



# City Council Minutes

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

May 11, 1999

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

Present on roll call: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Deputy Mayor Kirby. Absent: 1 – Mayor Ebersole

The Flag Salute was led by Council Member Baarsma.

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## CONSENT AGENDA

Approval of the minutes of the City Council meetings of March 2, 9, and 16, 1999.

### ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Planning Commission, April 7 and 21, 1999.
- b. Minutes of the regular meeting of the Tacoma Public Library Board of Trustees, March 17, 1999, and special meeting of March 22, 1999.
- c. Minutes of the Public Utility Board study session and meeting, April 14, 1999.
- d. Citizens' petition opposing the planned Refuge Bar & Grill to be located at 5423 Pacific Avenue.
- e. Annual Financial Reports for the Light Division and Water Division, 1998.

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

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### PROCLAMATIONS

Council Member Phelps, on behalf of Mayor Ebersole and City Council Members, proclaimed the day of May 11, 1999, as Fred Shanaman Day and presented the proclamation to Mr. Fred Shanaman.

Deputy Mayor Kirby then declared the week of May 6-12, 1999, as “National Nurses Week 1999,” and presented the proclamation to Mr. Mike Krashin, President of the Nurses Association.

Deputy Mayor Kirby proclaimed the day of May 11, 1999, as “Tacoma Sabercats Day,” and presented the proclamation to Mr. Frank Colarusso, Vice President of Marketing for the Tacoma Sabercats Hockey Club.

Deputy Mayor Kirby then proclaimed the week of May 9-15, 1999, as Tacoma Historic Preservation Week,” and presented the proclamation to Ms. Mary Kay High, Chair, Landmarks Preservation Commission.

Deputy Mayor Kirby called on Ms. Mary Kay High who presented plaques to members of the community commemorating their preservation activity.

<b>Name</b>	<b>Category</b>	<b>Project</b>
Sondra Purcell	Leadership	Albers Mill
Julie Turner	Leadership	North Slope District
Tacoma Fire Department	Public Sector	Fire Station Nos. 4, 8 ,9, 11, and 13
Tacoma Fire Department	Public Sector	Fire Stations Nos. 2, 10, 14, 15, and 18
Tacoma Fire Department	Public Sector	Electrical Maintenance Shop
Tacoma Fire Department	Public Sector	Fire Communications Center
Michael Bartlett, President of Horizon Partners Northwest Inc.	Commercial Buildings	Schoenfeld Building
Mike Robinson, Marketing, United Way of Tacoma	Commercial Buildings	Sprague Building
Mike and Kris Agostini	Residential Development	W.G. Nyman House
Willis and Marie Dudley	Residential Development	C.A. Darmer House
Legacy Properties – Robert Campbell	Restoration of a Historic Tacoma Apartment Building	Rutland/Woodstock Apartments
Robert and Glenda Macmahon	Restoration of a Historic Tacoma Apartment Building	Walker Apartments

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# REGULAR AGENDA

## PUBLIC HEARINGS AND APPEALS (BEGAN AT 5:50 P.M.)

- a. This is the date set for a public hearing by the City Council regarding the proposed sale of 2,700 square feet of land in Tacoma Water's UP-1 well site located in University Place.

There were no speakers. The public hearing was declared closed at 5:54 p.m.

- b. This is the date set for a public hearing by the City Council regarding an immediate moratorium on the acceptance of applications for building permits or shoreline permits for card rooms, gambling establishments, and game parlors with any social card games, and the establishment or expansion of such uses, to be effective for a period of six months.

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Janice Garland	Resident
Carol Sloman	Chair, North End Neighborhood Council
Bill Higgins	Member, North End Neighborhood Council

Council Member Crowley moved that the Findings of Fact, adopted in Ordinance No. 26393, justify the continued imposition of the moratorium. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

The public hearing was declared closed at 6:05 p.m.

## FINAL READING OF ORDINANCES

### Ordinance No. 26412

Amending Chapter 1.30 of the Municipal Code, relating to the Retirement Code, to clarify membership and benefits for individuals re-employed with the City after retirement.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Mayor Ebersole

The Ordinance was declared passed.

**Ordinance No. 26413**

Approving and confirming the Assessment Roll for LID No. 8585 for the placement of permanent pavement on the alley between North 25<sup>th</sup> and North 26<sup>th</sup> Streets from Washington to Adams Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Mayor Ebersole

The Ordinance was declared passed.

**Ordinance No. 26414**

Approving and confirming the Assessment Roll for LID No. 8586 for the placement of permanent pavement on the alley between North 11<sup>th</sup> and North 12<sup>th</sup> Streets from Union Avenue to Washington Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Mayor Ebersole

The Ordinance was declared passed.

**Ordinance No. 26415**

Approving and confirming the Assessment Roll for LID No. 8587 for the placement of permanent pavement on the alley between North L and North M Streets from North Sixth to North Seventh Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Mayor Ebersole

The Ordinance was declared passed.

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**Ordinance No. 26416**

Approving and confirming the Assessment Roll for LID No. 8594 for the placement of permanent pavement on the alley between North Washington and North Adams Streets from North 11<sup>th</sup> to North 12<sup>th</sup> Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Mayor Ebersole

The Ordinance was declared passed.

**FIRST READING OF ORDINANCES**

**Ordinance No. 26417**

Vacating the west one-half of East N Street north of East 38<sup>th</sup> Street. (The Hong Trust; File No. 124.1091)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to a date to be determined.

**Ordinance No. 26418**

Vacating East E Street north of East 25<sup>th</sup> Street to the alley. (Pierce Transit; File No. 124.1093)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to a date to be determined.

**Ordinance No. 26419**

Vacating Ferry Street south of Grant Avenue and north of that portion of Ferry Street previously vacated under Ordinance No. 28290. (Tacoma School District No. 10; File No. 124.1094)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to a date to be determined.

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**Ordinance No. 26420**

Amending Chapter 1.06 of the Municipal Code to clarify the duties of the Clerk of the Public Utility Board with respect to circulating Board communication.

The Ordinance was set over for final reading next week.

**Ordinance No. 26421**

Authorizing the execution of four agreements with Pierce County for improvements and approval of the transfer of right-of-way from Pierce County for McKinley Avenue, from 72<sup>nd</sup> Street East to 96<sup>th</sup> Street East; East 96<sup>th</sup> Street, from Pacific to McKinley Avenues; East 72<sup>nd</sup> Street, from McKinley to Portland Avenues; and South 96<sup>th</sup> Street from Steele Street to Yakima Avenue.

The Ordinance was set over for final reading next week.

**Ordinance No. 26422**

Amending the 1999-2000 Biennial Budget by appropriating funds for 1997-1998 contract obligations, transfers, and other budget adjustments.

Council Member Miller moved to suspend the rules to consider Substitute Exhibit A of Ordinance No. 26422. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

## RESOLUTIONS

**Purchase Resolution No. 34392**

Awarding contracts to:

1. SeaWestern, Inc., in the amount of \$28,691.85, for PBI Kevlar Turnout coats and pants for the Fire Department – Washington State Contract No. 07798;
2. Signal Installation and Repair, Inc., in the amount of \$16,000, to increase its contract for additional repairs to vehicle detection loops – Informal Bid No. 8482;
3. Firesafe – Fire & Safety Equipment Co., Inc., in the amount of \$8,000; The Mallory Company, in the amount of \$18,000; Stellar Industrial, in the amount of \$24,000; and Western Safety Products, Inc., in the amount of \$104,500, for safety supplies – Specification No. G-044-97;
4. Superior Refuse Removal, Inc., in the amount of \$5,500; City of Shelton, in the amount of \$5,000; Consolidated Disposal Services, Inc., in the amount of \$2,500; University Place Refuse Service, Inc., in the amount of \$3,000, for the sale of used 60- and 90-gallon garbage containers – Surplus Sale No. 1820; and

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5. Authorizing the execution of an Interlocal Agreement with Pierce County Fire District No. 15 for cooperative purchasing.

Council Member Crowley moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 2 and 4, 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 Nos. 2 and 4, was declared adopted.

**Resolution No. 34393**

Approving a transfer by easement of 10,400 square feet of property on Canyon Road adjacent to the Tacoma Sportsmen's Club, to Pierce County, for roadway purposes.

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

**Resolution No. 34394**

Authorizing the execution of a five-year, non-exclusive license agreement, with KIRO, Inc., in the amount of \$24,900, for installation of a camera, antenna, and supporting equipment on the roof of the Municipal Building to provide greater views of Tacoma during weather reports and general interest feature stories.

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

**Resolution No. 34395**

Authorizing the execution of an agreement with Raleigh, Schwartz & Powell, Inc., in the amount of \$112,000, for property and casualty insurance brokerage services for the period of January 1, 1999, through December 31, 2001.

Council Member 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. 34396**

Authorizing the execution of an agreement with Bratrud-Middleton Financial Services, in the amount of \$56,000, for employee benefits brokerage for the period of January 1, 1999, through December 31, 2001.

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

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**Resolution No. 34397**

Approving the Emmons Apartments, located at South 8<sup>th</sup> and J Streets, as the site for a Catholic Community Services rental housing project; and allocating \$320,000 from the Community Development Block Grant fund to Catholic Community Services of Western Washington through the Tacoma Community Redevelopment Authority for said project.

Council Member Crowley moved that the Resolution be adopted. Seconded by Council Member Silas.

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Denny Hunthausen	Catholic Community Services
Dave Alger	Associated Ministries
Judy Quackenbush	8 <sup>th</sup> and I Neighbors
Russ Winter	Resident
Craig (no last name given)	Resident
Paul Purcell	Catholic Community Services

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

**Resolution No. 34398**

Authorizing the execution of an amendment to the agreement with McGavick Graves, P.S., in the amount of \$60,000, to provide legal services relating to the disposition and development of Totem Marina; and extending the term of the agreement to December 31, 1999.

Council Member Crowley moved that the Resolution be adopted. Seconded by Council Member Miller.

Council Member McGavick declared that she has no financial interest or any other interest in the McGavick Graves firm.

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

**PUBLIC HEARINGS AND APPEALS**

- a. This is the date set for a public hearing by the City Council regarding the proposed sale of 2,700 square feet of land in Tacoma Water's UP-1 well site located in University Place.

The public hearing was held earlier in the meeting.

- b. This is the date set for a public hearing by the City Council regarding an immediate moratorium on the acceptance of applications for building permits or shoreline permits for card rooms, gambling establishments, and game parlors with any social card games, and the establishment or expansion of such uses, to be effective for a period of six months.

The public hearing was held earlier in the meeting.

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**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz Jr. acknowledged that Allen Correll, Executive Director of the Human Rights and Human Services Department, received a Tacoma-Pierce County Bar Association Liberty Bell award, which goes to an individual who is an outstanding non-lawyer, who has demonstrated commitment to the community regarding civil rights and civil liberty.

City Manager Corpuz requested authorization to pay for moving expenses for the City's Human Resources Director, Philip Knudsen, in the amount of \$7,300, which will cover moving expenses from Portland, Oregon to Tacoma, Washington.

Council Member Miller moved to pay moving expenses for Human Resources Director Philip Knudsen, in the amount of \$7,300, for his move from Portland, Oregon to Tacoma, Washington. Seconded by Council Member Crowley. Voice vote was taken and carried, with Council Member De Forrest voting in opposition. The motion was declared adopted.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Silas thanked Mayor Ebersole, Council Member Baarsma, City Manager Corpuz, Deputy City Manager Walton, Police Chief Hairston and the community leaders who met earlier this week to discuss communication problems between the City of Tacoma and her constituents. Council Member Silas wanted her constituents to know that the City of Tacoma is moving forward on resolving that issue.

Council Member Silas expressed her disappointment regarding the decision of the Civil Service Board to move forward on the residency issue without any discussion with the City Council. Council Member Silas then requested clarification as to the difference between a blanket residency waiver and a repeal of the City's Charter provision 6.3.

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Council Member Miller moved to excuse Mayor Ebersole from tonight's meeting. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Miller moved to cancel the City Council meetings and study sessions of June 1, July 6, September 7, November 23, December 21 and 28, 1999. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Miller stated that it is his understanding that the City Council are within their rights under the Charter to set Council Rules that require a greater than five vote majority on issues. He stated that he is looking forward to an opinion by the Legal Department regarding that issue.

Council Member Miller stated that City Council Members received a letter regarding cities who are signing on to the global warming letter, and making a commitment to take actions that reduce pollution. He noted that one of the improvements that has achieved the greatest success in lowering emissions within major metropolitan cities is the sequencing of traffic signals. He requested that the City Council look at the mid-biennium budget, to discuss and identify some resources that can be used to hire someone who can do sequencing on our traffic lights and try to improve the flow of traffic within the City.

Council Member McGavick stated that the Arts Commission is very interested and excited to bring forward to the City Council their accomplishments and then discuss some of their challenges. She stated that the Arts Commission has researched different forms of funding for public art and plan on presenting those ideas to the City Council at the study session on June 8, 1999.

Council Member Baarsma stated that on earth day he joined with others in the North End and city staff from Tacoma CARES, and helped clear some property on North 10<sup>th</sup> and Washington Streets. He stated that he received a letter from the North End Neighborhood Council requesting that the City explore ways in which that property can be utilized.

Council Member De Forrest echoed Council Member Silas' comments on the residency issue. He stated that he would like to keep the discussions going in order to come to some kind of conclusion on this issue.

Council Member De Forrest stated that in the City Charter it states that every ordinance and resolution shall record the ayes and nays. He stated that when he has voted nay in the minutes it always states that Council Member De Forrest voted in opposition and that the motion carries. He stated that when he tried to amend the minutes tonight it was an effort to keep the City Council minutes consistent.

Deputy Mayor Kirby requested clarification as to whether or not the City Council minutes are required to record a Council Member voting in opposition on items that are voted on by a voice vote.

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On proper motion, the meeting was adjourned at 7:34 p.m.

  
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STEVE KIRBY, DEPUTY MAYOR

ATTEST:   
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RICK ROSENBLADT, CITY CLERK

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