

# CITY COUNCIL MINUTES

City Council Chambers  
October 14, 1997

The meeting was called to order at 5:02 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

The Flag Salute was led by Deputy Mayor Baarsma.

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## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of September 30, 1997.

## RESOLUTIONS

### **Resolution No. 33847**

Setting Tuesday, October 28, 1997, at approximately 6:00 p.m., as the date for a public hearing by the City Council relative to a proposed adult entertainment ordinance regulating live entertainment establishments within the City.

### **Resolution No. 33848**

Setting Wednesday, November 12, 1997, at approximately 6:00 p.m., as the date for a public hearing by the City Council relative to proposed amendments to Chapter 13.06 of the Municipal Code regarding brewpubs and microbreweries.

### **Resolution No. 33849**

Setting Tuesday, November 18, 1997, at approximately 6:00 p.m., as the date for a public hearing by the City Council on proposed amendments to the Comprehensive Plan and area-wide zoning reclassifications.

**ITEMS FILED IN THE OFFICE OF THE CITY CLERK**

- a. Hearing Examiner's Agenda, October 14, 1997.
- b. Minutes of the Arts Commission, September 8, 1997.
- c. Agenda of the special meeting of the Foss Waterway Development Authority, October 8, 1997.
- d. Amended minutes of the Civil Service Board, August 18, 1997.
- e. Minutes of the Commission on Children, Youth and Families, September 11, 1997.
- f. Minutes of the Tacoma Pierce County Board of Health, September 3, 1997.
- g. Minutes of the Transportation Committee, September 11, 1997.
- h. Report of the Director of Finance, August 1997.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33847, 33848 and 33849, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33847, 33848 and 33849, was declared approved.

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Council Member Kirby moved to suspend the rules to give the gavel temporarily to Deputy Mayor Baarsma. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

On behalf of the City Council, Deputy Mayor Baarsma presented Mayor Ebersole with a birthday card and cake in honor of his 50th Birthday.

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**PRESENTATION OF PLAQUE**

Mayor Ebersole presented Commander Paul Sanders and Trustee Melvin Challender, American Disabled Veterans, Chapter Number 1, a plaque, in honor of the oldest Chapter of the Disabled American Veterans in America, located in Tacoma.

**PROCLAMATION**

Mayor Ebersole proclaimed the week of October 12-18, 1997, as "American Contract Compliance Association Week" and presented the proclamation to Mr. Kerry Kirkland, Chair of the American Contract Compliance Association.

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## REGULAR AGENDA

### FINAL READING OF ORDINANCES

#### **Ordinance No. 26099**

Vacating the northwesterly 35 feet of Lincoln Avenue northerly of Alexander Avenue to combine the vacated area with the abutting property for additional parking. (Pacific Paper; File No. 124.1049)

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 Ordinance was declared passed.

#### **Ordinance No. 26133**

Accepting a donation, in the amount of \$1,000, from the Master Builders Association of Pierce County; depositing in and appropriating said sum from the General Fund to reprint a Housing Resource Guide.

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 Ordinance was declared passed.

#### **Ordinance No. 26134**

Authorizing the execution of a grant agreement with the United States Department of Justice; accepting, depositing and appropriating \$125,000 from the Miscellaneous Grants Summary Fund for the Weed and Seed Program; and authorizing the execution of an agreement with Safe Streets Campaign for coordination of said program.

Roll call vote was taken, resulting as follows:

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

Nays: 0

2

The Ordinance was declared passed.

**Ordinance No. 26135**

Authorizing the execution of a cost reimbursement agreement with the United States Department of Justice and the Federal Bureau of Investigation for conducting joint law enforcement operations in the designated Weed and Seed area; accepting, depositing, and appropriating \$75,000 from the Miscellaneous Grants Summary Fund for the implementation of the Weed and Seed Program.

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 Ordinance was declared passed.

**Ordinance No. 26136**

Authorizing the execution of an agreement with the Port of Tacoma, Burlington Northern and Santa Fe Railway Company, and the Union Pacific Railroad Company for reimbursement cost associated with the Tacoma Tideflats Rail Access/Egress Study for the Port of Tacoma area; and appropriating \$50,000 from the Vehicle License Fee Fund for the City's share of said study.

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 Ordinance was declared passed.

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**FIRST READING OF ORDINANCES**

**Ordinance No. 26137**

Amending Chapter 13.06 of the Municipal Code to reclassify the property west of South Pine Street, between South 80th and South 78th Streets, from an "R-2" One-Family Dwelling District to an "R2-PRD" Planned Residential Development District, for the development of 32 single-family dwellings.

(Hoover Building Company; File No. REZ96-00025)

3

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. 26138**

Amending Chapters 5.26 and 6.60 of the Municipal Code relating to confinement of an animal in a motor vehicle, redemption of a dog, tattooing or microchipping of potentially dangerous dogs and amending license fees.

The Ordinance was set over for final reading next week.

**Ordinance No. 26139**

Accepting \$88,000 from the Economic Development Administration; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for organizational building and technical assistance to Tacoma's business districts; and authorizing the execution of an agreement with the Economic Development Administration for said purpose.

The Ordinance was set over for final reading next week.

**Ordinance No. 26140**

Accepting \$25,000 from Sound Transit; depositing in and appropriating said sum from the General Fund for consultant services to assist in the preparation of a Station Area Planning Study for the planned South Tacoma Commuter Rail Station to be located in the vicinity of South Tacoma Way and South 56th Street.

The Ordinance was set over for final reading next week.

**Ordinance No. 26141**

Amending the Department of Public Utilities Light Division's biennial budget for 1997-1998 by appropriating \$66,758,641 to design, build, and operate the Telecommunications Project; and declaring a fiscal emergency to allow this amendment.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 26141. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council was:

<b>Name</b>	<b>Affiliation/Address</b>
Carol Farr	Community Development Involvement Mobilization Professional

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

4

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## RESOLUTIONS

### **Purchase Resolution No. 33850**

Awarding contracts to:

1. United Pump and Supply, in the amount of \$16,000, to purchase nine submersible pumps and motors for the groundwater extraction treatment system - Informal Bid No. 8359; and
2. Gateway 2000, Inc., in the amount of \$1,000,000, to extend, amend and increase their contract for Gateway 2000 personal computers - Specification No. G-041-95.

Council Member Miller moved to adopt Item No. 1, including waiving formal bidding procedures. Seconded by Council Member Evans.

Council Member De Forrest moved to divide the Purchase Resolution and vote on each item separately.

Deputy Mayor Baarsma moved to adopt Item No. 1, including waiving formal bidding procedures. Seconded by Council Member McGavick. Voice vote was taken and carried. Item No. 1 of the Purchase Resolution was declared adopted.

Deputy Mayor Baarsma moved to adopt Item No. 2. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. Item No. 2 of the Purchase Resolution was declared adopted.

### **Resolution No. 33851**

Amending the lease agreement with Tosch Aircraft Properties to provide for an extension of three years for the construction of a hanger at the Tacoma Narrows Airport.

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

### **Resolution No. 33852**

Authorizing the execution of an agreement with KPMG Peat Marwick, in the amount of \$158,000, for consulting services for the replacement of the City's central accounting system.

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.

5

**Resolution No. 33853**

Authorizing the execution of interlocal purchasing agreements with the City of Auburn and Pierce County Fire Protection District Nos. 2, 3, 5, 8, 16 and 21 for cooperative purchasing following competitive bidding procedures.

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

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Phyllis Barrett	912 South Cushman

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

**Resolution No. 33854**

Authorizing the submittal of a grant application to the State of Washington Community, Trade and Economic Development Department, in the amount of \$264,682, for criminal justice programs.

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

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Janis Gall-Martin	Agency Director, Safe Homes
Maite Marino	Program Manager, Centro Latino Family Outreach
Debbie Gardner	Executive Director, Faith Homes
Pastor Paul Warren	Tacoma Resident
Phyllis Barrett	912 South Cushman

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

**Resolution No. 33855**

Authorizing the execution of a real estate purchase and sale agreement for the property located at 3017 East Portland Avenue and 1607 East 31st Street, in the amount of \$60,000, for a new incubator facility; and allocating \$2,054 in Community Development Block Grant contingency funds for closing costs of said sale.

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

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## UNFINISHED BUSINESS

None.

## REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. stated that the Fifth Annual Citywide Neighborhood Council Conference will be held on Saturday, October 18, 1997, at the main branch of the Tacoma Public Library, in the Olympic Room, from 9:30 a.m. to 1:00 p.m. He then extended an invitation for everyone to attend.

Mr. Corpuz then stated that information had been provided to the City Council regarding the temporary jail and the enforceability of the agreement between Pierce County and the City of Tacoma. He stated that the City of Tacoma is also reviewing and studying the option of a municipal jail. Mr. Corpuz stated that the results of that study will be available in November.

Mr. Corpuz stated that the issue of a new County jail is now before the Land Use Administrator. He stated that the Land Use Administrator's decision is appealable to the Hearing Examiner and that decision is appealable to Superior Court.

Mr. Corpuz stated that the Mayor had asked whether or not the City Council will have to approve the new jail. He stated that the City Council does not have jurisdiction over that issue. He stated that the City Council will have the opportunity to comment on the temporary facility. He then stated that the City Council authorized an agreement with Pierce County, which is in effect until July 2001, regarding the temporary jail facility.

Mr. Corpuz stated that further discussions with the Pierce County Council and the County Executive are needed. He then stated that a study session will be scheduled to discuss the issue of correctional facilities, what the future may look like, and the options that may be available.

## COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Mayor Ebersole acknowledged that a large number of police officers attended the City Council meeting tonight in a silent protest, expressing some discontent in the Police Department. He stated that the City Manager is working on resolving this dispute and building the morale in the Police Department. Mayor Ebersole stated that the City Council is taking this issue very seriously and hopes that it can be resolved in the best interest of the citizens and that the City of Tacoma continues to have a highly professional, well functioning Police Department.

Council Member McGavick stated that she agreed with Mayor Ebersole, that everyone is concerned about the situation at the Police Department. She stated that the Salvation Army's readerboard said "Prayer Focus Law Enforcement Officers." She thought it was interesting that the Salvation Army's prayer focus was for our law enforcement officers. She stated that she supports the whole police department, including the Chief of Police. Council Member McGavick stated that when we build a team we all need to work together.

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Council Member Silas stated that she did not feel she needed to add anything to what had already been stated by Mayor Ebersole and Council Member McGavick concerning the art of communication and the confidence that we have in our Police Department.

Council Member Silas then asked City Manager Corpuz if Pierce County was planning to keep the temporary jail at its present location? She stated that, according to the agreement, she thought that this is an issue that would need to be negotiated.

Mr. Corpuz stated that the agreement is enforceable and that the City of Tacoma can remove the temporary jail at the end of July 2001, if that is the option the City of Tacoma wants to exercise. He also stated that the City of Tacoma can use every option, authority or power to resolve the issue of the temporary jail. He stated that there is enforceability and that some discussions should take place with Pierce County in order to fully realize all the consequences of the different actions that might be available to the City Council.

Council Member Silas then requested a progress report regarding the Housing Committee's recommendations on how the City of Tacoma can improve the funding program for housing.

Council Member Evans stated that the Police Department has the City Council's full cooperation. He then requested information regarding what the legal barriers are to making everything public, and what has to be held back in order to complete an investigation.

Council Member Evans requested information regarding the temporary jail. He stated that he would like to know whether or not the City of Tacoma has the power to have the temporary jail removed and who would make the provision for the housing of the prisoners, should the temporary jail be removed.

Council Member Evans stated that last week a business exposition was held in Tacoma which was highly successful, and that the City Council could take pride in the fact that the group from Hachinohe was represented by 75 people with the largest exhibit in the exposition. He reminded the City Council that he and Deputy Mayor Baarsma had been directly involved in the economic path which brought the Port of Hachinohe to the Port of Tacoma in the first place. He stated that it is exciting that so much business can be generated out of something like that for the future of this City.

Council Member De Forrest thanked the Mayor for his comments on the activities of the evening. He stated that the City Council received a letter tonight from the president of Tacoma Police Union, Local No. 6. Council Member De Forrest then read the last paragraph: "Your police officers want to get on with the business of forging a partnership between the citizens and the police through community oriented policing and, to do that joint effort, we ask for your wisdom and support." Council Member De Forrest requested information regarding the resolution of the petition that was filed from the painters and carpenters. He then asked to be kept informed as to the resolution of the issues identified in the letter that was presented tonight from the president of the Tacoma Police Union, Local No. 6.

Council Member De Forrest thanked Mr. Marc Pease, Manager of TV Tacoma, for making arrangements for the State Supreme Court's discussion on term limits for the State Legislature to be televised live on Wednesday, October 15, 1997.

Council Member De Forrest requested information clarifying the political sign ordinance relative to right-of-ways.

Deputy Mayor Baarsma stated that he shared in the Mayor's sentiments regarding the silent protest by the police officers. He stated that he was troubled that the police officers had to come to the Council Chambers to bear witness and although no words were spoken, the City Council could certainly see strong sentiments in this room this evening. He encouraged the City Manager to take the lead in working with the parties to try to resolve this issue. He stated that it is in no one's interest that we are divided in this endeavor, because public safety is the City of Tacoma's top priority. He stated we have to, as Council Member McGavick noted, make this a team effort.

Deputy Mayor Baarsma stated that this Friday the City Council will receive a final report from the Library Task Force. He stated that this report will contain ten recommendations that will serve as points of discussion for this upcoming study session. He stated that the study session will provide an opportunity for the City Council, the Library Board and staff to get together to exchange ideas and to discuss these proposals and concepts. He stated that he thought the proposals and concepts are very positive and proactive.

Deputy Mayor Baarsma then congratulated the Library for successfully receiving a Washington State Library Commission technology enhancement grant of \$189,000, which was granted through a competitive process. He stated that the grant will enhance library web services by making the library catalog available on the internet 24 hours a day, allowing citizens of Tacoma to reserve books and view their library card activity even when the library is closed. He stated that the grant will also enable them to tie in with the INET that is being proposed by the Tacoma Public Utilities.

Deputy Mayor Baarsma stated that he had the opportunity to greet a delegation from Hachinohe last week. He stated that the delegation took pictures in the Council Chambers and then took a tour of Tacoma. He stated that they were very interested in establishing an ongoing relationship with the Port of Hachinohe and the Port of Tacoma. Deputy Mayor Baarsma then thanked the Mayor for joining in the festivities.

Council Member Kirby stated that he did not need to say much about the activities that took place this evening in the Council Chambers. He stated that he has had many conversations with the City Manager regarding this situation.

Council Member Kirby then expressed his appreciation to City Manager Corpuz; Mr. Bill Bogue, Planning and Development Services; and Mr. Terry Person, Information Systems, for connecting up his computer to the City's e-mail system so that he could access the e-mail system from home. He then encouraged the City Manager to move ahead with trying to eventually establish a paperless relationship between City Council Members and City government.

9

Council Member Evans stated that he is interested in receiving information regarding the use of the parking strip between the public street and public sidewalk as it relates to political signs.

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On proper motion, the meeting was adjourned at 7:04 p.m.

*Brian Ebersole*

BRIAN EBERSOLE, MAYOR

ATTEST:

*Rick Rosenblatt*

RICK ROSENBLADT, CITY CLERK

10