

CITY COUNCIL MINUTES

City Council Chambers
April 1, 1997

The meeting was called to order at 5:09 p.m.

Present on roll call: 8 - Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole. Absent: 1 - De Forrest. (Council Member De Forrest arrived at 5:39 p.m.)

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of March 4, 11, and 18, 1997, and of the study session of March 25, 1997.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda for April 1, 1997.
- b. Minutes of the meeting of the 4th of July Extravaganza Commission, February 27, 1997.
- c. Minutes of the meeting of the Civil Service Board, March 3, 1997.
- d. Agenda of the meeting of the Foss Waterway Development Authority, March 20, 1997.
- e. Minutes of the meeting of the Human Rights Commission, February 20, 1997.
- f. Minutes of the meeting of the Landmarks Preservation Commission, March 12, 1997.
- g. Minutes of the meeting and study session of the Public Utility Board, February 26, 1997.
- h. Minutes of the meeting of the Task Force on Disabilities, February 27, 1997.
- i. Report of the Director of Finance, December 1996.

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

Mayor Ebersole called on Ms. Nadine Hanson. Ms. Hanson then introduced the Norwegian Youth Choir. The Norwegian Youth Choir sang two songs.

Mayor Ebersole called on Ms. Marion Weed, Chair of the Community Council, who made a presentation regarding the "Welcome to Our Neighborhood" signs. Ms. Weed stated that each Neighborhood Council District will display a unique sign.

Council Member Miller read a motion from the Regional Transit Authority expressing gratitude to the City of Tacoma for serving as the Regional Transit Authority's Treasurer.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26050

Accepting \$1,500 from TAPCO Credit Union; depositing in and appropriating said sum from the TV Tacoma sub-fund of the Central Services Summary Fund for the video production of the 1997 Junior Daffodil Parade.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – De Forrest

The Ordinance was declared passed.

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Ordinance No. 26051

Amending the 1997-98 Biennial Budget by appropriating funds for 1995-96 contract obligations, transfers, and other budget adjustments; closing the EMS Operating Fund; renaming the EMS Levy Fund to the "EMS Special Revenue Fund"; renaming the Firemen's Relief and Pension Fund to "Firefighter's Relief and Pension Fund"; and increasing the Petty Cash account of the Refuse Operating Fund to a total of \$1,000.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – De Forrest

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26052

Vacating a portion of East 70th Street between East B and East D Streets to combine the vacated areas with abutting properties to provide additional yard space. (Helen Fabry-Ludwig, et. al.; File No. 124.1046)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. 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. 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 De Forrest arrived at 5:39 p.m.)

Speaking before the Council were:

Name	Address/Affiliation
Darrel Nelson	Director of Operations, TCG, Seattle
Karla Graue Pratt	TCI of Washington
Nick Miller	Miller and Van Eaton Law Firm
Chris Lunn	Creative Community Access Television
Karen Kirkpatrick	Metricom
Amy Kosterlitz	AT&T Wireless
Vince Callaway	Washington Internet Services
Mark Bickford	3602 South Madison
Cathy Pizzini	Electric Lightwave
David Freeman	Board Member, Creative Community Access Television
Barbara Wyatt	General Manager, TCI of Washington
Will Baker	809 South I Street
Bill Branson	Frank Russell Company

Council Member De Forrest moved to set Ordinance No. 26053 for final reading to the City Council meeting of April 15, 1997. Seconded by Council Member McGavick.

Council Member De Forrest withdrew his motion.

Council Member De Forrest moved to set Ordinance No. 26053 for final reading to a date to be determined. Seconded by Council Member McGavick.

Council Member De Forrest moved to set Ordinance No. 26053 over for final reading to April 15, 1997, with the understanding that a study session on Ordinance No. 26053 will be held prior to final reading. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading on April 15, 1997.

CITIZENS' FORUM (BEGAN AT 7:46 P.M.)

Speaking before the Council were:

Name	Topic
Nancy Davis	Running Wolf Smoke Shop relocation
Ken Grassi	Construction and parking on Pacific Avenue
Jen Pepe	Thanked Council Member De Forrest for his support and presented him with the candy he purchased.
Chris Lampman	Humane Society issues
Deborah Leibel	Bus parking on Broadway between 9th and 11th Streets
Matt Philichi	Fiber optic cable
Donna Buck	Gambling taxes
Phyllis Barrett	COPS - Financial audit
Ken Keisler	Fiber optic cable
Ruth Swanson	Thanked the City Council for their support of the Stadium District
Will Baker	TV12 coverage of meetings
Putter Bert	Bus parking on Broadway between 9th and 11th Streets
Pat McElligott	Thanked the City Council for the Children's Safety Fair
Al Hampton	Pre-release facility on the Tideflats
Mozella Pooley	Dog Ordinance

The Citizens' Forum was declared closed at 8:56 p.m.

Deputy Mayor Baarsma moved for a short recess. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

The City Council recessed at 8:57 p.m. and reconvened at 9:13 p.m.

RESOLUTIONS

Purchase Resolution No. 33658

Awarding contracts to:

1. Western Peterbilt, Inc., on its bid of \$297,648, for two rear-loader refuse trucks - Specification No. G-084-96;
2. Smith Tractor & Equipment Co., Inc., on its bid of \$83,618.22, for one tractor with front loader and backhoe - Specification No. G-011-97;
3. Enviro-Clean Equipment, on its bid of \$39,177, for one sewer rodder unit - Specification No. G-007-97;
4. Peterson Brothers, Inc., on its bid of \$25,704.25, for guardrail replacement on Valley View Terrace, from East 30th Street to McKinley Avenue and on Alaska Street, from South 68th to South 70th Streets - Specification No. G-205-97;
5. Pioneer Ford, in the amount of \$36,845.53; Bud Clary Chevrolet/Jeep/Eagle, in the amount of \$31,452.49; and Wendle Ford Sales, in the amount of \$23,459.33; for four vehicles - Washington State Contract Nos. 97697, 97796 and 97896; and
6. Macro Com Corporation, in the amount of \$200,000, to increase and extend their contract for wiring and maintenance of the City's telephone system - Washington State Contract No. T94-PUR-001.

Council Member Miller moved to waive further reading of the title and adopt the Purchase Resolution. Seconded by Council Member Evans.

Speaking before the Council was:

Name	Address/Affiliation
Will Baker	809 South I Street

Voice vote was taken and carried on the Purchase Resolution, including waiving further reading of the title. The Purchase Resolution was declared adopted.

Resolution No. 33659

Accepting an offer for the purchase of Solid Waste Utility Revenue Refunding Bonds, 1997 for the refunding of the 1986, 1987, 1991, 1993, and 1994 refuse utility revenue bonds.

Council Member Silas moved to suspend the rules to consider Substitute Resolution No. 33659. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved that the Substitute Resolution be adopted. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Substitute Resolution was declared adopted.

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Resolution No. 33660

Authorizing the execution of an agreement with Safe Streets Campaign, Inc., in the amount of \$75,000, for community mobilization and block organizing efforts for 1997.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Priscilla Lisicich	Executive Director, Safe Streets
Phyllis Barrett	912 South Cushman
Will Baker	809 South I Street

Mayor Ebersole recused himself and left the Council Chambers.

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

Resolution No. 33661

Authorizing the execution of a supplemental agreement with CES Engineering, Inc., in the amount of \$27,580, for seismic retrofit work for the River Street Viaduct extension.

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

Resolution No. 33662

Authorizing the submittal of a grant application to the Washington State Department of Ecology, in the amount of \$800,000, for remedial action costs to investigate and prepare a remediation plan for the area adjacent to Thea Foss Waterway between 15th and 21st Streets.

Council Member Evans 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. 33663

Authorizing the execution of an agreement with Hart Crowser, Inc., in the amount of \$800,000, for remedial investigation and cleanup action plans for the Thea Foss upland properties.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Will Baker	809 South I Street

Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 33664

Initiating meetings of the Local Government Committee of the Joint Implementation Committee and the Joint Implementation Committee of the Settlement Agreement and the appropriate members of the Puyallup Tribe to consider and resolve issues resulting from implementation of the agreement.

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

Resolution No. 33665

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

Council Member De Forrest moved to remove Resolution No. 33665 from the Agenda. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33665 was removed from the Agenda.

CITIZENS' FORUM (BEGAN AT 7:46 P.M.)

Held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. introduced Eileen Lewis, Deputy Chief of the Fire Department, as the new Special Assistant in the City Manager's Office for the next three months.

Mr. Corpuz then requested an Executive Session to discuss pending litigation, not to exceed 20 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Miller stated that he had been contacted by the PTA group for Washington and Hoyt regarding an auction they had a couple of weeks ago. He stated that he had offered into the bidding process an afternoon with a Council Member which would include attending a study session and a City Council meeting, as well as a tour of City offices. Council Member Miller announced that the PTA was able to raise some money from that offer. He then wished Council Member Silas a happy birthday.

Council Member Kirby requested a copy of the Ordinance that requires a developer to replace half of a street due to the construction of a building.

Council Member Evans stated that decisions on whether or not to televise the Metropolitan Park Board and the Port of Tacoma Commission meetings should be discussed with those bodies. He then asked staff to prepare a Resolution to name the 11th Street Bridge after Murray Morgan.

Council Member Silas congratulated the University of Arizona who won the championship last night.

Council Member Kirby moved to excuse Council Members De Forrest and Crowley from the portions of the meeting that they missed. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Ebersole stated that he had the opportunity to welcome Hundai Shipping Lines to the Port of Tacoma. He stated that this is a big event for the Port of Tacoma and the City of Tacoma. He stated that Hundai Shipping Lines will increase the job market in our area and help our reputation as an international City. He then congratulated the Port Commission for their fine work in negotiating the arrangement with Hundai Shipping Lines.

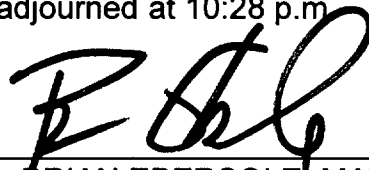
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Council Member Kirby moved to recess to Executive Session to discuss pending litigation, for a period not to exceed 30 minutes. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 10:12 p.m. and reconvened at 10:27 p.m.

Council Member Miller moved to authorize the City Attorney's Office to make an offer to settle the case of Herried, et al. v. City of Tacoma et al., Pierce County Superior Court No. 93-2-00211-0 in the amount as recommended by the City Attorney. Seconded by Council Member Silas. Voice vote was taken and carried with Deputy Mayor Baarsma and Council Member De Forrest voting in opposition. The motion was declared adopted.

On proper motion, the meeting was adjourned at 10:28 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK

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