



City Council Minutes

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

December 7, 1999

The meeting was called to order at 5:07 p.m.

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

The Flag Salute was led by Council Member De Forrest.

CONSENT AGENDA

Approval of the minutes of the City Council meetings of November 9 and 16, and study session of November 30, 1999.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Citizens Recognition Committee, October 21, 1999.
- b. Minutes of the Human Rights Commission, September 23, and October 21, 1999.
- c. Minutes of the Public Utility Board study session and regular meeting, October 27, 1999.
- d. Minutes of the Tacoma-Pierce County Board of Health, December 1, 1999.
- e. Minutes of the Transportation Committee, October 14, 1999.

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

Mayor Ebersole announced that if there are any citizens in the audience here to address Ordinance No. 26561, regarding increasing the gambling tax on cardrooms, that the issue will be removed from the Agenda and public testimony will not be taken.

Council Member Crowley moved to suspend the rules to consider Ordinance No. 26558 at this time. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 26558

Accepting a donation of land from Mr. John Slipp, located near South 17th and Crystal Springs, for Open Space purposes.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Susan Perong	Tacoma Economic Development
Dan Ostlund	Chair, West Slope Neighborhood Coalition
Ginny Eberhardt	Treasurer, West End Neighborhood Council

The Ordinance was set over for final reading next week.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Resolution No. 34595

Appointing Council Member Phelps to the Pierce Transit Board for a term to expire on May 1, 2002; and appointing Council Member Mike Crowley to the Pierce Transit Board for a term to expire April 30, 2001.

Council Member Baarsma moved to suspend the rules to consider Substitute Resolution No. 34595. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest moved that the Substitute Resolution be adopted. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Resolution was declared adopted.

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FINAL READING OF ORDINANCES

Ordinance No. 26543

Modifying the Biennial Budget for the fiscal years 1999-2000; and adopting the 1999-2000 Mid-Biennial Modification.

Council Member Crowley moved to amend the 1999-2000 Budget Modification Ordinance to reinstate funding for three Municipal Court Clerks by using \$132,177 of the Fiscal Year 99 Local Law Enforcement Block Grant (LLEBG); and to increase the funding through the Fiscal Year 99 Local Law Enforcement Block Grant for the YWCA Domestic Violence Legal Advocacy Program by \$30,961.

To allow for the funding change, the following will be removed from the fiscal year 1999 LLEBG:

Tacoma-Pierce County Health Department Moderate Offender Program, Information System Technical Support for the City's Legal Department, and the Human Rights/Human Services Domestic Violence Advocate. Funding for the Moderate Offender Program and the Technical Support will be provided in the Fiscal Year 98 LLEBG. Sufficient funding is currently available in the Fiscal Year 98 LLEBG to continue funding to the Domestic Violence Advocate through the end of 2000.

Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved to include the new Exhibit B to Ordinance No. 26543. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on Ordinance No. 26543 as amended, resulting as follows:

Ayes: 7 – Baarsma, Crowley, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 1 – De Forrest

Absent: 1 – Kirby

The Ordinance, including Amended Exhibit B, was declared passed.

Ordinance No. 26544

Establishing, ratifying, modifying and confirming rates and charges for railway switching performed by the Tacoma Municipal Belt Line Railway, effective December 18, 1999.

Roll call vote was taken, resulting as follows:

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

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Nays: 0

Absent: 1 – Kirby

The Ordinance was declared passed.

Ordinance No. 26545

Amending Chapter 1.30 of the Municipal Code, relating to the Retirement Code, by amending Section 1.30.550 regarding the Refund of Contributions and Service Credit Buybacks.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Kirby

The Ordinance was declared passed.

Substitute Ordinance No. 26546

Authorizing the creation of a Parking System Services function of the General Services Department for parking-related programs and activities and incorporating the roles and responsibilities of the Parking Garages Enterprise Fund; and amending Chapter 1.06 of the Municipal Code by adding a new section to be known as Section 1.06.104, "General Services Department-Parking Systems Services."

Council Member Miller moved to suspend the rules to consider Substitute No. 2 of Ordinance No. 26546. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Kirby

Substitute No. 2 of Ordinance No. 26546 was declared passed.

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CITIZENS' FORUM (BEGAN AT 6:08 P.M.)

Speaking before the Council were:

Name	Address/Affiliation	Topic
Trent Wohlfeil	Tacoma Fire Department	Mid-Biennial Budget Modification
Pat McElligott	Tacoma Fire Department	Mid-Biennial Budget Modification
Lori Bielinski	Resident, South 10 th Street and Union Avenue	Mid-Biennial Budget Modification
Amy Hoglund	5312 South Pine	Mid-Biennial Budget Modification
Phyllis Barrett	912 South Cushman	Equipment Rental Issue
Dick Sonntag	Resident	Mid-Biennial Budget Modification
Randy Plain	Tacoma Fire Department	Mid-Biennial Budget Modification
Alton McDonald	Resident	Racism
Kevin Russell	Resident	Mid-Biennial Budget Modification
No name given	Tacoma Fire Department	Mid-Biennial Budget Modification
John McAuliffe	Tacoma Fire Department	Mid-Biennial Budget Modification
Bruce Bouyer	Secretary/Treasurer, Firefighters Local 31	Mid-Biennial Budget Modification

Citizens' Forum was declared closed at 6:49 p.m.

Ordinance No. 26547

Accepting \$20,000 from the State Farm Insurance Company; depositing in and appropriating said sum from the Arterial Street Fund for an intersection safety study at South 19th and Orchard Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and Silas

The Ordinance was declared passed.

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Ordinance No. 26548

Amending Title 6 of the Municipal Code relating to tax on the gross earnings of the Solid Waste and Sewer Utilities of the Department of Public Works; and adding a new chapter to be known as Chapter 6.71, entitled "Electricity Business and Solid Waste Collection."

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – Kirby and Silas

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26549

Authorizing the acceptance of various donations, reimbursements, and fees; depositing in and appropriating the dollar amounts from various funds.

The Ordinance was set over for final reading next week.

Ordinance No. 26550

Authorizing an interfund loan, in the amount of \$175,000, from the General Fund to the Airport Enterprise Fund; and appropriating said sum from the Airport Operating Fund for the Tacoma Airport.

The Ordinance was set over for final reading next week.

Ordinance No. 26551

Authorizing an interfund loan, in the amount of \$450,000, from the Capital Improvements Summary Fund to the Tacoma Eastern Railroad Acquisition and Operating Fund; and appropriating said sum for construction of a rail-loading facility upon railroad right-of-way owned by the City.

The Ordinance was set over for final reading next week.

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Ordinance No. 26552

Authorizing Parking System Services to set parking rates for all City parking facilities.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 26552. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 26553

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for represented and unrepresented employees, and changes in classification to reflect the organizational structure.

The Ordinance was set over for final reading next week.

Ordinance No. 26554

Authorizing the acceptance and execution of a Local Law Enforcement Block Grant award contract with the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$833,380, to reduce crime and improve public safety; transferring \$92,598 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$925,978 from the Miscellaneous Grants Summary Fund for the provision of activities under said grant projects.

The Ordinance was set over for final reading next week.

Ordinance No. 26555

Adopting amendments to the Land Use Management Plan, the Comprehensive Plan, the Capital Facilities Program 2000-2005, Community Facilities Policy Plan, Generalized Land Use Plan, Northeast Tacoma Plan, Transportation Program, Neighborhoods and Downtown Tacoma, and rescinding the Central Business District (CBD) Plan: CBD Core, the Central Business District Plan: Greater CBD, the Union Station District Master Plan, the Pacific Avenue Design Study and the Central Business District Plan and Program.

The Ordinance was set over for final reading next week.

Ordinance No. 26556

Amending Title 13 of the Municipal Code, Land Use Regulatory Code, relative to zoning by adding and deleting certain described property from zoning classifications, deleting two zoning districts, and adding a new chapter establishing four new zoning classifications and regulations, modifying sign regulations for the Downtown area and amending Chapter 13.07 of the Municipal Code rescinding streetscape guidelines for Pacific Avenue.

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Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26556. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma moved to add, on page 83, line 23, after the words “build an off-sight park,” the words “open space or community garden with value equivalent to . . .” Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Bill LaBorde	Environmental Representative, Planning Commission
Frank Mitchell	3544 South Pine
Robert Skidmore	Washington State Elks Association
Carl Scheuerman	South Tacoma Neighborhood Council, Land Use Committee
Lane Judson	4329 South Junett
Linn Larson	Cril Associates, Owner, Foremost Dairy Property

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

Ordinance No. 26557

Amending the Municipal Code by repealing Section 2.02.100 in its entirety and by repealing Chapter 2.09 in its entirety and re-enacting a new Chapter 2.09 with 18 sections numbered 2.09.010 through 2.09.180; thereby modifying the fees charged by the Public Works Department for permits and services.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Michael Fast	President, Pierce County Master Builders
Shawn Comfort	HPL Planning and Engineering of Tacoma
Dan Ostlund	Chair, West Slope Coalition
Kim Nakamura	Vice President, Rushforth Construction Company
Paul Akiyama	Principle, BCRA Architects

The Ordinance was set over for final reading next week.

Ordinance No. 26558

Accepting a donation of land from Mr. John Slipp, located near South 17th and Crystal Springs, for Open Space purposes.

The Ordinance was considered earlier in the meeting.

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Ordinance No. 26559

Authorizing an interfund loan, in the amount of \$5,000,000, from the General Fund to the Capital Improvements Summary Fund; and appropriating said sum from the Capital Improvements Summary Fund for property acquisition and preconstruction services for the Tacoma Convention Center.

The Ordinance was set over for final reading next week.

Ordinance No. 26560

Amending Chapter 1.06 of the Municipal Code to consolidate Tacoma Public Utilities Real Estate Management activities under the General Government General Services Director.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26560. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 26561

Amending Chapter 6.89 of the Municipal Code to increase the gambling tax rate on cardrooms to 20 percent.

Mayor Ebersole moved to remove Ordinance No. 26561 from the Agenda. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was removed from the Agenda.

RESOLUTIONS

Resolution No. 34591 (Continued from the meeting of November 30, 1999)

Authorizing the execution of a second operating agreement with the Thea Foss Waterway Development Authority to outline activities to be accomplished for the years 1999-2002.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Jim McDonald	Chair, Public Development Authority

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

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Resolution No. 34593 (Continued from the meeting of November 30, 1999)

Authorizing the execution of a property exchange agreement with Pierce Transit of the air rights for the property located at 100th Street SW and 96th Street SW; and further authorizing the execution of a short-term lease with Pierce Transit for a portion of the Tacoma Dome parking facilities.

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

Purchase Resolution No. 34596

Awarding contracts to:

1. Kelly Services, in the amount of \$507,000, to continue its contract for temporary personnel services – Specification No. F-002-98;
2. Super Vacuum Mfg. Co.,-SVI Trucks, on its bid of \$207,039.66, for one hazardous materials body module mounted on a Tacoma Fire Department chassis – Specification No. G-026-99; and
3. Authorizing the execution of an interlocal agreement with the Emerald Peoples Utility District for cooperative purchasing.

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

Resolution No. 34597

Authorizing the execution of an extension to the Management Agreement with KS Tacoma, L.P., for the management of the Bicentennial Pavilion to December 31, 2000, with a 60-day termination clause.

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. 34598

Authorizing the submittal of a proposal to the Bureau of Justice Assistance, Department of Justice, in the amount of \$150,000, under the 1999 Open Solicitation, requesting concept papers that present strategies to link police with nontraditional partners to prevent or reduce crime and to enhance the efficiency of law enforcement efforts.

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.

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Resolution No. 34599

Authorizing the execution of an agreement with the Tacoma Housing Authority to continue administering the Tenant Based Rental Assistance program in accordance with the 1999 HOME Program.

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

Resolution No. 34600

Authorizing the execution of an amendment to the 1999 Consolidated Plan to reallocate HOME Investment Partnership funds, in the amount of \$513,035.55, to the current Permanent Rental housing category, and \$58,236.16 to the current Homeownership housing category; and reallocating Community Development Block Grant funds of \$144,505 to Permanent Rental funds of \$55,623.45 and Homeownership funds of \$88,881.55.

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

Resolution No. 34601

Approving a Special Valuation Tax Covenant with F.R.R. Harmon, LLC, for rehabilitation of the Harmon Building, located at 1936-1948 Pacific Avenue.

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

Resolution No. 34602

Approving a Special Valuation Tax Covenant with Horizon Holdings, LLC, for rehabilitation of the Sandberg-Schoenfeld Building, located at 1423 Pacific Avenue.

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

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Resolution No. 34603

Authorizing the execution of an agreement with Robert E. Mack, in the amount of \$30,000, for legislative liaison services for the period of January 1 through December 31, 2000.

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

Resolution No. 34604

Authorizing the execution of an extension to the agreement with Simon and Company, in the amount of \$35,000, for congressional liaison services through December 31, 2000.

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. 34605

Adopting the 2000 Legislative Priorities; and amending the legislative policy statements.

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

Resolution No. 34606

Authorizing the execution of Amendment No. 2 to the agreement with Pacific Groundwater Group, in the amount of \$100,000, to provide expert services in the evaluation of the cleanup of groundwater contamination at the Tacoma Landfill through December 2004.

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

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Resolution No. 34607

Authorizing the execution of Phase I of a consultant services contract with CH2M HILL, Inc., in the amount of \$200,000, for development of an Overall Facility Plan for the Tacoma Landfill and to develop conceptual plans and design criteria for improvements for the Resource Recovery Facility.

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

CITIZENS' FORUM (BEGAN AT 6:08 P.M.)

Citizens' Forum was held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. reported that the filming of the movie "Get Carter" starring Sylvester Stalone went well today. He stated that this movie was suppose to be filmed in Seattle, but due to the problems with the WTO the filming was moved to Tacoma.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member De Forrest requested a copy of the Pedestrian Crossing Study that was presented to the Transportation Committee.

Council Member Baarsma stated that "Shop with a Cop" would occur this Saturday, December 11, 1999. He stated this program is a way in which Tacoma Police Officers can share Christmas or holiday gifts with children and families in Tacoma who are in need. He stated over \$23,000 has been donated to this program and over 400 children have benefited. He expressed his thanks to the Police Officers involved in this program.



Council Member McGavick stated that tonight is the first time public safety has been cut since she has been on the City Council. She stated that, in the past, public safety has been very protected from budget cuts. Council Member McGavick stated it is very upsetting and that she believes everyone involved was very professional in the discussions.

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

On proper motion, the meeting was adjourned at 8:58 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: 
 for: RICK ROSENBLADT, CITY CLERK

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