



City Council Minutes

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

December 1, 1998

The meeting was called to order at 5:03 p.m.

Present on roll call: 5 – Baarsma, Crowley, McGavick, Phelps, and Mayor Ebersole. Absent: 4 – De Forrest, Kirby, Silas, and Miller. (Council Members De Forrest, Kirby and Silas arrived at 5:07 p.m.)

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

Approval of the minutes of the City Council study session of November 17, 1998.

RESOLUTIONS

Resolution No. 34232

Approving the final plat for BRIDGEVIEW AT SUNSET POINTE, a 50-lot subdivision, located in the vicinity of North Sunset Drive, between North 9th and North 11th Streets. (Henderson Homes; File No. PLT98-00004)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, December 1, 1998.
- b. Minutes of the Citizens Recognition Committee, October 22, 1998.
- c. Minutes of the Rainier Communications Commission, September 16, 1998.
- d. Minutes of the Public Utility Board meeting and study session, October 28, 1998.
- e. Minutes of the Tacoma Area Task Force on Disabilities, October 22, 1998.
- f. Minutes of the Tacoma Community Redevelopment Authority, October 22, November 5 and 12, 1998.

Deputy Mayor Crowley moved that the Consent Agenda, including Resolution No. 34232, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 34232, was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26324

Amending Chapter 16.01 of the Municipal Code relating to standards for revocation of a franchise or license to delete an unnecessary clause regarding the opportunity to cure repeated violations.

Roll call vote was taken, resulting as follows:

Ayes: 5 – Baarsma, Crowley, McGavick, Phelps, and Mayor Ebersole

Nays: 0

Absent: 4 – De Forrest, Kirby, Miller, and Silas.

The Ordinance was declared passed.

(Council Members De Forrest, Kirby, and Silas arrived at 5:07 p.m.)

Ordinance No. 26325

Amending Ordinance No. 26131 to extend repayment of an interest-bearing loan, from three to six years, from the General Fund to the Baseball Park Capital Reserve Fund.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

Ordinance No. 26327

Modifying the Biennial Budget for 1997-1998; accepting miscellaneous donations; providing for the closure of several unnecessary funds; increasing amounts of petty cash accounts; and authorizing cash transfers and inter-fund loans.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole



Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

Ordinance No. 26328

Authorizing the execution of a Letter of Agreement to allow for designation of the City of Tacoma as the grantee on behalf of the Law Enforcement Support Agency (LESA) for the Pierce County Consortium with the United States Department of Justice for a COPS More Grant, in the amount of \$1,752,261; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$584,089 from the LESA Fund; and appropriating \$2,336,350 from the Miscellaneous Grants Summary Fund for the provision of activities under said grant.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

Ordinance No. 26329

Amending Chapter 13.06 of the Municipal Code for an area-wide reclassification from an "NCX" Neighborhood Mixed Use District to an "R-3" Planned Residential District; and amending Chapter 13.10 of the Municipal Code relative to the Master Program for Shoreline Development and "S-8" Shoreline regulations for the Thea Foss Waterway.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26326 (Continued from the meeting of November 17, 1998.)

Accepting and authorizing the execution of a Local Law Enforcement Block Grant award agreement with the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$856,334; depositing said sum in the Miscellaneous

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Grants Summary Fund; transferring \$95,148 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$951,482 from the Miscellaneous Grants Summary Fund to provide for activities under said grant projects.

The Ordinance was set over for final reading next week.

Ordinance No. 26330

Adopting an Ordinance relating to the establishment of pricing for the City of Tacoma Light Division's (dba Click! Network) cable television products and services.

The Ordinance was set over for final reading next week.

Mayor Ebersole recognized the students from Bellermine Preparatory School attending tonight's meeting.

Ordinance No. 26331

Amending Chapter 1.30, Section 1.30.550, of the Municipal Code, to extend the Open Repayment Window Period of the City of Tacoma Employees' Retirement System for an additional six months through June 30, 1999.

The Ordinance was set over for final reading next week.

Ordinance No. 26332

Adopting the 1999-2000 Biennial Budget.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman
Mozella Pooley	8041 East Sherwood
Rita Vennen	319 Tacoma Avenue North
Ronald Mackey	243 East 61 st Street
Hector Diaz	934 Broadway
Ernest Maia	934 Broadway
Keely Nee	934 Broadway
Keith Stone	430 East 25 th Street
Mike Hass	8726 South Hosmer Street
Leon Titus	Budget Rent-A-Car
Fred Shanaman	6422 Eastside Drive
Jessie Atkins	1020 98 th Street

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Deputy Mayor Crowley made the following motion:

Motion to amend the preliminary 1999-2000 budget:

Appropriate \$108,000 to the General Fund of additional revenue to be received from Pierce County Fire District 10 for fire protection services; increase the General Fund contribution to the Tacoma Public Library Fund No. 1200 by \$108,000 for a total of \$17,969,090; said increase to be used for additional site licenses that, in addition to other enhancements, will provide Library patrons with 24-hour access to millions of articles in the Library's electronic databases.

Increase the year 2000 contribution to the Visitor and Convention Bureau (VCB) from Visitor and Convention Promotion Fund No. 1190 by \$113,750 for a year 2000 contribution of \$288,750; contribution to the VCB for 1999-2000 will total \$638,750; reduce the dollars available for the proposed convention center in Fund No. 1190 by \$113,750.

Reduce the contribution in the Stadium and Convention Center Fund No. 6400 for cultural facilities capital projects and cultural marketing by \$60,800; transfer \$60,800 from Fund No. 6400 and appropriate \$60,800 in the General Fund to increase the contribution to Planning and Development Services Cultural Division's "Cultural Anchor Fund" by \$60,800 to be used as additional support for Tacoma's cultural organizations.

Transfer \$250,000 from Tacoma Power Fund No. 4700 to the General Fund; appropriate \$250,000 in the General Fund's Planning and Development Services Department, Economic Development Division, for the purpose of increasing the support of the City's economic development activities.

Seconded by Mayor Ebersole. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 26333

Approving the ad valorem tax levies for 1999.

The Ordinance was set over for final reading next week.

Ordinance No. 26334

Authorizing the execution of a cost reimbursement agreement with the United States Department of Justice, Federal Bureau of Investigation, in the amount of \$75,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; to conduct joint law enforcement operations targeted at preventing and detecting illicit drug trafficking and violent crime in the designated Weed and Seed area.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman

The Ordinance was set over for final reading next week.

CITIZENS' FORUM (BEGAN AT 6:20 P.M.)

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>	<u>Topic</u>
John Walston	7627 South Yakima Avenue	Kaiser Aluminum and the Tacoma Police Department
Gina Coleman	1024 East 63 rd Street	Kaiser Aluminum
Phyllis Barrett	912 South Cushman	Tacoma Police Department Budget
Marie Dudley	520 North L Street	Commended the Council for good work and expressed appreciation for Police Chief Arreola

Citizens' Forum was declared closed at 6:48 p.m.

The City Council recessed at 6:48 p.m. and reconvened at 7:05 p.m.

Ordinance No. 26335

Adopting amendments to the Land Use Management Plan and the City's Comprehensive Plan, relative to the Capital Facilities Plan, Capital Facilities Program 1999-2004, Generalized Land Use Plan, Thea Foss Waterway Design and Development Plan, and the Transportation Program.

The Ordinance was set over for final reading next week.

Ordinance No. 26336

Amending Chapter 11.05 of the Municipal Code to establish minimum penalties for various parking infractions.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Paul Ellis	Tacoma-Pierce County Chamber of Commerce
Keith Stone	430 East 25 th Street

The Ordinance was set over for final reading next week.

Ordinance No. 26337

Appropriating \$1,056,400 from the Solid Waste Operating Fund to supplement the 1997-1998 budget appropriation, and to increase, by \$1,976,000, the Land Recovery, Inc. contract for longhaul services, making the maximum total authorized payments to Land Recovery, Inc. the sum of \$21,876,000; and declaring an emergency making necessary the passage of this Ordinance.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Brenda Williams	14 Nevada Avenue South

The Ordinance was set over for final reading next week.

Ordinance No. 26338

Amending Chapter 12.08 of the Municipal Code to adjust rates and charges for sanitary sewer and storm drainage service to establish a loan program and to make miscellaneous housekeeping updates.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Paul Post	512 North L Street
Brian Reed	Nalley Fine Foods Customer Advisory Panel

The Ordinance was set over for final reading next week.

Ordinance No. 26339

Amending Chapter 12.09 of the Municipal Code to establish rates for solid waste collection and disposal for 1999-2000; designating the Public Works Director to amend disposal rates for "opportunity fuels" and purchase items on the open market; and amending sections authorizing self-haul permits and making other housekeeping changes.

The Ordinance was set over for final reading next week.

Ordinance No. 26340

Amending Chapter 6.24 of the Municipal Code relative to the Conditional Home Occupation Agreement; amending Chapter 6.68 relative to the Business and

Occupation Tax classifications and rates; increasing the gross proceeds threshold for tax/license fees, and creating a section on job credits.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Linda Rowling	City Employee/Resident, Unincorporated Pierce County

The Ordinance was set over for final reading next week.

RESOLUTIONS

Deputy Mayor Crowley moved to suspend the rules to consider Resolution No. 34236. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34236

Directing the City Manager to contact the offices of Federal Contract Compliance Programs and the Washington State Department of Transportation relative to affirmative action and federal funding; and directing the City Manager and the Tacoma Public Utilities Board to continue implementation of the Council's policy regarding equal employment opportunity in all ways consistent with Initiative 200, the existing laws of the State of Washington, and the federal government.

Deputy Mayor Crowley moved that the Resolution be adopted. Seconded by Council Member McGavick.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Linda Rowling	City employee/Resident, Unincorporated Pierce County

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

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Purchase Resolution No. 34233

Awarding contracts to:

1. U.S. Oil & Refining Company, in the amount of \$216,800, for asphalt products – State Contract No. 90-93;
2. Randles Sand & Gravel, Inc., on its bid of \$140,920, for asphalt paving sand – Specification No. G-034-98;
3. Holroyd Co., Inc., on its bid of \$336,268.08, for aggregates – Specification No. G-035-98;
4. Holroyd Co., Inc., on its bid of \$38,738.34, for chip seal rock – Specification No. G-036-98;
5. Holroyd Co., Inc., on its bid of \$315,054, for concrete – Specification No. G-037-98;
6. Wm. Dickson Co., on its bid of \$160,703, for demolitions at 1113 and 1115 Broadway – Specification No. G-040-98;
7. Western Power & Equipment, in the amount of \$35,000, to increase their contract for continued purchase of repair parts and maintenance – Open Purchase Order No. 4061;
8. Mid-Mountain Contractors, Inc., in the amount of \$209,700, to increase their contract for sanitary sewer reconstruction and storm sewer construction – Specification No. G-212-96;
9. Western Peterbilt, Inc., in the amount of \$301,341.16, to extend their contract for two side loader recycle trucks – Specification No. G-035-97;
10. General Chemical Corporation, in the amount of \$172,860, to extend their contract for liquid aluminum sulfate – Specification No. G-059-97; and
11. Rejecting all bids for metal solid waste container with knuckleboom crane – Specification No. G-031-98.

Deputy Mayor Crowley moved that the Purchase Resolution, including rejecting all bids submitted on Item No. 11, be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Purchase Resolution was declared adopted.

Resolution No. 34234

Authorizing the execution of a grant application with the U.S. Fish and Wildlife Service, in the amount of \$50,000, for wetlands purchase and preservation.

Deputy Mayor Crowley moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 34235

Expressing to the United States Olympic Committee the City Council's support for location of the 2012 Olympic Games in Tacoma, Seattle, and the Puget Sound Region.

Deputy Mayor Crowley moved that the Resolution be adopted. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Resolution was declared adopted.

CITIZENS' FORUM

Citizens' Forum was held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

None.

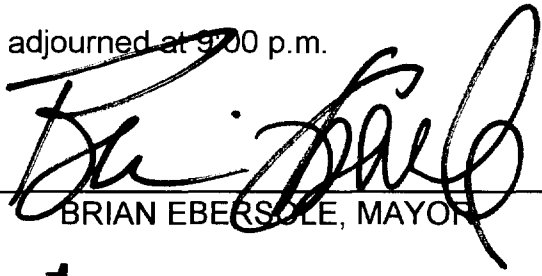
COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Kirby asked for a response from the Public Works Department in regards to four-lane streets suddenly turning into two lanes with the only notification being a little sign. He wondered what the thinking is behind that sort of thing. He stated that he has been told there are conflicting state laws: if the road is wide enough for two lanes, it is legal to drive down two lanes; on the other hand, you can't pass on the right. He stated that those two laws seem to conflict.

Mayor Ebersole stated that Council Member Silas had asked him to speak about the passing of Seattle School Superintendent John Stanford. He said we all share a sense of loss for a great educational leader from our region. He said he had the opportunity to meet him and that he was a very impressive, charismatic leader who cared greatly about public education and the students. He said Mr. Stanford will be greatly missed.

Council Member Baarsma moved to excuse Council Member Miller from tonight's meeting and to excuse Dr. Silas who had to leave early. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 9:00 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: Rick Rosenblatt
RICK ROSENBLADT, CITY CLERK

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