



City Council Minutes

<http://www.cityoftacoma.org>

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

June 8, 2004

The meeting was called to order at 5:15 p.m.

Council Members Present: 9 – Anderson, Evans, Ladenburg, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

The Flag Salute was led by Council Member Talbert.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Appointments Committee, March 29, 2004.
- b. Minutes of the Civil Service Board, April 19, 2004.
- c. Minutes of the Economic Development Committee, May 11 and 18, 2004.
- d. Minutes of the LESA Executive Board, April 21, 2004.
- e. Minutes of the Neighborhoods and Housing Committee, May 3, 2004.
- f. Minutes of the Planning Commission, May 5, 2004.
- g. Minutes of the Tacoma Public Library Board of Trustees, April 21, 2004.
- h. Humane Society Animal and Service Delivery Reports, March 2004.

CONSENT AGENDA

Approval of the minutes of the City Council special meeting, May 7, 2004; and meetings, May 11, 18 and 25, 2004.

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

Mayor Baarsma called for a moment of silence in observance of the recent death of former President Ronald W. Reagan.

PROCLAMATIONS

Mayor Baarsma presented The Reverend Kevin D. Newburg with a proclamation recognizing Reverend Newburg's many years of valued service to Tacoma.

48

Mayor Baarsma proclaimed June 12, 2004, "Bethel Schneebeck Day" and presented the proclamation to Ms. Judith Schneebeck-Bensinger and Mr. David Schneebeck.

Mayor Baarsma asked Ms. Victoria Woodards, the 2004 Ethnic Fest Coordinator, to introduce the winners of the 2004 Ethnic Fest poster contest. He congratulated the winners and expressed the Council's appreciation of their artistic abilities.

Deputy Mayor Evans moved to suspend the rules to consider Resolution No. 36194 at this time. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 36194

Extending the timeline for the presentation of recommended strategies from the Citizens Advisory Panel, related to the Washington Association of Sheriffs and Police Chiefs' investigation into the career of the late David Brame, to a date to be determined by the Panel.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Phelps.

Deputy Mayor Evans moved that Resolution No. 36194 be continued to a date to be determined. Seconded by Council Member Phelps. Voice vote was taken and carried. The Resolution was continued to a date to be determined.

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.

Public Comment began at 6:37 p.m.

Speaking before Council:

| Name | Address/Affiliation | Subject |
|-----------------|----------------------------|---|
| Allen Douglass | University Place resident | Ordinance Nos. 27213, 27242, and 27244; Resolution Nos. 36185, 36186, and 36191 through 36194 |
| Gretchen Davis | Resident | Resolution No. 36187 |
| Alton McDonald | National Action Network | Resolution Nos. 36186 and 36190 |
| Robert Waddell | 3815 North Pearl Street | Resolution No. 36188 |
| Robert Hill | 2522 North Proctor Street | Various |
| Irene Fruzzetti | 16410 – 17th Avenue East | TACID |

Public Comment closed at 7:05 p.m.

49

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS

Resolution No. 36185-A

Reappointing Teri L. Wood to serve on the Human Rights Commission for a term to expire on May 12, 2007, and Tom L. Hilyard to serve on the Public Utility Board for a term to expire on June 30, 2009.

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

FINAL READING OF ORDINANCES

Ordinance No. 27213

Vacating a portion of Mason Avenue, southwest of the Center Street right-of-way, for the installation of a secured entryway with guard shack for the Overlook Rim and Olympic Ridge apartments. (George Petrie; File No. 124.1205)

Deputy Mayor Evans moved to consider Substitute Ordinance No. 27213. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Council Member Lonergan recused himself.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Ladenburg, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma

Nays: 0

Recused: 1 – Lonergan

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27242

Amending the Municipal Code by repealing and reenacting Chapter 3.02, relating to the Fire Code, and adopting the 2003 Edition of the International Fire Code to be consistent with state law.

The Ordinance was set over for final reading next week.

50

Ordinance No. 27243

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for represented employees of the United Transportation Union, Switch Crews Unit, covering 46 employees; and the Brotherhood of Locomotive Engineers, covering 5 employees; and changes in classification to reflect the organizational structure.

The Ordinance was set over for final reading next week.

Ordinance No. 27244

Amending Chapter 8.109 of the Municipal Code, relating to public safety and curfew for minors, by designating the Metropolitan Development Council as an appropriate entity to take custody of minors from the Tacoma Police Department until the parent, guardian, custodian, or extended family member arrives to pick up the minor.

The Ordinance was set over for final reading next week.

RESOLUTIONS**Purchase Resolution No. 36186**

Awarding contracts to:

1. Northwest Cascade, Inc., on its bid of \$546,843.35, plus sales tax, for alley and residential street improvements and sanitary sewer replacement at various locations - Specification No. PW03-0901F;
2. Construct Company LLC, on its bid of \$925,000.00, plus sales tax, for the South 13th Street storm sewer replacement – Specification No. PW04-0128F;
3. GMT & Associates, Inc., on its bid of \$164,150.00, no sales tax applicable, for hazardous sidewalk replacement and sidewalk ramp installation throughout the city – Specification No. PW04-0194F;
4. Western Peterbilt, Inc., on its bid of \$438,996.47, including sales tax, for two low-entry recycle trucks with glass compartments for the Public Works Department – Specification No. PW04-0210F;
5. Pease Construction, Inc., on its bid of \$1,278,162.62, including sales tax, for improvements to the Thea Foss Waterway Esplanade adjacent to Albers Mill - Specification No. PW03-0816F;
6. MidMountain Contractors, Inc., on its bid of \$4,101,747.88, including tax, for arterial street improvements, and sanitary, storm, and water main replacements at the following locations:
 - Pacific Avenue from South 28th to South 25th Streets;
 - Pacific Avenue from South 17th to South 7th Streets;
 - Pacific Avenue from South 15th to South 7th Streets; and
 - Pacific Avenue from South 13th to South 7th Streets –Specification No. PW04-0033F;

51

7. Avaya, Inc., in the amount of \$220,000.00, including sales tax, for a telephone system at the Greater Tacoma Convention and Trade Center – Sole Source;
8. Nextel West Corp., in the amount of \$140,000.00, plus sales tax, for a cumulative total of \$263,000.00, to renew and increase its contract for cellular services for various departments through June 30, 2005 – Western States Contracting Alliance Master Price Agreement No. 12-00115; and
9. Authorizing the execution of an interlocal agreement with the City of Olympia for cooperative purchasing.

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

Deputy Mayor Evans moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 7, be adopted. Seconded by Council Member Phelps. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 7, was declared adopted.

Resolution No. 36187

Approving the certification of surplus property; and authorizing the execution of an Option Agreement with Mr. and Mrs. Tim Scott for the purchase of a 1.32 acre tract of vacant land, formally known as the Hyada Reservoir Site, in exchange for an access and utility easement.

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

Resolution No. 36188

Authorizing the execution of an amendment to the Master Lease with Tacoma Community College, to extend the term of the lease to April 16, 2009, for two acres of property at 5900 South 12th Street.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Phelps.

Mayor Baarsma moved to amend Resolution No. 36188, line 14, by changing "20 months" to "18 months." Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

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

52

Resolution No. 36189

Authorizing the execution of an interlocal agreement with the State of Washington, Administrative Office of the Courts, to provide for the acquisition and cost reimbursement associated with the purchase of three laptop personal computers for Municipal Court judges.

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

Resolution No. 36190

Authorizing the execution of a Supplement to the Professional Services Agreement with Krei Architecture, in the amount of \$400,000, for a cumulative total of \$8,046,255, to provide professional services for the Downtown Redevelopment Project; and authorizing the execution of a Supplement to the Contractor/Construction Agreement with M. A. Mortenson Company, in the amount of \$2,863,587, for a cumulative total of \$66,056,587, to provide general contractor services for the Downtown Redevelopment Project.

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

Resolution No. 36191

Authorizing the execution of a Memorandum of Agreement between the Public Works Department and the Belt Line Division transferring operational control for the operation of the Tacoma Rail Mountain Division to the Belt Line Division for efficient and cost-effective management of the railroad; to secure a Bridge Loan, in the amount of \$2.2 million, to fund Mountain Division rail operations through December 31, 2005; and further extending the existing interfund loan in the amount of \$2.5 million.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Phelps.

Deputy Mayor Evans moved to consider Substitute Resolution No. 36191. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council:

| Name | Address/Affiliation |
|----------------|----------------------------|
| Allen Douglass | University Place resident |
| Rick Cvitanich | Tacoma resident |
| Robert Hill | Tacoma resident |
| Alton McDonald | Tacoma resident |

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



Resolution No. 36192

Authorizing the execution of Amendment No. 232 to the agreement with the Tacoma Community Redevelopment Authority reducing the Fire Sprinkler Loan Fund to \$10,000; and reallocating and transferring the remaining amount of \$40,000 to the Affordable Housing Fund for loans to affordable housing developers; and further amending the 2004-2005 Annual Action Plan to the Consolidated Plan for Housing and Community Development.

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

Resolution No. 36193

Amending the 2000-2005 Consolidated Plan for Housing and Community Development to include the acceptance of American Dream Down Payment Initiative funds from the United States Department of Housing and Urban Development to increase homeownership among low income households by providing down payment and closing costs assistance.

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

Resolution No. 36194

Extending the timeline for the presentation of recommended strategies from the Citizens Advisory Panel, related to the Washington Association of Sheriffs and Police Chiefs' investigation into the career of the late David Brame, to a date to be determined by the Panel.

Resolution No. 36194 was considered earlier in the meeting.

PUBLIC HEARING

This is the date set for a public hearing by the City Council on the proposed amendments to the City Charter as recommended by the Charter Review Committee.

The Public Hearing began at 5:40 p.m.

Speaking before Council:

| <u>Name</u> | <u>Address/Affiliation</u> |
|------------------------|------------------------------------|
| Allen Douglass | University Place resident |
| John Cunningham | Human Resources Professional |
| Charles Creso | 5501 Broadview Avenue NE |
| Rick Cvitanich | 2808 North 8 th Street |
| Mike Price | 1431 North Woodlawn Street |
| Celeste Sulliin Burris | 3537 South Wilkeson Street |
| Christopher Karnes | 616 North I Street |
| Carrie Blackwood | 3520 North Mason Avenue |
| Mike Smith | 1107 North 27 th Street |
| Christy Strand | 1107 North 27 th Street |

54

| Name | Address/Affiliation |
|------------------|----------------------------|
| Robert Hill | 2522 North Proctor Street |
| Phyllis Barrett | 912 South Cushman Avenue |
| Alton McDonald | Resident |
| James Machlichet | Johnny's Seafood |

The Public Hearing ended at 6:35 p.m.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Anderson reported on the notification and public hearing for Tacoma Housing Authority relating to Section 8. She stated that the Tacoma Housing Authority is asking for stop gap funding to reduce the number of families who may lose their homes by this summer.

Council Member Talbert also commented on the concerns of the Tacoma Housing Authority. He mentioned the newspaper articles indicating an increase in violent crime on the East Side and commended City Manager James Walton and Police Chief Don Ramsdell for addressing these issues. He stated the Tacoma Police Department is making every effort to reduce violent crime. He also announced upcoming meetings to meet community needs relating to crime.

Council Member Ladenburg commented on the recent "Youth Explosion" event and announced that there were approximately 400 students in attendance. She quoted an article in *The News Tribune* from a student and asked the community to recognize and compliment young people in their efforts to succeed.

CITIZENS' FORUM

Citizens' Forum began at 9:05 p.m.

Speaking before Council:

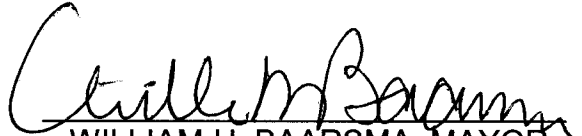
| Name | Address/Affiliation | Topic |
|------------------|---------------------------------------|---------------------|
| Allen Douglass | University Place resident | General |
| Phyllis Barrett | 912 South Cushman Avenue | Contracts |
| Rinda Fuller-Cox | 37304 - 33 rd Avenue South | Smoking |
| Rick Cvitanich | 2808 North 8 th Street | Accountability |
| Kathy Carr | 2605 South Tacoma Way | Smoking and general |
| Janette Staatz | 2102 South Tacoma Way | Smoking |
| Donna Buck | Tacoma resident | Gambling taxes |

Citizens' Forum closed at 9:37 p.m.

55

Council Member Phelps commented on second hand smoke issues and answered questions relating to second hand smoke asked earlier in the meeting.

On proper motion, the meeting was adjourned at 9:40 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

54