



City Council Minutes

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

October 15, 2002

The meeting was called to order at 5:06 p.m.

Council Members Present: 9 ~Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma.

The Flag Salute was led by Deputy Mayor McGavick.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Landmarks Preservation Commission, September 25, 2002.
- b. Minutes of the Joint Municipal Action Committee, September 13, 2002.
- c. Minutes of the Tacoma Housing Authority, Annual Reorganization Meeting and Rescheduled Regular Meeting, August 21, 2002.
- d. Minutes of the Tacoma-Pierce County Board of Health, September 4, 2002.
- e. Washington State Auditor's Office, Report on Financial Statements and Federal Single Audit, City of Tacoma, Pierce County, January 1, 2001 through December 31, 2001.

CONSENT AGENDA

Approval of the minutes of the City Council meeting, September 24, 2002 and Committee of the Whole, October 1, 2002.

Deputy Mayor McGavick moved that the Consent Agenda be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R A G E N D A

FINAL READING OF ORDINANCES

Ordinance No. 26982

Amending Chapter 13.06 of the Municipal Code to reclassify 13 parcels of property from an "R-2 SRD" Residential Special Review District and 3 parcels of property from an "R-3" Two-Family Dwelling District to a "C-2" General Community Commercial District, located west of A Street between South 38th and South 37th Streets, to allow construction of a 44,649-square-foot Albertsons grocery store, a 6,250-square-foot retail commercial building, and off-street parking. (Pacific Land Design; File No. REZ2002-00002)

Deputy Mayor McGavick moved to suspend the rules to consider Substitute Ordinance No. 26982. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert,
 and Mayor Baarsma

Nays: 0

The Substitute Ordinance was declared passed.

Ordinance No. 26992

Amending Chapter 1.90 of the Municipal Code relating to public works contracts and providing for Local Employment and Apprenticeship Training Program (LEAP) enhancements by including LEAP requirements for contract amendments and change orders, incorporating core employee language into the definition of "good faith efforts" and increasing the assessment for contractors failing to make good faith efforts or meet the LEAP utilization goal.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert,
 and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26993

Accepting \$14,660 from the Washington State Patrol; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to enhance the Fire Department's ability to provide electronic incident data to the National Fire Incident Reporting System.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26994

Accepting \$251,992 from the Federal Emergency Management Agency; depositing said sum in the Miscellaneous Grants Summary Fund, transferring \$107,996 from the General Fund to the Miscellaneous Grants Summary Fund, and appropriating \$359,988 to implement a pilot Firefighter Wellness/Fitness Program.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26995

Accepting \$44,776 from the Tacoma Housing Authority; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the Elderly Services Coordinator program; and authorizing the execution of an agreement with the Tacoma Housing Authority for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26996

Amending Title 17 of the Municipal Code entitled “Animal Control” to correct certain section references within Section 17.04.040, “Permits and Fees.”

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

RESOLUTIONS

Purchase Resolution No. 35657

Awarding contracts to:

1. Ben-Ko-Matic Co., on its bid of \$433,678.00, for two or more five-cubic-yard, single-axle catch basin and sewer cleaning vehicles – Specification No. FLT-207-02;
2. Gelco Services, Inc., on its bid of \$158,241.27, for sanitary and storm sewer rehabilitation along Pacific Avenue between South 15th and South 17th Streets and along North 49th and Gove Streets – Specification No. G-237-02;
3. Tucci & Sons, Inc., on its bid of \$1,259,878.36, for arterial street road widening and storm sewer appurtenances on East 72nd Street from McKinley to Portland Avenues – Specification No. G-205-02;
4. State of Washington General Administration – 1122 Program, in the amount of \$297,121.00, for one police mobile command vehicle – United States Government General Services Administration Schedule No. 84-VI-A; and
5. Coast Rail, Inc., in the amount of \$100,000.00, to increase its contract for Tacoma Rail Mountain Division annual signal maintenance on-call contract – Specification No. G-209-01.

Council Member Phelps moved to waive further reading of the Purchase Resolution. Seconded by Deputy Mayor McGavick. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before the Council was:

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

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

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Resolution No. 35658

Approving the revised General Government Fee Schedule for Special and Miscellaneous Services.

Deputy Mayor McGavick moved to amend Exhibit A of Resolution No. 35658, Reference No. 18, by correcting the fee for the Police Chief’s civil interviews from \$123.00 to \$133.00 per additional hour. Seconded by Council Member Lonergan. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor McGavick moved that the Resolution, including Exhibit A as amended, be adopted. Seconded by Council Member Miller.

Speaking before the Council was:

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

Voice vote was taken and carried. The Resolution, including Exhibit A as amended, was declared adopted.

Resolution No. 35659

Authorizing the execution of an agreement with the University of Washington, Department of Psychosocial and Community Health, in the amount of \$58,562, to evaluate, document, and report the Findings of the pilot Firefighter Wellness/Fitness Program to the Federal Emergency Management Agency.

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

Resolution No. 35660

Authorizing the execution of Amendment No. 222 to the Tacoma Community Redevelopment Authority Agreement to allocate \$210,000 in Community Development Block Grant funds for payment due under the Section 108 Loan Guarantee Demonstration Program, which assists local businesses.

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

Resolution No. 35661

Approving the Service Agreement between the Local Development Council and Pierce County Security for private security services in the downtown Business Improvement Area.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Paul Ellis	Local Development Council
Allen Douglas	612 South 18 th Street, #5

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

Resolution No. 35662

Authorizing the execution of a General Contractor/Construction Manager Agreement with M.A. Mortenson Company, in the amount of \$63,193,000, for the construction of the Tacoma Convention Center.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
David Mortenson	M.A. Mortenson Company
Phyllis Barrett	912 South Cushman Avenue
Brian Carpenter	Pierce County Building Trades
Allen Douglas	612 South 18 th Street, #5

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

Resolution No. 35663

Approving the Public Utility Director’s certification of surplus and declaring the two vacant parcels located at South 50th and South Tyler Streets surplus to the needs of the City.

Council Member Moss moved to continue Resolution No. 35663 to a date to be determined. Seconded by Deputy Mayor McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 35663 was continued to a date to be determined.

Resolution No. 35664

Amending Rule 4(f) of the *Rules of Procedure of the Council of the City of Tacoma* eliminating the requirement for adoption of resolutions authorizing submittal of grant applications on the Consent Agenda before the City can submit the applications; and further directing the City Manager to approve the applications and notify the City Council of authorized applications in the Weekly Report to the City Council.

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

Deputy Mayor McGavick moved to withdraw the motion to adopt. Seconded by Council Member Miller.

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Pursuant to Council Rules, Resolution No. 35664 was set over for second reading next week.

PUBLIC HEARINGS

The public hearing began at 6:06 p.m.

- a. This is the date set for a public hearing by the City Council to consider declaring a small tract of land surplus and to use said property in exchange of property rights for the enhancement of the Nisqually Hydroelectric communications system.

There were no speakers.

The public hearing was declared closed at 6:08 p.m.

The public hearing began at 6:08 p.m.

- b. This is the date set for a public hearing by the City Council to consider declaring the easement located in the vacated right-of-way of Alder, Cedar and North 35th Streets and a portion of an alley east of Cedar Street surplus and releasing said easement to the underlying property owner.

There were no speakers.

The public hearing was declared closed at 6:11 p.m.

The public hearing began at 6:11 p.m.

- c. This is the date set for a public hearing by the City Council to consider declaring the easement located in Pierce County in the right-of-way of 50th Avenue East surplus and releasing said easement to Pierce County.

There were no speakers.

The public hearing was declared closed at 6:14 p.m.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

None.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Talbert encouraged everyone to drive by lower McKinley Avenue to view an impressive art project painted on three separate properties by 16 artists from the Pacific Gallery Artists. He stated the project came about through a \$4,000 Innovative Grant from the Eastside Neighborhood Council.

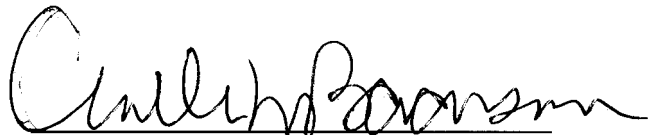
Deputy Mayor McGavick stated there have been remarks that the Council will be closing the Kobetich Branch of the Library. She stated she is unaware of any such cut and that the Council does not make those decisions. She stated the Council's responsibility is to pass a budget.

Mayor Baarsma invited the public to attend the Library Board public hearing tomorrow night, at 5 p.m., at the Main Library. He stated they will be discussing library models and budget proposals and that he would present up-to-date information relative to the budget process. He stated no final decisions have been made.

Council Member Miller stated as a member of the Association of Washington Cities where he serves on the Legislative Committee and chairs the Subcommittee on Energy, Telecommunications, Environment and Land use, he attended a meeting to address issues regarding resolutions for the upcoming Legislative session. He stated they addressed the International Building Code, which the State has not updated since 1997, and could affect insurance rates; annexation reform; and land use regulations.

Mayor Baarsma stated he and Randy Lewis, Government Relations, met with the mayors of Seattle, Spokane, Vancouver, Yakima, and Bellingham to present a united front to the Legislature relative to the formation of street utilities, expanding the Tax Increment Financing Strategies, and a county-wide utility tax. He stated they also looked at how these relate to the Health Department, which has been impacted by Initiative 695, and that now is not the time to make cuts in the Health Department.

On proper motion, the meeting was adjourned at 6:25 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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