



City Council Minutes

<http://www.ci.tacoma.wa.us/agendas/council>
City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

November 30, 1999

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole. Absent: 2 – McGavick and Silas.

The Flag Salute was led by Deputy Mayor Kirby.

CONSENT AGENDA

Approval of the minutes of the City Council study session of November 16, 1999.

RESOLUTIONS

Resolution No. 34584

Setting Tuesday, January 4, 2000, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Sprague Avenue, east of Tacoma Mall Boulevard, and south of South 58th Street. (Frank Mitchell; File No. 124.1105)

Resolution No. 34585

Setting Tuesday, January 18, 2000, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate Milwaukee Way between East 11th Street and Lincoln Avenue. (City of Tacoma; File No. 124.1108)

ASSESSMENT ROLLS

The Director of Public Works presents the Assessment Rolls for the following:

- LID No. 8605 for the placement of permanent pavement with storm drainage on Middle Road from Wright Avenue to East 34th Street.
- LID No. 8607 for the placement of permanent pavement with facilities for storm drainage on Mason Avenue from South 12th to South 14th Streets.
- LID No. 8617 for the placement of permanent pavement on the alley between Monroe and Tyler Streets from South 67th to South 69th Streets.

Setting Tuesday, January 11, 2000, at 1:30 p.m., as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner’s Agendas, December 7 and 14, 1999.
- b. Minutes of the Landmarks Preservation Commission, October 27, 1999.
- c. Minutes of the Planning Commission, October 26, 1999.
- d. Minutes of the Rainier Communications Commission, September 15, 1999.
- e. Minutes of the Tacoma Area Task Force on Disabilities, October 28, 1999.
- f. Minutes of the Tacoma Community Redevelopment Authority, October 14 and 28, 1999.
- g. Minutes of the Tacoma Public Library, September 15, 1999.
- h. Comprehensive Emergency Management Plan, September 1999.

Council Member Crowley moved that the Consent Agenda, including Resolution Nos. 34584 and 34585, be approved. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 34584 and 34585, was declared approved.

PROCLAMATION

Mayor Ebersole proclaimed First Night 2000 as the “Official Millennium Celebration for Tacoma and Pierce County,” and presented the proclamation to Ms. Donna Goyak.

PRESENTATION

Mayor Ebersole then called on Mr. Charles Potter, Program Director for Safe Streets, who presented the City Council with a Weed and Seed Award.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26531 (Continued from the meeting of November 16, 1999)

Amending Ordinance No. 26368 regarding the establishment of pricing for cable television products and services by adding pricing for Broadband Services to Internet Service providers within the city limits of Tacoma by Click! Network.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Chris Easley	Telisphere Communications
Gary Gardner	Executive Director, Washington Association of Internet Service Providers

Roll call vote was taken, resulting as follows:

Ayes: 6 – Baarsma, Crowley, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Abstaining: 1 – DeForrest

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

Ordinance No. 26526

Amending Chapter 12.08 of the Municipal Code to adjust rates and charges for storm drainage service; and to make other miscellaneous housekeeping changes.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

PUBLIC HEARINGS AND APPEALS (BEGAN AT APPROXIMATELY 5:29 P.M.)

- a. This is the date set for a public hearing by the City Council regarding Destination Downtown which amends Tacoma's Comprehensive Plan and Title 13 of the Municipal Code.

Speaking before the Council were:

Name	Address/Affiliation
Walt Waisath	Chair, Planning Commission
Raymond Schuler	Real Estate Broker, Schuler Properties
Linn Larsen	Cril and Associates
Carolyn Lake	Cril and Associates
Marykay Tomko	Saint Leo Parish
Carol Sloman	Chair, Northend Neighborhood Council
Elaine Wagner	North End Resident
Dotti Krist	Youth Minister, Saint Leo Parish

Mayor Ebersole requested that the term "Warehouse Residential District" be replaced with the original term "South Downtown District" in the document including the revision of the abbreviation from "SoDo District" to "SD" District.

Council Member Miller made some suggested changes and incorporated the amendments that were discussed at the study session by the City Council as follows:

on page 7, under Additional Use Regulations, striking the final bullet under paragraph 2;

on page 11, under Design Guidelines, paragraph 11, strike the term "affordable" and insert "mixed rate";

on page 13, under Variances, strike the final bullet; and under the first paragraph, strike the term "the basic design standard pertaining to driveways," under the second paragraph, after the word "variance," insert "only for the basic design standards"; under Definitions "Primary Pedestrian Street," under the first bullet strike "from 21st and Pacific Avenue between South 21st and";

on page 10, paragraph 8, the first bullet, strike "with the exception of Commerce Street between South 7th and South 15th"; and strike paragraph 5.

Council Member De Forrest requested that the definition of "mixed rate" also be included in the document.

The public hearing was declared closed at 6:01 p.m.

- a. This is the date set for a public hearing by the City Council regarding proposed amendments to the Comprehensive Plan and area-wide zoning changes which amend Title 13 of the Municipal Code.

Speaking before the Council were:

Name	Address/Affiliation
Billie Kendall	Resident
Robert Skidmore	Washington Elks Association 4525 South Pine Street
Carl Scheurman	Chair, Land Use Committee, South Tacoma Neighborhood Council
Lane Judson	South 43 rd and Junett

The public hearing was declared closed at 6:16 p.m.

Ordinance No. 26536

Approving the ad valorem tax levies for 2000.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26536. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

The Substitute Ordinance was declared passed.

Ordinance No. 26537

Imposing an immediate moratorium on the acceptance of applications for and issuance of land use, building, and development permits and business licenses for adult retail and adult entertainment uses, to be effective for 180 days; setting Tuesday, January 11, 2000, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the moratorium; and declaring an emergency making necessary the passage of this ordinance and its becoming effective immediately upon publication.

5

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

Ordinance No. 26538

Accepting \$50,000 from and authorizing the execution of a cost reimbursement agreement with the United States Department of Justice, Federal Bureau of Investigation to conduct joint law enforcement operations targeted at preventing and detecting illicit drug trafficking and violent crime in the designated Weed and Seed area; depositing in and appropriating said sum from the Miscellaneous Special Revenue Fund; and authorizing a non-interest bearing loan from the General Fund to the Miscellaneous Special Revenue Fund to be repaid by December 31, 2000.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

Ordinance No. 26539

Amending Chapter 13.06 of the Municipal Code relating to zoning regulations, off-street parking requirements, and sign regulations.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26539. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

6

The Substitute Ordinance was declared passed.

Ordinance No. 26540

Accepting \$150,000 from the University of Puget Sound and \$15,000 from the Tacoma School District; depositing in and appropriating \$165,000 from the Capital Improvements Summary Fund for reimbursement of costs incurred in the installation of streetlights on North Union Avenue between North 9th and North 8th Streets and on North 11th Street between Orchard and Highland Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Recuse: 1 – Baarsma

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

Ordinance No. 26541

Amending Chapter 1.35 of the Municipal Code by amending Section 1.35.010 and adding a new section to be known as Section 1.35.020 regarding Performance Audits.

Roll call vote was taken, resulting as follows:

Ayes: 5 – Baarsma, Crowley, Miller, Phelps, and Mayor Ebersole

Nays: 2 – De Forrest and Kirby

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

Ordinance No. 26542

Adopting a Compensation Policy for unrepresented employees, which replaces the Compensation Policy adopted by Resolution No. 30540 on August 1, 1989.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – McGavick and Silas

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26543

Modifying the Biennial Budget for the fiscal years 1999-2000; and adopting the 1999-2000 Mid-Biennial Modification.

Council Member Crowley moved to suspend the rules to consider Exhibits A and B of Ordinance No. 26543. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

Name	Address/Affiliation
Anne Redford-Hall	Director, Legal Services YWCA
Albert Eggers	100 Salmon Beach
Steven Miller	Lieutenant, Tacoma Fire Department 5104 North 37 th Street
Alison Sonntag	Resident
Amy Hogland	5312 South Pine Street
Chris Ensor	Executive Director, Tacoma Area Coalition Of Individuals With Disabilities (TACID)
Julie Anderson	Executive Director, YWCA
Pat McElligott	Resident, Firefighter, President, Tacoma Firefighter’s Local
Kim Moore	Volunteer, Domestic Violence Victim Advocate
Robert Wardell	Resident
John Carman	Firefighter, 2126 North Orchard
Diane Mason	Browns Point Elementary School
Erin Welch	Representing a group of students from Browns Point Elementary School Presentation given by the students
Yolanda A. Duralde, MD	Medical Director, Sexual Assault Clinic

6

Ordinance No. 26543
Continued

Jan Bejarano	Oakland Madrona Community
Shirley Mathis	Resident
Mark Patterson	Resident
Jay Benner	Head Coach, Tacoma Swim Club
Trever Gray	Swimmer, Tacoma Swim Club
Jackie Hackett	Director, Hilltop Action Coalition
Arlene Balazic	Probation Officer, Pierce County Juvenile Court
Kawyne Lund	Deputy Prosecutor, Pierce County Prosecuting Attorney's Office
Eileen O'Brien	Manager, Victim Services, Pierce County Prosecuting Attorney's Office
Ann Eft	Director, Pierce County Commission Against Domestic Violence
Julie Stith	Coordinator, Drop Out Prevention Program Centro Latino
Melody Rodriguez	Program Manager, Family Outreach and Education Program, Centro Latino
Cathy Anderson	Chair, Central Neighborhood Council
Phyllis Barrett	912 South Cushman
Albert Frank	Firefighter, 1320 South Proctor
Ardith Deraad	Member, Pierce County Commission Against Domestic Violence
Deanna Angel	McChord Family Advocacy Program
Stuart Magoon	10 Salmon Beach
John Athow	104 Salmon Beach
Darren Pen	Hilltop Action Coalition
Skip Young	817 South Cushman

The Ordinance, including Exhibits A and B, was set over for final reading next week.

Ordinance No. 26544

Establishing, ratifying, modifying and confirming rates and charges for railway switching performed by the Tacoma Municipal Belt Line Railway, effective December 18, 1999.

The Ordinance was set over for final reading next week.

Ordinance No. 26545

Amending Chapter 1.30 of the Municipal Code, relating to the Retirement Code, by amending Section 1.30.550 regarding the Refund of Contributions and Service Credit Buybacks.

The Ordinance was set over for final reading next week.

Ordinance No. 26546

Authorizing the creation of a Parking System Services function of the General Services Department for parking-related programs and activities and incorporating the roles and responsibilities of the Parking Garages Enterprise Fund; and amending Chapter 1.06 of the Municipal Code by adding a new section to be known as Section 1.06.104, "General Services Department-Parking Systems Services."

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26546. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 26547

Accepting \$20,000 from the State Farm Insurance Company; depositing in and appropriating said sum from the Arterial Street Fund for an intersection safety study at South 19th and Orchard Streets.

The Ordinance was set over for final reading next week.

Ordinance No. 26548

Amending Title 6 of the Municipal Code relating to tax on the gross earnings of the Solid Waste and Sewer Utilities of the Department of Public Works; and adding a new chapter to be known as Chapter 6.71, entitled "Electricity Business and Solid Waste Collection."

The Ordinance was set over for final reading next week.

10

RESOLUTIONS

Purchase Resolution No. 34586

Awarding contracts to:

1. Second Chance Body Armor, Inc., in the amount of \$250,000, for police body armor – Pierce County Bid No. 6637;
2. Instruments and Controls NW, in the amount of \$40,000; Kaman Industrial Tech Corp., in the amount of \$44,000; and Envirometrics, in the amount of \$50,000; for Open Purchase Orders for 1999-2000 for the Solid Waste Utility Division's Steam Plant No. 2 – Open Purchase Order Nos. 80297, 80096, and 82733;
3. Grenley Stewart Resources, Inc., in the amount of \$1,258,593, to increase and extend its contract for fuel at commercial card lock stations – Purchase Order No. 23983;
4. O.D. Snider & Sons, Inc., in the amount of \$64,999, to increase its contract for tank wagon bulk fuels – Washington State Contract No. 01595;
5. Cascade Container Fab Co., on its bid of \$36,906, for metal cardboard recycle containers – Specification No. G-044-99;
6. Aronson Security Group, on its bid of \$29,654, for an access control system – Specification No. G-049-99;
7. DDI Construction Company, on its bid of \$285,519.89, for sanitary sewer extension on North Shirley Street, from North 33rd to North 37th Streets, and on North Bennet Street, from North 35th to North 37th Streets – Specification No. G-240-99 (Work Order Nos. LD3959 and LD3961); and
8. Authorizing the execution of an interlocal agreement with the City of Lakewood for cooperative purchasing.

Council Member Crowley moved that the Purchase Resolution, including waiving formal bidding procedures on Item No 2, be adopted. Seconded by Deputy Mayor Kirby.

Speaking before the Council was:

Name	Address/Affiliation
Phyllis Barrett	912 South Cushman

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 2, was declared adopted.

Resolution No. 34587

Authorizing the amount of revenue received from the regular property tax levy for the year 2000 to the amount of \$3.60 per \$1,000 of assessed valuation.

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

Resolution No. 34588

Authorizing the execution of Purchase and Sale agreements with various property owners for the Central Public Safety Facility.

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

Resolution No. 34589

Authorizing the execution of an agreement with Pierce County to provide household hazardous waste collection and disposal services for City residents.

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

Resolution No. 34590

Authorizing the execution of a Multi-Family Limited Housing Property Tax Exemption Agreement with the Sun Ranch Partners to construct 28 to 54 senior apartments located between 235 and 247 Tacoma Avenue South in the Downtown residential target area.

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

Resolution No. 34591

Authorizing the execution of a second operating agreement with the Thea Foss Waterway Development Authority to outline activities to be accomplished for the years 1999-2002.

Council Member Crowley moved to continue Resolution No. 34591 to the meeting of December 7, 1999. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34591 will be considered at the regular City Council meeting of December 7, 1999.

12

Resolution No. 34592

Authorizing the submittal of a grant application with the United States Fish and Wildlife Service, in the amount of \$50,000, to implement the North American Wetlands Conservation Act.

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

Resolution No. 34593

Authorizing the execution of a property exchange agreement with Pierce Transit of the air rights for the property located at 100th Street SW and 96th Street SW; and further authorizing the execution of a short-term lease with Pierce Transit for a portion of the Tacoma Dome parking facilities.

Council Member Crowley moved to continue Resolution No. 34593 to the meeting of December 7, 1999. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34593 will be considered at the regular City Council meeting of December 7, 1999.

Resolution No. 34594

Authorizing the execution of an agreement with TCIT of Tacoma; Cable TV of Puget Sound, Inc.; TCI West, Inc.; and AT&T Corp. to allow AT&T access to TCI's excess bandwidth capacity and dark fiber to provide telecommunications services.

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

PUBLIC HEARINGS AND APPEALS (BEGAN AT 5:29 P.M.)

- a. This is the date set for a public hearing by the City Council regarding Destination Downtown which amends Tacoma's Comprehensive Plan and Title 13 of the Municipal Code.

The public hearing was held earlier in the meeting.

- b. This is the date set for a public hearing by the City Council regarding proposed amendments to the Comprehensive Plan and area-wide zoning changes which amend Title 13 of the Municipal Code.

The public hearing was held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member De Forrest stated that the Tacoma Community Redevelopment Authority minutes of October 14, 1999, state that the City Council mandated the funds for the Community Development Block Grant Home Funding for 1999 under Emergency Shelter and Special Need Funds, be used for the relocation of the Tacoma Rescue Mission. Council Member De Forrest requested more information on when and by what method did the City Council mandate that money.

Deputy Mayor Kirby stated that it was ZZ Top Day in the City of Tacoma on November 24, 1999.

Mayor Ebersole stated that Zoo Lights had a successful beginning on Friday, November 26, 1999, and he urged citizens to go out and look at the wonderful display.

Mayor Ebersole stated that on Saturday, November 27, 1999, he attended a Stop the Violence Celebration sponsored by Congo Productions. He stated that the event was quite successful and a very significant tribute was made to Dr. Silas and her eight years on the City Council.

Council Member Miller announced that the Pierce County Council adopted a substitute list for the Conservation Futures Funds. He reported that the Wapato Hills project moved up to third position, which would likely assure that the project would be funded out of Conservation Futures Funds. Council Member Miller gave credit to Pierce County Council Member Moss, who helped with the reprioritization of the Wapato Hills project.

Council Member Miller requested and encouraged the City Council to work with Mr. Gary Aswa, of the Boys and Girls Club, on bringing some of the upcoming USA Olympic Boxing Trials to Tacoma. He stated that this would be a great opportunity to highlight the City of Tacoma on the Olympic Circuit.

Council Member Phelps requested more information on the possibility of having a private firm, who has a contract with the Department of Naturalization, to build a \$42 million to \$45 million detention facility on the Tideflats for people being exported out of the country. He stated that he is interested in knowing the exact proposed location.

Mayor Ebersole endorsed the idea of bringing the Olympic Boxing Trials to the City of Tacoma and stated that this would be an exciting opportunity for the City and for our young people.

Mayor Ebersole reminded everyone that the tree lighting parade and ceremony would take place this Sunday, December 4, 1999, and encouraged Council Members to attend.

14


Mayor Ebersole stated that Police Chief Hairston sent 27 officers to Seattle today for assistance with the WTO protest.

Council Member De Forrest moved to excuse Council Members McGavick and Silas from tonight's meeting. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 9:40 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: 
for: _____
RICK ROSENBLADT, CITY CLERK

15