

CITY COUNCIL MINUTES

City Council Chambers
September 19, 1995

The meeting was called to order at 5:25 p.m.

Present on roll call: 6 - Baarsma, De Forrest, Kirby, Miller, Silas, and Deputy Mayor Evans. Absent: 3 - Crowley, McGavick, and Mayor Moss. (Council Member McGavick arrived at 6:30 p.m.)

The Flag Salute was led by Council Member Silas.

Council Member Miller moved to excuse the absences of Mayor Moss and Council Members Crowley, De Forrest and McGavick from the Special Meeting of the City Council that was held at 4:00 p.m. today. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Evans called of Mr. Dave Fruitger, of the Public Works Department, who presented the Council with an award for Tacoma's recycling program.

CONSENT AGENDA

Approval of the minutes of the City Council meetings of August 22 and 29, 1995.

RESOLUTION:

Resolution No. 33146

Setting Tuesday, October 24, 1995 at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate portions of the northerly eight feet of Tanglewood Avenue and the easterly 12 feet of East B Street. (John C. Barbour, Jr.; File No. 124.1019)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Tacoma Arts Commission, July 10, 1995.
- b. Amended minutes of the meeting of the Urban Policy Committee, March 9, 1995.

- c. Minutes of the meeting of the Landmarks Preservation Commission, August 23, 1995.
- d. Minutes of the meeting of the Transportation Committee, August 10, 1995.
- e. Statements by City employees disclosing remote interests pursuant to Tacoma Municipal Code 1.46.030(O) as follows:

Name	Affiliation
Walter A. Frigeri	Pacific National Auto Parts
Percy F. Jones, Jr.	Tacoma Community College
Gaylord F. Warren	Bank of America (Seattle First)

- f. Report of the Director of Finance, July 1995.

Council Member Miller moved that the Consent Agenda, including Resolution No. 33146, be approved. Seconded by Council Member De Forrest. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25760

Authorizing the acceptance of \$5,720.40 from a Housing Conference and depositing in and appropriating said sum from the General Fund for associated program expenditures.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, De Forrest, Evans, Kirby, Miller, and Silas.

Nays: 0.

Absent: 3 - Crowley, McGavick, and Mayor Moss

The Ordinance was declared passed.

Ordinance No. 25761

Appropriating \$635,304.71 from the Labor Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for underwriting losses for the second quarter of 1995.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, De Forrest, Evans, Kirby, Miller, and Silas.

Nays: 0.

Absent: 3 - Crowley, McGavick, and Mayor Moss

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25762

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the east side of South J Street between South 15th and South 16th Streets from a "R-4" Multiple Family Dwelling District to a "R-4TM" Medical Center Transitional District to allow the development of a 122-space off-street parking lot. (St. Joseph Hospital and Health Care Center; File No. 120.1395)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Baarsma. 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. 25763

Amending Chapter 1.06 of the Municipal Code to authorize the City Manager and Director of Utilities to allow their assistants, department directors or superintendents to approve professional and/or personal service contracts for amounts up to \$15,000.

The Ordinance was set over for final reading next week.

Ordinance No. 25764

Amending Chapter 12.06 of the Municipal Code relative to waiving the Cost Adjustment Clause on the Bonneville Power Administration's 1995 power and transmission rate increases.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Substitute No. 2 of Resolution No. 33129 (second reading)

Amending Rule 10.3.C of the Rules of Procedure of the Council relative to candidates for public office speaking before the Council.

Council Member De Forrest 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. 33147

Awarding contracts to:

1. L.D. Heaton & Associates/W.S. Darley & Co., in the amount of \$305,751.94, to increase their contract for a triple combination pumper engine - Specification No. G-043-94;
2. Konica Business Machines, in the amount of \$39,348.01, for two copiers - Washington State Contract No. 92-92;
3. Busby International, Inc., on their bid of \$160,782.38, for five container chassis trailers - Specification No. G-028-95;
4. Digital Solutions Unlimited, on their bid of \$62,998, for computer network servers - Specification No. G-029-95; and
5. ALCOA Fujikura, Ltd., on their bid of \$51,430.54, for fiber optic cable and accessories - Specification No. G-047-95.

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

Council Member De Forrest moved to amend Item No. 5 of the Purchase Resolution to reflect that the bid for Anixeter is \$53,542.69, not \$51,430.54. Seconded by Council Member Baarsma.

Voice vote was taken and carried on the amended Purchase Resolution. The amended Purchase Resolution was declared adopted.

Resolution No. 33148

Approving the preliminary plat of GLENDALE COURT in the vicinity of East 52nd and D Streets to subdivide a parcel of land into 16 residential building lots. (Kerr Hansen Corporation; File No. 125.355)

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. 33149

Authorizing the execution of a three-month lease extension agreement with the University of Washington in the amount of \$1,710 for space at 1925 Commerce Street for the Emergency Home Repair Program.

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

Council Member Miller excused himself and left the Council Chambers.

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

Resolution No. 33150

Authorizing the submittal of an application to the Economic Development Administration designating Census Tracts 613, 614, and 617 as a Special Impact Area.

Speaking before the Council were:

<u>Name</u>	<u>Address</u>
Tom Dixon	Urban League
Angelina Allen-Mpyisi	LISC - OEDP
Chuck Ede	Central Puget Sound Economic Development District

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

Resolution No. 33151

Authorizing the execution of an agreement with the Washington Consulting Group, Inc., in the amount of \$110,000 for a comprehensive follow-up study of Minority and Women's Business Enterprise programs.

Council Member Miller moved to continue Resolution No. 33151 to the meeting of October 3, 1995. Seconded Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33151 will be considered at the regular City Council meeting of October 3, 1995.

Resolution No. 33152

Authorizing the execution of Amendment No. 114 to the Neighborhood Preservation Program agreement with the Tacoma Community Redevelopment Authority in the amount of \$155,000 to make payments on the Section 108 Demonstration Program Note.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33152. Seconded by Deputy Mayor Evans. 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. The Substitute Resolution was declared adopted.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Acting City Manager James Walton announced that TV Tacoma Channel 12, will replace its regular scheduled programming to cablecast the Pierce County election returns beginning at 9:00 p.m. The station will switch back to its regular programming at 6:00 a.m. on Wednesday, September 20, 1995. The returns for the Mayoral and City Council race will be displayed every 5-10 minutes on the screen starting at 9:00 p.m.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

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

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Council Member Miller encouraged voters to fill-out their ballots. Voters can still get their ballots out to the Evergreen Post Office until 10:00 p.m. to have them postmarked with today's date. Council Member Miller reported on The News Tribune's article on Tacoma's business climate and being rated number one in Entrepreneurial Magazine. He noted that this was a follow-up to the news reported on Intel. He encouraged the City's economic development staff in conjunction with the Economic Development Board to make use of these two announcements to move forward to promote Tacoma and take advantage of this moment.

Council Member Miller reported that he received numerous complaints in the Commerce and Jefferson area. It is a high area for debris, litter, needles and drug trafficking. He requested that the Police Department take some enforcement action in this area.

Council Member Miller asked for information on local preference contracting, specifically, what ordinances the City of Seattle and King County have in place in regard to local preference for contracting in the fields of consultants, engineers, architects, and attorneys. He also asked for information on all City consultant contracts and their principal place of residence within the last two-three years. Council Member Miller reported that he was recently presented with the State-wide award for community service from the Washington State Realtors. He thanked his colleagues for their support in helping him to receive this award.

Deputy Mayor Evans announced that next week's Council meeting will be held at the Tacoma Dome, 2727 East D Street beginning at 5:00 p.m., followed by the Summer Reading Library Awards.

Deputy Mayor Evans indicated he also received calls about the Jefferson and Commerce area. He reported that there are needles and broken glass in the landscaping area. Deputy Mayor Evans reported on the counselor reception he attended on behalf of the Mayor at the Historical Museum. He then reported on the phone calls that he received concerning noise being generated from students and their parties. He indicated that the institution where these students are residents or participants have been contacted to correct this situation. Deputy Mayor Evans reported that the fixtures for lighting of the 11th Street bridge are being erected. He thanked all of the individuals who have been working on putting this project together.

Council Member Baarsma echoed the comments of Council Member Miller and Deputy Mayor Evans about the condition of the streets at Jefferson and Commerce. Council Member Baarsma indicated that it has been brought to his attention that there are signs stapled or nailed into utility poles that are distracting in appearance and may create problems for City employees working on the poles. He requested the Deputy City Manager to provide him with the statutes and ordinances that address this issue. He indicated that some of the posted signs have individual names and phones numbers

listed on them. He asked staff to provide information on what other communities are doing on enforcement and look at ways the City can take care of this.

Council Member McGavick arrived at 6:30 p.m.

Council Member Miller noted that a constituent informed him that the City's sewer division seems to have no problem with putting a free wood sign without a permit along Ruston Way while others are chastised. He indicated that the posting of signs on telephone poles is not dissimilar to his own frustrations about politicians who make use of the City's rights-of-way for the placement of their signs despite the fact that there is a law in place that allows the City to collect those signs and charge back the cost of collection to the politicians.

Council Member Kirby also commented about the problems at Jefferson and Commerce. Council Member Kirby commented that the flowers on the dais tonight were from his wife to remind him of their 20th wedding anniversary tomorrow.

Council Member McGavick apologized for not coming to the Council meeting on time. She explained that today was the first day faculty was back at Green River.

Council Member Silas also expressed concern about the problems at Jefferson and Commerce Streets.

Council Member De Forrest congratulated Council Member Miller for receiving the State-wide award. He wished Council Member Kirby a happy anniversary. He thanked Deputy Mayor Evans for organizing the 11th Street Bridge lighting project.

Council Member De Forrest moved that the City Council of Tacoma instruct our legal counsel to intervene in the scheduled superior court hearing, Tacoma Public Library vs. Carolyn Woesner, et al., on Friday, September 22, 1995. It is the desire of the City Council that our current public records policy be protected. Seconded by Council Member Kirby.

Council Member De Forrest indicated that the purpose of the motion is to bring to the Council's attention that there is a dispute about public records. He explained that in conversations with the City Attorney, it was recommended that the Council discuss the legal merits in Executive Session.

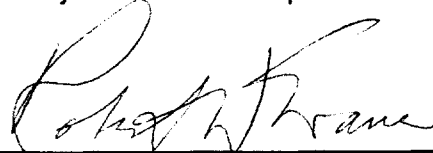
Council Member De Forrest moved to recess to Executive Session not to exceed 15 minutes. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted. The Council recessed to Executive Session at 6:45 p.m. At 7:05 p.m., Deputy Mayor Evans announced that Executive Session would be extended an additional 15 minutes. The Council reconvened at 7:22 p.m.

Council Members De Forrest and Kirby withdrew their motion.

Council Member Miller moved to suspend the rules to consider a motion related to Library Board law suit action. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Evans moved that the Council state that the suit to declare the employee records non-discloseable was brought as an independent decision of the Library Board without City Council consultation or approval. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:25 p.m.



ROBERT W. EVANS, DEPUTY MAYOR

ATTEST:



RICK ROSENBLADT, ACTING CITY CLERK