

CITY COUNCIL MINUTES

City Council Chambers
December 3, 1996

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

Present on roll call: 7 - Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, and Mayor Ebersole. Absent: 2 - McGavick and Deputy Mayor Silas. (Council Member McGavick arrived at 5:11 p.m.)

The Flag Salute was led by Council Member De Forrest.

CONSENT AGENDA

Approval of the minutes of the meeting and study session of the Tacoma City Council, November 19, 1996.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's agenda for December 3, 1996.
- b. Minutes of the meeting of the Arts Commission, October 14, 1996.
- c. Minutes of the meeting of the Fuzhou Sister City Committee, October 16, 1996.
- d. Amended minutes of the meeting of the Foss Waterway Development Authority, October 21, 1996, and the regular meeting of November 4, 1996.
- e. Minutes of the meeting of the Human Rights Commission, October 17, 1996.
- f. Minutes of the meeting of the Planning Commission, November 4, 1996.
- g. Minutes of the meeting and study session of the Public Utility Board, October 23, 1996.
- h. Minutes of the meeting of the Sister City Council, October 22, 1996.
- i. Minutes of the meeting of the South African Sister City Committee, October 15, 1996.
- j. Minutes of the meetings of the Urban Policy Committee, October 2, 9, and 17, 1996.
- k. Report of the T Street Gulch Beautification Youth Employment Project, September 17, 1996.

(Council Member McGavick arrived at 5:11 p.m.)

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

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 25978

Vacating the partial right-of-way for Lawrence Street between South 30th Street and the SR-16 freeway right-of-way to unify the property into one parcel for the development of a clinic site. (William K. M. Shields; File No. 124.1042)

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Silas

The Ordinance was declared passed.

Ordinance No. 25980

Amending Ordinance No. 25749 to correct the legal description of the property located north of Norpoint Way NE and east of Marine View Drive which rezoned said property to an "R-2-PRD" Planned Residential Development District. (Northeast Tacoma Overlook; File No. 120.1347)

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Silas

The Ordinance was declared passed.

Ordinance No. 25981

Amending the 1995-1996 Biennial Budget; transferring \$343,750 from the Law Enforcement Support Agency Fund to the LESA COPS More Grant Fund; accepting and appropriating \$478,260 from the Federal Emergency Management Agency and \$156,498 from the Washington State Military Department of Federal Management for the storm damage repair due to the November 1995 and February 1996 storms; and further accepting \$987,000 from the Federal Highway Administration Emergency Relief Fund for costs incurred in the November 1995 and February 1996 storm and appropriating said sum to the Arterial Street Fund.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Silas

The Ordinance was declared passed.

Substitute Ordinance No. 25982

Accepting \$10,000 from the Light Division; depositing said sum in the Hazardous Chemical Fees Fund; appropriating \$20,000 from the Hazardous Chemical Fees Fund for communication equipment for the Emergency Management Program; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Silas

The Ordinance was declared passed.

Ordinance No. 25983

Accepting \$2,500 of private donations from the Pierce County Medical Bureau and the Forest Foundation; depositing said donations into the Miscellaneous Grants Summary Fund; depositing \$10,110 in booth rental fees into the General Fund; and appropriating said sums for expenses associated with Senior Citizens Awareness Day.

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Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Silas

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 25984

Approving the 1997-1998 Biennial Budget.

Speaking before the Council were:

Name	Address/Affiliation
Pamelia Olson	4201 North Vassault Street
Vance Lelli	1012 Military Road East
Dennis McLerran	110 Union Street, Seattle
Kathryn Galbraith	2340 North Shirley
Anne Buhler	5725 Overlook Avenue
Jan Pelroy	744 South Fawcett
Ron Vignec	504 East 123rd Street
Robert Barker	501 North 10th Street
Priscillia Lisicich	Executive Director of Safe Streets
Howie Meadowcroft	26 Country Club Drive Southwest
Diane Westbrook	3629 South D Street
Robert McCauley	Washington State Council of County and City Employees
Henry Haas	1879 Lenore Drive
Dave Dye	Business Representative with the International Brotherhood of Electrical Workers (IBEW), Local No. 483
John Thompson	Secretary/Treasurer Pierce County Labor Council

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Dawn Bernstein-Strege	8340 6th Avenue
David Smith	Business Manager Local No. 483 and Vice Chair of the Joint Labor Committee
Tex Whitney	1102 Broadway Plaza
Marion Weed	Representing the Northeast Neighborhood Council
Jean Gillmer	319 Tacoma Avenue North
Phyllis Barrett	912 South Cushman

Mayor Ebersole stated that a Substitute Ordinance regarding the budget will be before the City Council at next Tuesday's City Council meeting and public testimony will be taken on the proposed changes to the budget.

The Ordinance was set over for final reading next week.

CITIZENS FORUM (BEGAN AT APPROXIMATELY 7:11 P.M.)

Speaking before the Council were:

<u>Name</u>	<u>Address</u>	<u>Topic</u>
Will Baker	809 South I Street	Elections
Joe Rudy	502 South 56th Street	Building Permits
Robert Datish	1712 East 43rd Street	1953 Tacoma NewsTribune Ad
Robert Farmer	720 East 34th Street	Bike Patrol
Steve Miller	5104 North 37th Street	Tacoma Narrows Airport
Bruce Roger	P.O. Box 876, Gig Harbor	Tacoma Narrows Airport
Barb Griffith	4211 27th Avenue Northwest	Tacoma Narrows Airport
Brad Pattison	8702 Goodman Drive N.W.	Tacoma Narrows Airport
Cliff Howell	P.O. Box 27	Tacoma Narrows Airport
Wade Perrow	1109 Tacoma Avenue South	Tacoma Narrows Airport
Mike Pickett	10908 Moller Drive, Gig Harbor	Tacoma Narrows Airport
Hugh Morgan	7513 Ford Drive N.W., Gig Harbor	Tacoma Narrows Airport
Don Eiler	P.O. Box 4326, Federal Way	Tacoma Narrows Airport

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

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Ordinance No. 25985

Approving the ad valorem tax levies for 1997.

The Ordinance was set over for final reading next week.

Ordinance No. 25986

Amending Chapter 2.04 of the Municipal Code, relative to the Electrical Code, to allow qualified electricians employed on a full-time basis to perform electrical work on their employer's premises.

The Ordinance was set over for final reading next week.

Ordinance No. 25987

Amending the Land Use Management Plan by revising the reference document, the Capital Facilities Program, the Generalized Land Use Plan, and the Transportation Program and developing a new element, the Nonmotorized Transportation Plan; and amending Chapter 13.06 of the Municipal Code by adding and deleting certain properties to the "RCX" Residential Commercial Mixed-Use Center and the "CCX" Community Commercial Mixed-Use Center Districts.

The Ordinance was set over for final reading next week.

Ordinance No. 25988

Amending Title 13 of the Municipal Code by amending Section 13.06.408 and repealing Chapter 13.13 relative to solar access land use.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Clare Hardie	Master Builders Association

Council Member Miller moved to table Ordinance No. 25988 to a date to be determined and refer the Ordinance to the Planning Commission for a recommendation. Seconded by Council Member Baarsma.

Council Member Miller called for the question. Seconded by Council Member Baarsma. Voice vote was taken and carried.

Voice vote was taken and carried on the motion to table Ordinance No. 25988 to a date to be determined and refer the Ordinance to the Planning Commission for a recommendation. The motion was declared adopted.

Ordinance No. 25988 was tabled to a date to be determined and referred to the Planning Commission for a recommendation.

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Ordinance No. 25989

Amending Chapter 8.12 of the Municipal Code by adding Section 8.12.070 prohibiting the use of compression brakes within the City of Tacoma.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 33560

Awarding contracts to:

1. Airtouch Cellular, on its bid of \$304,000, for 1997 cellular telephone airtime - Washington State Contract No. 92-PUR-011;
2. TeleMinder, in the amount of \$41,895, for TeleMinder automated emergency phone caller - Sole Provider;
3. Lone Star Northwest, on its bid of \$37,765, for the supply of 3/8-inch chip seal rock for 1997-1998 - Specification No. G-062-96;
4. Holroyd Company, Inc., on its bid of \$364,289.40, for the supply of concrete and related products for 1997-1998 - Specification No. G-063-96;
5. Lone Star Northwest, on its bid of \$172,247, for the supply of paving sand for 1997-1998 - Specification No. G-064-96;
6. Lone Star Northwest, on its bid of \$495,261, for the supply of aggregate for 1997-1998 - Specification No. G-065-96;
7. Robison Construction, Inc., on its bid of \$661,601.25, to increase the contract for Marine View Drive - Taylor Way to East 11th Street - Specification No. G-255-93;
8. Unifirst Corp., in the amount of \$94,000, to increase and extend the contract for coverall, uniform and linen service - Specification No. G-071-91;
9. Rich's Tree Service, on its bid of \$65,000, and Affordable Stump Grinding, on its bid of \$35,000, for hazardous tree removal and/or stump grinding - Specification No. G-074-96;
10. SeaWestern Fire Apparatus and Equipment, in the amount of \$156,286.20, for self-contained breathing apparatus - Sole Provider; and
11. Rejecting all bids for 300-gallon plastic refuse containers - Specification No. G-057-96.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 2 and 10, and rejecting all bids on Item No. 11 be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item Nos. 2 and 10, and rejecting all bids on Item No. 11 was declared adopted.

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CITIZENS FORUM (BEGAN AT APPROXIMATELY 7:11 P.M.)

Held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., requested an Executive Session, not to exceed 15 minutes, to discuss pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member De Forrest requested that the Domestic Violence Package be included in the Legislative Policy Manual for the 1997 Session of the Washington State Legislature.

Council Member De Forrest stated that he received a letter indicating that the City of Tacoma had offered to televise legislative hearings from 11:00 p.m. to 3:00 a.m. and stated that he would prefer to see some of the hearings televised live on TV Tacoma.

Council Member Baarsma concurred with Council Member De Forrest regarding televising the legislative hearings. He then stated that it was his impression that the City of Tacoma would have to televise the entire segment which could interfere with other programming. Council Member Baarsma stated that he would appreciate being able to segment the programs and televise those issues that deal with the City of Tacoma.

Council Member Baarsma expressed his appreciation to David Oddy and Emergency Food Network and all the volunteers that worked hard to provide a hearty meal to those people less fortunate on Thanksgiving.

Council Member Baarsma thanked the Police Chief and Mrs. Arreola for their volunteer efforts at the Tacoma Sheraton.

Mayor Ebersole stated that he was fortunate enough to be among four United States Mayors that were selected to make the first official visit by a group of municipal officials to Vietnam since the United States has normalized relations with them. The other mayors that were selected were the mayors of Little Rock, Arkansas; Reno, Nevada; and Omaha, Nebraska. Mayor Ebersole stated that they met with city officials in four cities in Vietnam. He then stated that two Tacoma business people also made the trip to Vietnam to explore some trade opportunities. Mayor Ebersole stated that he learned a great deal about Vietnam and their attitude towards Vietnamese Americans returning to Vietnam. He then thanked the Sister City International for hosting the trip.

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Mayor Ebersole shared his concerns regarding TVW and applauded the progression of the discussions between the City of Tacoma and TVW. He then stated that he would like to see the four-hour telecast be televised at least once at week at a time when people can watch it. Mayor Ebersole stated that he felt the programming is a savings to the City because it is good quality programming provided at no cost. Mayor Ebersole stated that people who are watching Municipal City Government programming would likely be interested in State Government.

Mayor Ebersole stated that he had the opportunity to meet with the Secretary of the Interior, Bruce Babbitt, and briefly discussed the Cushman Dam Project and the tribal billboard issue.

Council Member Miller moved to convene to Executive Session for a period not to exceed 15 minutes to discuss pending litigation. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 9:09 p.m.

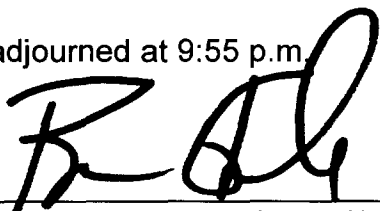
At 9:30 p.m. Mayor Ebersole extended the Executive Session for ten minutes.

At 9:52 p.m. the City Council reconvened.

Council Member Crowley moved to authorize the City Manager to execute the Settlement Agreement and a Right of Entry and Mutual Indemnity Agreement which have already been executed by the City Manager of the City of Fircrest in City of Fircrest v. City of Tacoma, Pierce County Superior Cause No. 96-2-05203-1. Seconded by Council Member Miller. Voice vote was taken and carried with Council Member De Forrest abstaining.

Council Member Baarsma moved to excuse Deputy Mayor Silas from the meeting. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 9:55 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK

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