor Manthou moved to adopt Purchase Resolution No. 37651. Seconded by Council Member Talbert. Voice vote was taken and carried. The Purchase Resolution was declared adopted.

Resolution No. 37652

Authorizing the execution of an amendment to the agreement with the Peavey Corporation, in the amount of \$49,875, for a cumulative total of \$97,375, budgeted from the Public Works Wastewater and Solid Waste Funds, and the General Fund, for continued safety incentive program services through June 30, 2009.

Deputy Mayor Manthou moved to adopt Resolution No. 37652. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 37653

Authorizing the execution of Amendment No. 2 to the agreement with VIA Architecture Incorporated, in the amount of \$35,000, for a cumulative total of \$185,000, budgeted from the Community and Economic Development Special Revenue Fund, to complete additional planning and design work items associated with the Sounder Commuter Rail extension through downtown.

Deputy Mayor Manthou moved to adopt Resolution No. 37653. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 37654

Authorizing the execution of Amendment No. 14 to the agreement with Simon and Company Incorporated, in the amount of \$130,000, for a cumulative total of \$672,484, budgeted from the General Fund and the Surface Water Fund, for federal legislative lobbying services for the years 2009 and 2010.

Deputy Mayor Manthou moved to adopt Resolution No. 37654. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 37655

Authorizing the execution of an amendment to the agreement with Gordon Thomas Honeywell Government Affairs, LLC, in the amount of \$134,684, for a cumulative total of \$205,084, budgeted from the General Fund, for state legislative lobbying services for the years 2009 and 2010.

Deputy Mayor Manthou moved to adopt Resolution No. 37655. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 37656

Declaring the City's intent to work collaboratively with the Puyallup Tribe of Indians on a stewardship plan for the cleanup of the area now being referred to as First Creek.

Deputy Mayor Manthou moved to adopt Resolution No. 37656. Seconded by Council Member Talbert.

Deputy Mayor Manthou moved to amend Resolution No. 37656 by adding the word "community" before the word "stewardship" on lines 3, 14, and 20 on page 1 and line 8 on page 2. Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on Resolution No. 37656, as amended. The Resolution, as amended, was declared adopted.

Resolution No. 37657

Ratifying and authorizing the execution of an amendment to the agreement with ATS Automation, Inc., in the amount of \$5,398.01, for a cumulative total of \$140,177.36, budgeted from the Municipal Building Acquisition and Operation Fund, for the expansion and support of the current building automation system in various City-owned buildings.

Deputy Mayor Manthou moved to adopt Resolution No. 37657. Seconded by Council Member Talbert. Voice vote was taken and carried. The Resolution was declared adopted.

FINAL READING OF ORDINANCES

Ordinance No. 27753

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement a change in how employees are compensated when off work for an extended period due to an injury on the job.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Anderson, Fey, Ladenburg, Lonergan, Manthou, Strickland, Talbert, Walker, and Mayor Baarsma.

Nays: 0

Absent: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27755

Amending Chapter 8.23 of the Municipal Code to define public nuisance vehicles and make the process for abating public nuisance vehicles consistent with the process for abating public nuisances in Chapter 8.30.

The Ordinance was set over for final reading next week.

Ordinance No. 27756

Authorizing an increase in 2008 general property tax revenue in 2009 in terms of both dollars and a percentage increase of one percent; and fixing the 2009 Ad Valorem Property tax levy.

The Ordinance was set over for final reading next week.

Ordinance No. 27757

Authorizing an increase in 2008 property tax revenue collection in 2009 in terms of both dollars and a percentage increase of one percent for the Emergency Medical Services levy in 2009; and fixing the 2009 Ad Valorem Property tax levy.

The Ordinance was set over for final reading next week.

Ordinance No. 27758

Extending the length of the terms of the Tacoma Narrows Airport interfund loans, in the amount of \$2,850,000, through December 31, 2011.

The Ordinance was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS (Will begin at approximately 5:30 p.m.)

This is the date set for a public hearing by the City Council on the 2009-2010 Biennial Budget, the 2009-2014 Capital Facilities Program, and the amended Six-Year Comprehensive Transportation Program for the years 2009-2014.

The public hearing was heard earlier in the meeting.

UNFINISHED BUSINESS

None.

CITIZENS' FORUM (Rescheduled from the meeting of November 4, 2008)

The purpose of Citizens' Forum is to assist the City Council in making policy decisions. Items of discussion will be limited to matters over which the City Council has jurisdiction and speaker's remarks are limited to up to three minutes per person. Arguments shall not be made in support of, or opposition to, any matter on this week's agenda. Each person may address the City Council one time only during this forum.

Citizens' Forum began at 8:11 p.m.

Speaking before Council:

Name	Address/Affiliation	Topic
Charles Creso	5501 Broadview Avenue NE	The economy
Andy Leneweaver	North 26 th Street	State Armory Anniversary
Mike Price	1431 North Woodlawn	Gas Utilization Facility
Allen Douglass	2314 70 th Avenue West, University Place	Veterans Day Celebration
Robert Hill	Tacoma Resident	Various

Citizens' Forum was declared closed at 8:25 p.m.

REPORTS BY THE CITY MANAGER

City Manager Eric Anderson reported on the Gas Utilization Facility and referenced a memorandum from Interim Public Works Director Michael Slevin and a letter from the Environmental Protection Agency, stating that no grant money was used to pay for the construction of the facility.

COMMENTS AND COMMITTEE REPORTS OF THE CITY COUNCIL

Government Performance and Finance Committee

Council Member Lonergan reported on the meeting of October 15, 2008, stating that Human Resources Director Joy St. Germain presented on the pay structure plan as it relates to the Classification and Compensation System. He stated the Committee agreed to bring the pay philosophy forward without a recommendation for further discussion at the Study Session of October 21, 2008, and to bring forward the pay structure with a "do pass" recommendation. He noted that these items were adopted at tonight's meeting by Resolution No. 37639. He then reported that the Purchasing Task Force made a presentation concerning recommendations to Municipal Code Chapter 1.06 to streamline the purchase code, stating that the Committee discussed and issued a "do pass" recommendation to increase the formal bid threshold from \$50,000 to \$200,000 as well the purchasing policy manual and its purpose. He stated that Alice Phillips, Business Manager of Local 483, and Debbie Dahlstrom, Risk Manager, presented On-the-Job Injury Supplements at the same meeting. He stated that rather than requiring an employee to use sick leave as a supplement, it would become an option, and that the method of using a flat four hours for the supplement would be replaced with a calculation of actual number of hours needed. He noted that the Committee issued a "do pass" recommendation and the item was passed at tonight's Council meeting.

Council Member Lonergan then reported on the meeting of October 29, 2008, stating that Jeff Lueders, Administrative Services Manager, provided an update on cable negotiations and requested a "do pass" recommendation for a three-month extension to the Click! Network agreement through March 2009 and a six-month extension to the Comcast agreement through June 2009, stating he plans to bring the item forward to the Council on December 2, 2008. Council Member Lonergan stated the Committee reviewed the recently negotiated franchise agreement between Pierce County and Comcast;

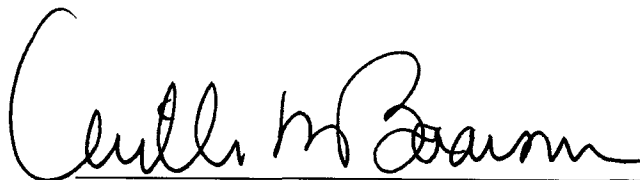
Public, Educational, and Government channel fees; Rainier Communications Commission; how terms included in the Pierce County franchise agreement may affect Tacoma; and the role of the Federal Communications Commission. He stated that the Committee issued a “do pass” recommendation.

Council Member Lonergan stated at that meeting Joy St. Germain, Human Resources Director, Captain Paul Mielbrecht, Tacoma Police Department, and Teresa Dent, Human Resources Department, presented on the rate of pay for Police Officer recruits and requested approval to adjust the pay range of the classification of Police Officer Recruits by approximately 5.5 percent to link the pay range to match the first three steps of the pay range of Police Officer. He noted that Ms. St. Germain stated Tacoma Police Union, Local 6, is currently in negotiations, and when an agreement is reached she will return to the Committee to request a “do pass” recommendation for this item.

He then reported that on November 5, 2008, Human Resources Director Joy St. Germain presented on total compensation and benefits as it relates to the Classification and Compensation Study. He stated the Committee reviewed benefit comparisons between the City of Tacoma and the public and private sectors as it relates to total benefits value and cost; and reviewed and revised the language in the philosophy to say that both pay and benefits to each be between the 65th to 75th percentiles. He stated the pay philosophy received a “do pass” from the Committee and was adopted at tonight’s meeting as Resolution No. 37639. He noted the Classification and Compensation Study is scheduled to return to the Committee tomorrow to discuss the results of the Salary Survey, and on December 3, 2008, the Committee will receive a presentation by U.S. Oil on proposed changes to Municipal Code Title 6 for Boiler Operators as well as a presentation by Mercer Benefits Group on the City of Tacoma’s Benefits Program.

Council Member Lonergan expressed condolences for Mr. Joe Kosai, who recently passed away, and reflected on some of his work and accomplishments in the Tacoma community.

On proper motion, the meeting was adjourned at 8:36 p.m.



WILLIAM BAARSMA, MAYOR

ATTEST:



DORIS SORUM, CITY CLERK