



City Council Minutes

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

November 27, 2001

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

Present on roll call: 9 – Dahl, Davis, Evans, McGavick, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley.

The Flag Salute was led by Council Member Moss.

CONSENT AGENDA

Approval of the minutes of the City Council Workshop of April 27 and 28, 2001; City Council Town Hall meeting, August 21, 2001; City Council meetings of August 28, 2001; September 11, 18, and 25, 2001; October 2, 9, 16, and 23, 2001; November 6 and 13, 2001; and study sessions of November 6 and 13, 2001.

RESOLUTIONS

Resolution No. 35353

Approving the final plat of WILLIAMS PLACE, a 12-lot subdivision located on the west side of East E Street, between East 40th and East 43rd Streets. (Timothy Williams; File No. PLT2001-00017)

Resolution No. 35354

Approving the final plat of 78th STREET ADDITION, a six-lot subdivision located on the west side of South I Street, between South 78th and South 80th Streets. (Paul Babare; File No. PLT2000-00018)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agendas, December 10 and 11, 2001.
- b. Minutes of the Appointments Committee, August 20, 2001, and October 8, 2001.
- c. Minutes of the Art Commission, October 8, 2001.

- d. Minutes of the Committee of the Whole, November 14, 2001;
- e. Minutes of the Human Rights Commission meeting, October 18, 2001; and retreat, October 27, 2001.
- f. Minutes of the Landmarks Preservation Commission, October 24, 2001.
- g. Minutes of the Amended Planning Commission, October 17, 2001.
- h. Minutes of the Public Utility Board study session and meeting, October 24, 2001.
- i. Minutes of the Tacoma Area Task Force on Disabilities, September 27, 2001.
- j. Minutes of the Tacoma-Pierce County Board of Health, October 3, 2001.
- k. Humane Society Total Service Report, July 2001.

Deputy Mayor Phelps moved that the Consent Agenda, including Resolution Nos. 35353 and 35354, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 35353 and 35354, was declared approved.

REGULAR AGENDA

COMMUNICATION

City Clerk advising that the Civil Service Board has filed proposed amendments to several sections of Chapter 1.24 of the Municipal Code relating to administration and personnel, to assist in the recruitment and hiring process for qualified candidates to classified positions.

Mayor Crowley advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES

Ordinance No. 26882

Authorizing the execution of an interlocal agreement with the Washington State Department of Social and Health Services, Division of Child Care and Early Learning, in the amount of \$588,518, to support child care resource and referral services in Pierce County; an agreement with the Puget Sound Education Services District, in the amount of \$172,982; and an agreement with Tacoma-Pierce County Health Department, in the amount of \$179,478; accepting, depositing in and appropriating \$588,518 from the Miscellaneous Grants Summary Fund for said purposes.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Dahl, Davis, Evans, McGavick, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0



The Ordinance was declared passed.

Ordinance No. 26883

Authorizing the execution of a grant award contract with the Washington State Human Rights Commission, in the amount of \$25,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing the execution of an agreement with Tacoma Community House, in the amount of \$15,000, for translating brochures and Fair Housing videotapes into six languages.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Dahl, Davis, Evans, McGavick, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26884

Accepting \$156,070 from the Harold E. LeMay Museum; depositing in and appropriating said sum from the Capital Improvements Summary Fund for completion of design development work of the Harold E. LeMay Museum.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Dahl, Davis, Evans, McGavick, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26885

Amending Title 11 of the Municipal Code by repealing and reenacting Chapter 11.30, to be known as "Bicycle, Skateboard, Roller Skates, and Scooter Helmets" requiring the wearing of approved safety helmets while bicycling, skateboarding, roller skating, or scootering within the city limits.

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Robert Cleaveland	3716 North 39 th Street
Eileen Lewis	City of Tacoma Fire Chief
Russ Hume	Milton Police Officer
Marcy Powell	Child Safety Specialist and RN, Mary Bridge Children's Hospital
Jim Marso	North Tacoma
John Pellessier	Citizen
Bob Myrick	Citizen
Allen Douglas	612 South 18 th Street
Skip Vaughn	Chair, South Tacoma Neighborhood Council; 7634 South Fife Street

The Ordinance was set over for final reading next week.

Ordinance No. 26886

Amending several sections of Chapter 1.24 of the Municipal Code relating to administration and personnel to assist in the recruitment and hiring process for qualified candidates to classified positions.

The Ordinance was set over for final reading next week.

Ordinance No. 26887

Amending Chapter 12.09 of the Municipal Code to clarify and limit conditions for issuing special permits for hauling solid waste and other miscellaneous housekeeping adjustments of the Solid Waste Management Division.

The Ordinance was set over for final reading next week.

Ordinance No. 26888

Amending Chapter 12.08 of the Municipal Code to adjust rates and charges for Wastewater Management Services and other miscellaneous housekeeping adjustments.

The Ordinance was set over for final reading next week.

Ordinance No. 26889

Approving the ad valorem tax levies for 2002.

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglas	612 South 18 th Street

The Ordinance was set over for final reading next week.

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Ordinance No. 26890

Modifying the Biennial Budget for the fiscal years 2001-2002 and adopting the 2001-2002 Mid-Biennial Modification.

Speaking before Council were:

Name	Address/Affiliation
Becky Fontaine	Leadership Team of Human Services Coalition for Tacoma-Pierce County
Citizen	Human Services
Representative Jeannie Darneille	Executive Director, Pierce County Aids Foundation
Fred Brookshier	Southend Neighborhood Council
John Pellessier	Southend Neighborhood Council
Amy Heller	South Tacoma Neighborhood Council
Edwina Magnum	Eastside Neighborhood Council
Janis Gall-Martin	2121 Martin Luther King, Jr. Way; Central Neighborhood Council
Mike Lonergan	Chair, New Tacoma Neighborhood Council
Carol Sloman	Chair, Community Council; Chair, Northend Neighborhood Council
Skip Vaughn	7634 South Fife; South Tacoma Neighborhood Council
Hays Alexander	Northeast Neighborhood Council
Dan Miller	North 10 th Street
Jim Marso	North Tacoma
Allen Douglas	612 South 18 th Street

The Ordinance was set over for final reading next week.

Ordinance No. 26891

Accepting \$366,530 from the Washington State Department of Ecology (DOE), depositing in and appropriating said sum from the Solid Waste Utility Fund for the recycling and hazardous waste programs; and authorizing the execution of a grant agreement for said purpose.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35355

Awarding contracts to:

1. Diamaco Inc., on its bid of \$48,889.00, for the River Street viaduct spall repair – Specification No. G-211-01;
2. Nor-Pac Systems, Inc., on its bid of \$106,360.00, for Cheney Stadium chair replacement – Specification No. G-047-01;
3. Washington State Department of Information Services, in the amount of \$43,308.96, for Autodesk software upgrades in the Public Works Department – Washington State Department of Information Services Purchasing Agreement No. T98-TSD-309;
4. ABB Automation Inc., in the amount of \$300,006.00, for ABB automation upgrades for the Wastewater Management Division – Sole Source;
5. NC Machinery Co., in the amount of \$102,750.00, for one used 1998 Caterpillar landfill compactor – Sole Source;
6. Western Peterbilt, Inc., in the amount of \$275,000.00, for repairs to Peterbilt trucks and refuse bodies – Open Purchase Order No. 48195; and
7. Approving an interlocal agreement with the State of Oregon for cooperative purchasing.

Deputy Mayor Phelps moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 4 and 5, 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. 4 and 5, was declared adopted.

Resolution No. 35356

Authorizing the execution of a license agreement with SchlumbergerSema to install and operate an automated meter reading system in the public rights-of-way.

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

Resolution No. 35357

Authorizing the execution of a Historic Preservation Special Valuation Covenant with Dale Chihuly for the Nisqually Power Substation located at 2416 South C Street.

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

Resolution No. 35358

Authorizing the execution of a Historic Preservation Special Valuation Covenant with Daniel Nehls and Lori Nehls for the Foreman Residence located at 4121 North Madrona Way.

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

Resolution No. 35359

Authorizing the execution of an agreement with IXL, LLC, in the amount of \$60,000, to provide schematic design, design development, and completion of construction documents for the artwork for the Greater Tacoma Convention Center.

Deputy Mayor Phelps moved that the Resolution be adopted. Seconded by Council Member Miller.

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Jim Marso	North Tacoma

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

PUBLIC HEARINGS AND APPEALS (Began at 7:06 p.m.)

This is the date set for a public hearing by the City Council regarding proposed amendments to the Comprehensive Plan, the Land Use Regulatory Code and Title 13 of the Municipal Code relating to zoning.

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Speaking before the Council were:

Name	Address/Affiliation
Kevin Newburg	South End Neighborhood Council
John McCormick	7004 South Alaska Street
David Halinen	2115 North 30 th Street, Suite 203
Phil Montgomery	Property owner, Tacoma Place Shopping Center
Randy Heiberg	918 – 58 th Avenue NE
Larry Heiberg	810 – 58 th Avenue NE
Ardelle Heiberg	5324 – 12 th Street NE
Don Watts	7325 – 50 th Avenue East
John Pellessier	South End Neighborhood Council
Judith Ritchie	Business at 4538 South Pine Street
Allen Douglas	612 South 18 th Street
Gerald Geisler	608 – 59 th Avenue Court NE
Gary Schelhammer	2304 Tacoma Avenue South
Errol Nelson	Optimum Environment; PO Box 114, Issaquah
Richard Gumpert	Independent Development Co.; 742 First Street South, Kirkland
Skip Vaughn	South Tacoma Neighborhood Council
Laura Vaughn	76 th and Fife Streets

The public hearing was declared closed at 8:14 p.m.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. acknowledged John Briehl as the new Human Rights and Human Services director.

Mr. Corpuz requested an Executive Session to discuss potential litigation, the session not to exceed 30 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Deputy Mayor Phelps moved to cancel the City Council meeting and study session of January 1, 2002. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Phelps moved to convene to Executive Session to discuss potential litigation, the session not to exceed 30 minutes. Seconded by Council Member Dahl. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 8:16 p.m. Mayor Crowley returned to the Chambers at 8:46 p.m. and extended the Executive Session an additional 15 minutes. The Council reconvened at 9:00 p.m.

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On proper motion, the meeting was adjourned at 9:00 p.m.

Mike Crowley
MIKE CROWLEY, MAYOR

ATTEST: Doris Sorum
DORIS SORUM, CITY CLERK