



# City Council Minutes

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

December 9, 2003

The meeting was called to order at 5:14 p.m.

Council Members Present: 7 – Evans, Ladenburg, Lonergan, McGavick, Phelps, Talbert, and Mayor Baarsma.

Council Members Absent: 2 – Miller and Moss.

The Flag Salute was led by Council Member Ladenburg.

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## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Citizens Recognition Committee, November 20, 2003.
- b. Minutes of the Civil Service Board, September 15, 2003.
- c. Minutes of the Human Rights Commission, October 16, 2003.
- d. Minutes of the LESA Executive Board, October 15, 2003.
- e. Minutes of the Public Utility Board, October 22, 2003.
- f. Minutes of the Tacoma Community Redevelopment Authority, October 9, 2003.
- g. Minutes of the Tacoma Housing Authority, Board of Commissioners, October 22, 2003.

## CONSENT AGENDA

There are no Consent Agenda items this week.

## PROCLAMATIONS

Mayor Baarsma proclaimed "Honorary Deputy Mayor Miller Day," December 16, 2003.

Mayor Baarsma proclaimed December 10, 2003, to be "Human Rights Day". He then proclaimed December 15, 2003, to be the "Bill of Rights Day" and presented the proclamation to Mr. Tim Smith, Chair of the Bill of Rights Defense Committee.

## 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.

Mayor Baarsma read the rules relative to Public Comment.

Public Comment began at 5:21 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
Julie Collins	Economic Development & Government Affairs Director, Port of Tacoma	Resolution No. 36033; county-wide planning policies
Larry Kvamme	4801 34 <sup>th</sup> Ave. Ct. E.; Volunteer lobbyist	Resolution No. 36029; 2004 Legislative Priorities
Rick Cvitanich	2808 No. 8 <sup>th</sup> Street	Resolution No. 36028; purchase of police cars
Kurt Olson	5142 No. Visscher Street	Ordinance No. 27175; street vacations
Rick Sawyer	Principal Executive Officer of HERE, Local 8	Resolution No. 36032; food & beverage services at Tacoma Convention Center
Charles Creso	5501 Broadview	Resolution Nos. 36029 and 36039; 2004 Legislative Priorities, & nonsmoking
Allen Douglass	University Place	Resolution No. 36039; nonsmoking
Jeanie Peterson	Hilltop Action Coalition	Resolution No. 36031; Korean Women's Association
Patrick Ransier	HERE, Local 8	Resolution No. 36032; food & beverage
Phyllis Barrett	912 So. Cushman	Ordinance No. 27173; Budget
Bernie Paul	4828 No. 10 <sup>th</sup> Street	Ordinance No. 27175; right-of-way

Public Comment ended at 5:57 p.m.

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## **REGULAR AGENDA**

### **FINAL READING OF ORDINANCES**

#### **Ordinance No. 27170**

Amending Chapter 1.12 of the Municipal Code relating to the Compensation Plan to implement rates of pay negotiated with the following unions:

- International Association of Machinist and Aerospace Workers, Local 160, Yard Clerk Unit;
- International Brotherhood of Electrical Workers, Local 483, Water Division Unit;
- International Brotherhood of Electrical Workers, Local 483, Supervisors' Unit;
- Warehouse, Automotive, Food, Public Employees, Driver Sales & Special Services Union, Local 599, Public Assembly Facilities Unit; and
- United Transportation Union, Switch Crews Unit; and

further implementing provisions relating to the salary for the Mayor, Deputy Mayor, and Council Members and a general wage increase of one percent for unrepresented employees; and to make changes in classifications to reflect the organizational structure.

Council Member Phelps moved to amend Ordinance No. 27170 on page 64, line 11.5, to amend Step 10 of the Utilities Economist, Associate, from \$22.56 to the correct hourly rate of \$23.69. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, McGavick, Phelps, Talbert, and Mayor Baarsma

Nays: 0

Absent: 2 – Miller and Moss

The Ordinance, as amended, was declared passed.

#### **Ordinance No. 27171**

Amending Chapter 8.109 of the Municipal Code relating to public safety to extend the effective date of the Curfew Ordinance to December 31, 2006.

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Roll call vote was taken, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, McGavick, Phelps, Talbert, and  
Mayor Baarsma

Nays: 0

Absent: 2 – Miller and Moss

The Ordinance was declared passed.

## **FIRST READING OF ORDINANCES**

### **Ordinance No. 27173**

Modifying and adopting the 2003-2004 Mid-Biennial Budget Modifications.

The Ordinance was set over for final reading next week.

### **Ordinance No. 27174**

Amending Chapter 1.30 of the Municipal Code, relating to the Tacoma Employees' Retirement System, permitting members trust-to-trust transfers of overtime contributions for restoring or purchasing service credit in another retirement system with portability; and further permitting members one year to repay with interest previously withdrawn contributions.

The Ordinance was set over for final reading next week.

### **Ordinance No. 27175**

Amending Chapter 9.22 of the Municipal Code, relating to public ways and vacation of streets, to charge the full appraised value for vacated rights-of-way held for 25 years or more; and devoting those funds to the management and maintenance of City-owned lands, unimproved rights-of-way and transportation projects in the tide flats area.

The Ordinance was set over for final reading next week.

### **Ordinance No. 27176**

Authorizing the execution of a Cooperative Agreement with the United States Department of Housing and Urban Development, in the amount of \$170,109, to provide for training, administrative costs and special enforcement efforts relating to fair housing and the processing of housing discrimination cases.

The Ordinance was set over for final reading next week.

### **Ordinance No. 27177**

Amending Chapter 12.09 of the Municipal Code, relating to solid waste rates, providing for the collection of cardboard from commercial solid waste customers and establishing a rate of \$20 per month for every other week service and \$10 for each additional haul.

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The Ordinance was set over for final reading next week.

**Ordinance No. 27178**

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement an adjustment in the rate of pay for employees ordered to active duty in the military reserves or the National Guard effective January 1, 2004.

Council Member McGavick moved to suspend the rules to consider Substitute Ordinance No. 27178. Seconded by Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

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Mayor Baarsma moved to consider additional Ordinance No. 27179. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

**Ordinance No. 27179**

Amending Chapter 8.105 of the Municipal Code, relating to disorderly conduct and domestic violence and the duties of the court in domestic violence actions.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglas	University Place

The Ordinance was set over for final reading next week.

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**RESOLUTIONS**

**Purchase Resolution No. 36028**

Awarding contracts to:

1. M J G, Inc., on its bid of \$77,281.73, including sales tax, for construction of railroad grade crossing upgrades on the Tacoma Rail Mountain Division - Specification No. PW03-0777F;
2. Frontier Ford, in the amount of \$630,135.00, plus sales tax, for the replacement of thirty 2004 Ford Crown Victoria full-size police interceptor sedans for the Police Department – Washington State Contract No. 05203; and

3. Konica Business Technologies U.S.A., Inc., in the amount of \$200,000.00, plus sales tax, for maintenance of 95 copiers within City departments from January 1, 2004, through December 31, 2005 – Washington State Contract No. 05899.

Council Member Phelps moved that the Purchase Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

**Resolution No. 36029**

Adopting the document entitled "City of Tacoma 2004 Legislative Priorities."

Council Member Phelps moved to amend Exhibit A of Resolution No. 36029 to remove the "50 percent plus one vote" and replace it with "The City supports the change of the one percent property tax limitation of Initiative 747 to a limit that recognizes inflation." Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

Council Member Lonergan moved to amend Exhibit A of Resolution No. 36029 to change the sales tax to be collected by the city where the purchase is made. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Council Member Phelps moved that the Resolution, as amended, be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

**Resolution No. 36030**

Approving the Annual Funding Priorities for the 2004-2005 Consolidated Plan Annual Action Plan.

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

**Resolution No. 36031**

Authorizing the execution of an amendment to the Operations and Use Agreement with the Korean Women's Association; increasing the grant amount from \$40,000 to \$80,000, for commercial kitchen equipment and fixtures at the facility located at 125 East 96<sup>th</sup> Street; and extending the services from two years to four years.

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

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**Resolution No. 36032**

Authorizing the execution of a five-year agreement and a five-year option with Aramark Corporation to provide food and beverage services at the Greater Tacoma Convention and Trade Center.

Council Member McGavick moved that the Resolution be adopted. Seconded by Council Member Phelps.

Council Member Phelps moved to continue Resolution No. 36032 to the meeting of December 16, 2003. Seconded by Council Member Lonergan. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 36032 will be considered at the regular City Council meeting of December 16, 2003.

**Resolution No. 36033**

Authorizing the execution of an Interlocal Agreement with Pierce County to amend the County-wide Planning Policies for Pierce County and to update the centers designations within the Urban Growth Area section of the policies.

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

**Resolution No. 36034**

Authorizing the execution of a Historic Preservation Special Valuation Covenant with John and Jennifer Colley for rehabilitation of property located at 614 North J Street.

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

**Resolution No. 36035**

Authorizing the execution of an agreement with Washington State Department of Community, Trade and Economic Development, in the amount of \$60,000, for updating the Comprehensive Plan and Development Regulations.

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

**Resolution No. 36036**

Authorizing the execution of a Quit Claim Deed to the Washington State Department of Transportation, in the amount of \$6,600, for property located in the vicinity of South 14<sup>th</sup> Street and State Route 16.

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

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**Resolution No. 36037**

Approving an exchange of easements with the Weyerhaeuser Real Estate Company to provide access within the Jackson Forest and Silverlake Highlands development areas located in the Tanwax Creek area south of Fort Lewis.

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

**Resolution No. 36038**

Authorizing the payment of an honorarium, in the amount of \$100,000, to each short-listed design-build team that submits a responsive proposal but is not selected for the upgrade to the Central Wastewater Treatment Plant for a total cost of up to \$300,000.

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

**Resolution No. 36039**

Expressing support of the Tacoma-Pierce County Board of Health's regulation to prohibit smoking in public places and places of employment within the geographical boundaries of Pierce County, including incorporated cities and municipalities.

Council Member Phelps moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried, with Council Member Lonergan abstaining. The Resolution was declared adopted.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

City Manager James Walton stated there will be a Council Workshop on January 10, 2004, at the University of Washington Tacoma Campus, from 8:30 a.m. to 2:00 p.m. He also proposed that the Council consider holding a Strategic Planning and Budget Workshop in the early part of February.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Phelps moved to excuse Deputy Mayor Moss from tonight's meeting. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Phelps moved to excuse Deputy Mayor Select Doug Miller from tonight's meeting. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Evans thanked May Harris of the Hilltop Action Coalition and all the volunteers for their efforts in planting trees on North L Street.

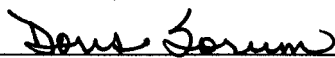
Mayor Baarsma announced next week will be the final Council meeting of the year and that on Monday the Appointments Committee will meet to discuss appointments to the Planning Commission and Urban Policy Committee. He stated the names to be considered will be enclosed in this week's Council packet for public record. He noted he had a special opportunity to interact via a big screen with representatives from a city in George South Africa. He stated that on Sunday he met with a delegation from Barcelona, Spain, who came to visit Tacoma.

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On proper motion, the meeting was adjourned at 9:17 p.m.

  
BILL BAARSMAN, MAYOR

ATTEST:



DORIS SORUM, CITY CLERK