

CITY COUNCIL MINUTES

City Council Chambers
April 15, 1997

The meeting was called to order at 5:11 p.m.

Present on roll call: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Ebersole. Absent: 1 - McGavick. (Council Member McGavick arrived at 5:12 p.m.)

The Flag Salute was led by Council Member De Forrest.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of April 1, 1997.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Agenda of the Foss Waterway Development Authority, April 3, 1997.
- b. Minutes of the meeting of the Civil Service Board, March 17, 1997.
- c. Minutes of the meeting of the Commission on Children, Youth and Families, March 20, 1997.
- d. Minutes of the meeting of the Landmarks Preservation Commission, March 26, 1997.
- e. Minutes of the meeting and agenda of the Library Task Force, March 12, 1997.
- f. Minutes of the meeting of the Planning Commission, March 19, 1997.
- g. Minutes of the meeting of the Transportation Committee, March 13, 1997.
- h. Minutes of the meeting of the Tacoma-Pierce County Board of Health, March 5, 1997.
- i. Minutes of the special budget meeting of the Tacoma-Pierce County Board of Health, March 21, 1997.
- j. Financial Statements for TCI of Tacoma, Inc., December 31, 1996.
- k. Tacoma Public Utilities Telecommunications Study, 1997.

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

(Council Member McGavick arrived at 5:12 p.m.)

REGULAR AGENDA

COMMUNICATION

City Clerk advising that the Civil Service Board has filed proposed amendments to Personnel Rules Section 1.24.450 regarding changes to residency requirements for employment with the City for employees in the classified City service.

Mayor Ebersole announced that a corrected letter from the Acting Civil Service Coordinator has been filed with the City Clerk's Office. Mayor Ebersole stated that the letter corrects the vote of the Civil Service Board from a unanimous vote to a majority vote of 4 to 1 regarding this matter.

This Communication Item was for informational purposes only.

FINAL READING OF ORDINANCES

Ordinance No. 24635

Vacating North Woodlawn Street between North 35th Street and North 37th Street to include the vacated area in a proposed multi-family development. (Destiny Ventures Corporation; File No. 124.890)

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 24635. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the Substitute Ordinance, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole

Nays: 0

The Substitute Ordinance was declared passed.

Ordinance No. 25992

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at the southwest corner of South Tyler and South 50th Streets from an "R-2" One-Family Dwelling District to an "R-3" Two- and Three-Family Dwelling District for the construction of three two-story duplexes and the retention of an existing single-family dwelling. (Bill Barrett Builder, Inc.; File No. REZ96-00018)

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole

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Nays: 0

The Ordinance was declared passed.

Ordinance No. 26053

Amending the Municipal Code to add Title 16 regulating the occupancy and use of public rights-of-way by telecommunications systems, cable systems and private communication systems; regulating cable systems; establishing franchise and licensing requirements; and prescribing minimum charges, terms, and conditions for the construction, maintenance, and repair of such systems.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 26053. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

Name	Address/Affiliation
Will Baker	809 South I Street
Chris Lunn	Creative Community Access Television
Barbara Wyatt	General Manager, TCI of Washington
Robert Neal	1108 North Cedar
Mark Bickford	3602 South Madison
Phyllis Barrett	912 South Cushman

Council Member De Forrest moved to amend Substitute Ordinance No. 26053 on page 9, Line 19, after the word community to insert the following words:

“ . . . providing public access to the communications infrastructure. . . ”

Seconded by Council Member Evans. Council Member Miller moved a friendly amendment to add a comma (,) after the word “community.” Council Member De Forrest concurred with the friendly amendment. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on the Substitute Ordinance, as amended, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole

Nays: 0

The Substitute Ordinance, as amended, was declared passed.

Ordinance No. 26054

Amending Chapter 10.04 of the Municipal Code, relative to delinquent payments on local assessments.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Crowley

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26055

Authorizing the execution of an amendment to the grant award contract with the Washington State Military Department; in the amount of \$17,984 to a total of \$27,771; accepting and depositing \$17,984 into the General Fund; and appropriating \$27,771 from the General Fund to support Emergency Management planning activities through September 30, 1997.

The Ordinance was set over for final reading next week.

Ordinance No. 26056

Amending Chapter 1.12 of the Municipal Code to implement changes in classifications to reflect the organizational structure.

The Ordinance was set over for final reading next week.

Ordinance No. 26057

Authorizing the execution of a grant award contract with the United States Equal Employment Opportunity Commission, in the amount of \$46,300; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to process and resolve employment discrimination charges and for training.

The Ordinance was set over for final reading next week.

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Ordinance No. 26058

Authorizing the execution of an agreement with Pierce County, in the amount of \$8,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund in support of the Tacoma-Pierce County Child Care Resource and Referral Service through December 31, 1997.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Resolution No. 33665

Requesting the Civil Service Board investigate the complaint of eight General Services Department employees in their petition of March 14, 1997.

Mayor Ebersole moved to remove Resolution No. 33665 from the agenda. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Kirby voting in opposition. The motion was declared adopted.

Resolution No. 33665 was removed from the agenda.

Resolution No. 33673

Approving the segregation of Local Improvement District No. 8433 for the LINKSIDE PHASE I subdivision located in the vicinity of 40th Avenue NE and Fairwood Boulevard.

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

Resolution No. 33674

Declaring Overlook Rim, Olympic Ridge, Nob Hill, Forest Hill Village, and Orchard Terrace Apartments as surplus property; and authorizing the execution of a Purchase and Sale Agreement with New Woodland Hills Corporation, for an amount of not less than \$25,400,000, for the sale of said apartments.

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

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole

Nays: 0

The Resolution was declared adopted.

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UNFINISHED BUSINESS

Deputy Mayor Baarsma stated that at the City Council meeting of April 22, 1997, a resolution will be forwarded by the Appointments Committee nominating Ms. Virginia Anderson to the Foss Waterway Public Development Authority.

Mayor Ebersole stated that Virginia Anderson is probably the best person in the State of Washington to be the seventh person on the Foss Waterway Public Development Authority. Mayor Ebersole stated that she is currently the Executive Director of the Seattle Center and manages a staff of 250 people. He then stated that she was involved in the development of the Tacoma Sheraton Hotel and the Tacoma Financial Center.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., requested an Executive Session to discuss pending litigation, not to exceed 60 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Miller stated that he appreciated receiving the Library Task Force minutes. He then asked the Finance Department to look into the allegations that have been made regarding the budget reporting of the Tacoma Public Library. He stated that he would like the Finance Department to report back to the City Council, as well as to the members of the Library Task Force, as to whether those accusations were accurate.

Council Member Miller then wished his daughter Michelle a happy birthday.

Council Member De Forrest thanked Deputy Mayor Baarsma and staff for the minutes and agenda of the Library Task Force. He then thanked the *News Tribune* for the excellent article they published on the Salishan Community. He stated the article spoke highly of the residents in that area and that Salishan had a long and good tradition in East Tacoma. He stated that he had lived in Salishan for a short period of time and that the former Chief of Police, Ray Fjetland, and the Lt. Governor of Washington State, Brad Owen, also grew up there.

Council Member De Forrest then commented on Rule 7 of the Rules of Procedure of the Council regarding filing of new matters. He stated that the Council is always receiving articles, letters and information at the dais during the Council meeting, which is almost impossible to read, especially if the information is referring to an item that is being considered that night. He stated he would like to know what the purpose of Rule 7 of the Rules of Procedure of the Council is and if the rule is obsolete now.

Mayor Ebersole agreed with Council Member De Forrest as to the amount of reading material crossing the dais as the Council is deliberating issues. He then stated that the Council should review Rule 7 of the Rules of Procedure of the Council.

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Council Member Evans reported on the Junior Daffodil Parade, which took place last Saturday. He stated that the parade was much larger this year and that the float with the windmills had a good float design.

Mayor Ebersole thanked TicketMaster for the successful "Tickets for Guns" program at the Tacoma Dome. He stated that over 170 citizens chose to turn in a firearm to the Tacoma Police in exchange for two tickets to an event at the Tacoma Dome.

Mayor Ebersole stated that the Junior Daffodil Parade was a great success. He then stated that he and Council Members Crowley and McGavick braved the weather and participated in the Marine Daffodil parade. Mayor Ebersole then complimented the organizers of the Junior Daffodil and Marine Daffodil parades.

Council Member Crowley stated that he had worked with Virginia Anderson and stated that he agreed with Deputy Mayor Baarsma and Mayor Ebersole regarding her qualifications. He stated that he is very pleased that she is being nominated for appointment to the Foss Waterway Development Authority.

Council Member Crowley requested that the 'E' in Economic Development be replaced on the sign on the ninth floor.

Council Member Crowley stated that he had attended an event for Henry Hoss' mother that celebrated being in the United States for 50 years after escaping from Germany after the Holocaust.

Council Member Crowley then stated that the most exciting sporting event he has ever watched was last weekend when Tiger Woods won "The Masters."

Council Member Silas reported on the Arbor Day Celebration. She stated that it is very important for us in the Pacific Northwest, where we pride ourselves on forestry, trees and beautification, to continue to plant trees.

Council Member Silas then reported that she also marched in the Junior Daffodil parade. She stated that any time you mention children to her, 9 times out of 10, she will be there.

Council Member Silas then expressed her sympathy to Alberta Canada, whose sister had recently died.

Council Member McGavick thanked the Tacoma Yacht Club, who organized the Marine Daffodil Parade. She also thanked all of the people that were in the parade and braved the cold, rainy weather. Council Member McGavick then thanked Marla Hendrickson and Dave Hendrickson, who was the skipper of the boat that she and Deputy Mayor Baarsma were on, for their hospitality. She then thanked the Daffodil Festival Committee for their hard work and commitment. Council Member McGavick reminded everyone that the Grand Floral Daffodil Street Parade is this Saturday, April 19, 1997. She then stated that riding in the DARE cars is a very humbling experience because the citizens and the children know the Police Officers more than they know the City Council Members. Council Member McGavick then requested a meeting be arranged with the Daffodil Festival Committee, the City Council and staff to discuss their financial

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problems. She stated that we need to look at this as a community and find ways to help support these events.

Council Member Silas stated that every year she encourages the Daffodil Festival Committee to ask the City Council for more money and they never do. She stated that as expenses go up we need to make sure that the Daffodil Parade, which is a part of our City, continues.

Deputy Mayor Baarsma agreed with Council Member De Forrest's compliments regarding the article on the Salishan area. He then recalled a time when Mayor Moss challenged the *News Tribune* reporters to focus on some of the positive aspects of our community, rather than focusing solely on the negative or controversial aspects. He stated that news coverage of the success of the Salishan community and what has happened there is long over due. Deputy Mayor Baarsma stated that he thought the key words in the article were ". . . since 1992 people of Salishan have been running a new social theory through reality testing. The theory is simple, define a community by its needs and it stays needy, define it by its strengths and it grows strong. . . ." He stated that was a tremendous theme.

Deputy Mayor Baarsma congratulated Mayor Ebersole for the work he did in the successful Tacoma Art Museum's exhibit from Barcelona, Spain, the "Catalan Masters of the 20th Century." He stated that some people have said that what we have here with Mayor Ebersole is a South Tacoma, Barcelona connection. Deputy Mayor Baarsma stated that there is another South Tacoma, Barcelona connection. He stated that John Kitna, a graduate of Lincoln High School who played football at Central Washington University and signed as a free agent with the Seahawks, is now a starting quarterback for the Barcelona team in the World Football League. Deputy Mayor Baarsma reported that in his first start he set records and has become a star of the World Football League.

Mayor Ebersole stated that Mr. Artegas, one of the artists who had an exhibit in the "Catalan Masters" was in town and sends his greetings to the City Council. He stated that when Mr. Artegas was in his twenties, he mixed paint for Pablo Picasso and Joan Miro.

Council Member Kirby reminded the City Council Members that they have a little over five hours to file their financial disclosure forms with the Public Disclosure Commission.

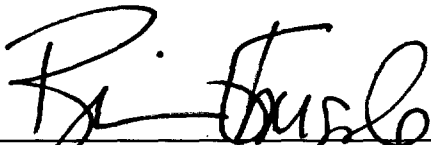
Council Member Miller moved to convene to Executive Session, not to exceed 60 minutes, to discuss pending litigation. Seconded by Deputy Mayor Baarsma. Voice Vote was taken and carried. The motion was declared adopted.

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At 6:50 p.m. the City Council convened to Executive Session and reconvened at 7:50 p.m.

Council Member Miller moved to authorize an offer of settlement in the case of Schrag, et al. v. City of Tacoma in accordance with the proposal of legal counsel. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:59 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK

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