

# CITY COUNCIL MINUTES

City Council Chambers  
December 10, 1996

The meeting was called to order at 5:06 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 Council Member McGavick.

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## CONSENT AGENDA

Approval of the minutes of the study session of the Tacoma City Council, December 3, 1996.

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

- a. Hearing Examiner's agenda for December 10, 1996.
- b. Minutes of the meetings of the Civil Service Board, October 21 and November 4, 1996.
- c. Minutes of the meeting of the Foss Waterway Development Authority, November 21, 1996.
- d. Minutes of the meeting of the Planning Commission, November 20, 1996.
- e. Minutes of the special meetings of the Board of Trustees of the Tacoma Public Library, October 18, 19 and 22, 1996, and regular meetings of October 16 and November 6, 1996.

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

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**REGULAR AGENDA**

**FINAL READING OF ORDINANCES**

**Substitute Ordinance No. 25984**

Approving the 1997-1998 Biennial Budget.

Council Member Miller moved to suspend the rules to consider Substitute No. 2 of Ordinance No. 25984. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Skip Vaughn	7634 South Fife
Dave Dye	Business Representative with the International Brotherhood of Electrical Workers, Local No. 483
Burton Joyce	Retired Police Captain

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. 25985**

Approving the ad valorem tax levies for 1997.

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.

Deputy Mayor Silas stated that three or four members from South Africa had been in the audience observing local government. She stated that she had hoped to introduce them but the discussion on the budget took longer then she expected and that they had another commitment and had to leave. She then stated that they are visiting the City of Tacoma pursuing economic development.

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Mayor Ebersole asked Deputy Mayor Silas to convey to the guests that the City Council Members are glad that they are visiting the City of Tacoma and would be pleased to meet with them at a later time.

**Ordinance No. 25986**

Amending Chapter 2.04 of the Municipal Code, relative to the Electrical Code, to allow qualified electricians employed on a full-time basis to perform electrical work on their employer's premises.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

**Ordinance No. 25987**

Amending the Land Use Management Plan by revising the reference document, the Capital Facilities Program, the Generalized Land Use Plan, and the Transportation Program and developing a new element, the Nonmotorized Transportation Plan; and amending Chapter 13.06 of the Municipal Code by adding and deleting certain properties to the "RCX" Residential Commercial Mixed-Use Center and the "CCX" Community Commercial Mixed-Use Center Districts.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

**Substitute Ordinance No. 25989**

Amending Chapter 8.12 of the Municipal Code by adding Section 8.12.070 prohibiting the use of compression brakes within the City of Tacoma.

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Council Member De Forrest moved to suspend the rules to consider Substitute Ordinance No. 25989. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

The Substitute Ordinance was declared passed.

**Ordinance No. 25990**

Approving and confirming the Assessment Roll for L.I.D. No. 7717 for the conversion of the existing overhead electrical primary, telephone, and cable TV systems to underground along various streets and alleys in North Tacoma.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

**Ordinance No. 25991**

Approving and confirming the Assessment Roll for L.I.D. No. 8580 for the construction of permanent pavement with necessary facilities for storm drainage on Prospect Street from South 8th to South 10th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Miller

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The Ordinance was declared passed.

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## FIRST READING OF ORDINANCES

### **Ordinance No. 25992**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at the southwest corner of South Tyler and South 50th Streets from an "R-2" One-Family Dwelling District to an "R-3" Two- and Three-Family Dwelling District for the construction of three two-story duplexes and the retention of an existing single-family dwelling. (Bill Barrett Builder, Inc.; File No. REZ96-00018)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

### **Ordinance No. 25993**

Vacating a portion of South Puget Sound Avenue between South 15th and South 18th Streets to combine the vacated area with abutting properties to unify into one property. (Life Center; File No. 124.1039)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

### **Ordinance No. 25994**

Authorizing the execution of an amendment to the agreement with Pierce County Department of Aging and Long Term Care in the amount of \$38,690; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for providing various case management services for senior citizens.

The Ordinance was set over for final reading next week.

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**Ordinance No. 25995**

Authorizing the execution of an interlocal agreement with Pierce County in the amount of \$30,000; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for specialized child care resource and referral services to families of children with developmental disabilities and to parents with disabilities.

Council Member Miller moved to continue Ordinance No. 25995 to the meeting of December 17, 1996, per the request of staff. Seconded by Council Member Evans. The motion was declared adopted.

Ordinance No. 25995 will be considered at the City Council meeting of December 17, 1996.

**Ordinance No. 25996**

Authorizing the City Attorney to acquire by negotiation and/or condemnation a construction easement and permanent air rights across certain property held by Burlington Northern/Santa Fe Railroad for the construction of the Chihuly Bridge of Glass; authorizing payment from the Capital Improvements Summary Fund; and declaring the taking of such lands, properties, interest and rights be for a public purpose and use.

The Ordinance was set over for final reading next week.

**Ordinance No. 25997**

Amending Chapter 1.12 of the Municipal Code to implement 1997 rates of pay and compensation for represented and unrepresented employees and changes in classifications to reflect the organizational structure.

The Ordinance was set over for final reading next week.

**Ordinance No. 25998**

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for employees represented by the United Transportation Union, Yardmasters Unit.

The Ordinance was set over for final reading next week.

**Ordinance No. 25999**

Amending Chapter 1.10 of the Municipal Code establishing administrative authority for emergency management for the City of Tacoma.

The Ordinance was set over for final reading next week.

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**Ordinance No. 26000**

Authorizing the execution of a Domestic Violence S.T.O.P. Grant agreement with the Office of Crime Victim Advocacy of the State of Washington Department of Community, Trade and Economic Development in the amount of \$43,082.66; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing an interlocal agreement with the City of Puyallup to carry out the activities of the grant program relative to domestic violence.

Speaking before the Council was:

Name	Address/Affiliation
Phyllis Barrett	912 South Cushman

The Ordinance was set over for final reading next week.

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**RESOLUTIONS**

**Purchase Resolution No. 33561**

Awarding contracts to:

1. Power Screen of WA, Inc., on its bid of \$59,292, for one used mobile trummel power screen - Specification No. G-071-96;
2. Wilbur Ellis Co., in the amount of \$64,000, for chemicals, pesticides and herbicides - Washington State Contract No. 10793;
3. American Linen, on its bid of \$215,050, for coverall, uniform and linen service - Specification No. G-059-96; and
4. Open Purchase Orders over \$25,000 for 1997-1998.

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

Council Member De Forrest moved to vote separately on Item No. 3.

Mayor Ebersole stated that with the permission of Council Member Miller, the maker of the motion to adopt the Purchase Resolution, he would like to revise that motion to adopt Item Nos. 1, 2 and 4. Voice vote was taken and carried. The motion was declared adopted. Purchase Resolution Item Nos. 1, 2, and 4 were declared adopted.

Council Member Miller moved to adopt Item No. 3. Seconded by Council Member Crowley.

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Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Steve Boucher	Unifirst Corporation, 1418 6th Avenue

Council Member Baarsma moved to continue Item No. 3 to a date to be determined. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted. Item No. 3 will be considered at a meeting on a date to be determined.

**Resolution No. 33562**

Approving the revised Electric Rate Policy.

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

**Resolution No. 33563**

Approving the revised Water Rate Policy.

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

**Resolution No. 33564**

Authorizing the execution of an agreement with Robert E. Mack, of Smith Alling Lane, P.S., in the amount of \$65,000, for legislative liaison activities during the 1997 session of the Washington State Legislature, effective January 1, 1997, through December 31, 1997.

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

**Resolution No. 33565**

Authorizing the execution of an amendment to the agreement with Simon and Company, in the amount of \$29,992, for congressional liaison activities during the 1997 session of the United States Congress, effective January 1, 1997, through December 31, 1997.

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.

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**Resolution No. 33566**

Adopting amendments to the "Legislative Policy Manual" that identify priority issues for the City of Tacoma in the 1997 Session of the Washington State Legislature.

Council Member De Forrest moved to continue Resolution No. 33566 to the meeting of December 17, 1996. Seconded Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33566 will be considered at the regular City Council meeting of December 17, 1996.

**Resolution No. 33567**

Authorizing the issuance of a quitclaim deed to Thomas J. Watters for the property located at 1310 Highlands Parkway North to clear title to the property.

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

**Resolution No. 33568**

Authorizing the execution of a collective bargaining agreement with United Transportation Union for the Belt Line Railway Yardmasters, effective January 1, 1997, through December 31, 2001.

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

**Resolution No. 33569**

Approving the amendments to the Pierce County County-wide Planning Policies; and authorizing the execution of an interlocal agreement with Pierce County for said purpose.

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

**Resolution No. 33570**

Authorizing the execution of Amendment No. 137 to the Neighborhood Preservation Program Agreement with the Tacoma Community Redevelopment Authority to allocate \$75,000 in 1993 HOME Funds to Martin Luther King Housing Development Association for the acquisition and rehabilitation of two single-family residences and two building lots located in the Hilltop neighborhood.

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

**Resolution No. 33571**

Authorizing the execution of an extension to the lease agreement with the University of Washington for warehouse space located at 1925 Commerce Street for the Emergency Home Repair Program, effective January 1, 1997, through December 31, 1997.

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

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**UNFINISHED BUSINESS**

None.

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**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz, Jr., reminded the City Council Members that the rescheduled Sixth Annual Cross District Breakfast is tomorrow morning at 7:30 a.m. at the Landmarks Convention Center. He stated that the breakfast is supported by the City's Neighborhood Business Revitalization Program.

Mr. Corpuz then stated that the TCI Cable Franchise extension and the Human Service Agreements are scheduled to be on the City Council Agenda next week. He stated that Leslie Rowen, General Services Director, will provide the City Council with additional information regarding the TCI Cable Franchise extension and will also be prepared to answer any other questions Council may have regarding this issue. Mr. Corpuz stated that staff will also be requesting authorization for \$2.2 million worth of contracts for Human Services. He then stated that the City Council has \$100,000 set aside and that there is still time to decide on how to allocate the money. He stated that Don Hines, Community and Human Development Manager, and Juli Wilkerson, Planning and Development Services Director, will be available if the City Council has any questions.

Council Member Evans asked Mr. Corpuz about the expected amount of time needed for the Public Utilities Department to reach a conclusion regarding the issue of cable possibilities and telecommunications.

Mr. Corpuz responded stating that a report will be forthcoming at the end of February 1997.

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Council Member Evans asked Mr. Corpuz if the City Council's meeting next week precluded any potential actions the Council might take.

Mr. Corpuz responded stating that any extension would not preclude any options the City Council may want to exercise in the future.

Council Member Baarsma stated that he receives communications, letters and copies of letters asking why the City of Tacoma cannot negotiate a franchise with someone willing to provide the kinds of services that the citizens deserve. He stated that he is referring to the Learning Channel, the History Channel, Canadian broadcasting, as well as PEG Access. Council Member Baarsma requested a one-page summary explaining why the City of Tacoma cannot just walk away from the process.

### COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Deputy Mayor Silas requested information regarding the rules for impounding vehicles, the definition of a junk vehicle and the process for retrieving vehicles that have been impounded. Deputy Mayor Silas stated that this issue has been discussed for many years and she supports the program, however, she would like to see more communication with the citizens.

Council Member Evans indicated that the Police Department was considering implementing a warning ticket program for cars which are parked illegally. He asked whether or not this warning program has started and what efforts have been made to make the program public. Council Member Evans then expressed his concerns regarding his name being attached to this effort when in reality the City of Tacoma is enforcing state law. He then stated that he would endorse a solution to not having the City Council Members names listed as a contact person if indeed a department is responsible for a particular issue.

Council Member Kirby moved to excuse Council Members Miller and Crowley from portions of tonight's meeting. Seconded by Council Member Baarsma. Voice vote was taken and failed. The motion was declared failed.

Council Member De Forrest stated that he did not think the City of Tacoma should have a law prohibiting parking on parking strips. He stated that many of the streets in Tacoma are so narrow that it is more dangerous to have vehicles parking in the street than on the parking strip.

Council Member De Forrest then stated that he had been contacted to participate in a telephone survey being conducted on what the neighborhood needs are in the City of Tacoma. He indicated that 1,200 citizens will be called for the survey. Council Member De Forrest stated that he thought the survey was excellent. He then stated that he did

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have difficulties with the beginning of the survey which indicated that the City of Tacoma will not spend any additional taxes. He stated that the interviewer then asked, "... if this isn't going to cost any additional taxes, what would you like to see done." Council Member De Forrest stated that he felt that statement was misleading. Council Member De Forrest explained the bond issue to the interviewer who was totally unaware that the bonds would be paying for these improvements. He then stated that he felt it would have been more honest to say that we are planning a bond issue and ask the citizens what improvements they would like to have included, rather than this isn't going to cost you any more taxes.

Council Member De Forrest stated that he received a beautiful marketing brochure from the Tacoma Dome. Council Member De Forrest then expressed some concerns that the brochure did not mention that the owners of the Tacoma Dome are the proud citizens of the City of Tacoma, and the employees business cards did not mention that they are employed by the City of Tacoma. He requested that the next brochure state that the Tacoma Dome is owned and operated by the citizens of Tacoma and that the employees business cards indicate they are employees of the City of Tacoma.

Council Member Evans stated that the courts have determined that parking on a parking strip, which is the strip between street and sidewalk, is illegal and that causes the City of Tacoma liabilities if we allow it to continue. He stated that he is aware that in some parts of the City people do not have adequate parking facilities of their own. Council Member Evans then stated that we now have, not only our local Ordinance, but a state law against parking on a parking strip and the City of Tacoma should take every effort to adhere to that law.

Deputy Mayor Silas requested the status of our Local Employment Program and Apprenticeship Training Program.

Council Member McGavick echoed Council Member Baarsma's comments about the cable company. She stated that she gets more comments and calls now about cable service in our community. She stated that the bottom line is Tacoma deserves the same kind of service as Seattle.

Mayor Ebersole stated that on Sunday, December 8, 1996, he participated in the Annual Holiday Torchlight Parade in downtown Tacoma. He stated that there was a very good turnout and thousands of people participated in the parade. Mayor Ebersole thanked Fred Shanaman for great job with the Torchlight Parade and getting people into the holiday spirit. Mayor Ebersole stated that Fred's wife, Jane Shanaman, is responsible for the Festival of Trees at the Tacoma Dome and thanked them both for their efforts. Mayor Ebersole then stated that Police Patrol Officer Hargrove is retiring from the Tacoma Police Department after 41 years of being on the streets of our City. He stated that Officer Hargrove is a modest man, but has enormous respect among his

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fellow officers and has done a great job for this City over the years and the City Council wanted to publicly acknowledge Patrol Officer Hargrove's fine service to the City.

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On proper motion, the meeting was adjourned at 7:57 p.m.

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BRIAN EBERSOLE, MAYOR

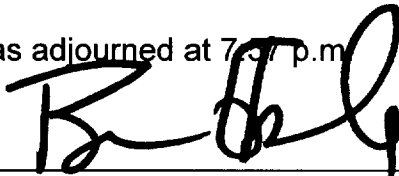
ATTEST: \_\_\_\_\_  
RICK ROSENBLADT, CITY CLERK

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On proper motion, the meeting was adjourned at 7:30 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK

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