



City Council Minutes

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

March 23, 1999

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

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

The Flag Salute was led by Council Member Phelps.

CONSENT AGENDA

RESOLUTIONS

Resolution No. 34348

Setting Monday, April 12, 1999, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on LID No. 8623 for the placement of permanent alley pavement with storm drainage in the alleys between North 26th and North 27th Streets from Lawrence to Warner Streets; between Tacoma Avenue North and E Street from North 11th Street northwest to the dead end; between Madison and Monroe Streets from North 37th to North 38th Streets; between Shirley and Winnifred Streets from North 21st to North 23rd Streets; and between North 30th to North 31st Streets from Huson to Orchard Streets.

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ASSESSMENT ROLLS

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

- LID No. 2628 for the placement of two-inch asphalt surface treatment and necessary facilities for storm drainage on South L Street from South 94th to South 96th Streets
- LID No. 2629 for the placement of two-inch asphalt surface treatment and necessary facilities for storm drainage on North Warner Street from North 35th to North 36th Streets
- LID No. 8596 for the placement of asphalt concrete alley pavement on the alley between J and K Streets from South 35th to South 36th Streets

Setting Tuesday, April 13, 1999, at 9:00 a.m., as the date for a hearing by the Hearing Examiner.

- LID No. 8582 for the placement of permanent pavement, curbs and gutters, and storm drainage on Gove Street from North 38th to North 39th Streets
- LID No. 8590 for the placement of permanent pavement and storm drainage on South Fawcett Avenue from Division Lane to South 36th Street
- LID No. 8593 for the placement of permanent pavement and storm drainage on 57th Avenue N.E. from 27th to 25th Streets N.E., south approximately 250 feet to existing pavement. Also, construct cement concrete curb and gutter and asphalt pavement to a width of 32 feet along the east side of the existing pavement to 25th Street N.E.

Setting Tuesday, April 13, 1999, 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 Agenda, March 30, 1999.
- b. Minutes of the Landmarks Preservation Commission, March 10, 1999.
- c. Minutes of the Planning Commission, March 3, 1999.

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- d. Minutes of the Public Utility Board study session and regular meeting, February 24, 1999.
- e. Minutes of the Tacoma Community Redevelopment Authority training session, February 4, 1999; and regular meetings, February 11 and 25, 1999.

Council Member Crowley moved that the Consent Agenda, including Resolution No. 34348, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 34348, was declared approved.

PROCLAMATIONS

Deputy Mayor Kirby honored the University of Puget Sound Women’s Swimming Team and congratulated them on their 1999 national championship and presented the proclamation to Mr. Chris Myre, Coach.

Deputy Mayor Kirby then proclaimed the day of April 17, 1999, as a special day of recognition for everyone involved in the Daffodil Festival and presented the proclamation to Ms. Connie Wekell.

R E G U L A R A G E N D A

FINAL READING OF ORDINANCES

Ordinance No. 26383

Establishing, ratifying, modifying and confirming rates and charges for railway switching performed by the Tacoma Municipal Belt Line Railway, effective April 1, 1999.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Silas and Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 26384

Amending Chapter 11.50 of the Municipal Code to amend the parking regulations relating to City-owned parking facilities.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Silas and Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 26385

Authorizing the execution of an agreement with Washington State through the Washington State Military Department, Emergency Management Division, in the amount of \$2,500; accepting, depositing in and appropriating said sum from the General Fund for expenses associated with a pilot program to encourage the securing of water heaters to prevent damage during earthquakes.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Silas and Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 26386

Amending various chapters of the Municipal Code to reorganize and rename the Human Rights Department to the Human Rights and Human Services Department; the Department of Planning and Development Services to the Tacoma Economic Development Department; and to perform various housekeeping measures.

Roll call vote was taken, resulting as follows:

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

Nays: 0

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Absent: 2 – Silas and Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 26387

Authorizing the execution of a grant agreement with the Pierce County Department of Aging and Long Term Care, in the amount of \$254,850; depositing in and appropriating \$239,850 from the Miscellaneous Grants Summary Fund and \$15,000 from the General Fund for various senior services and the Senior Center Nutrition Program.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Silas and Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 26388

Accepting \$137,594 from the United States Department of Justice COPS School-Based Partnership grant funds; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to analyze safety in schools.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26388. 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, McGavick, Miller, Phelps, and Deputy Mayor Kirby

Nays: 0

Absent: 2 – Silas and Mayor Ebersole

The Substitute Ordinance was declared passed.

Ordinance No. 26389

Amending Chapters 3.02, 3.09, and Title 3 of the Municipal Code relating to the Fire Prevention Code and the maintenance of portable fire extinguishers; and adding a new chapter entitled Mobile Fueling Operating and Permitting Requirements.

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Council Member McGavick moved to suspend the rules to allow additional testimony. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council was:

Name	Address/Affiliation
Robert Grenley	Grenley Stewart Resources

Council Member Baarsma moved to remand Ordinance No. 26389 to the Environmental Commission for review and comments, and to solicit comments from certain environmental agencies prior to the City Council taking action. Seconded by Council Member Phelps.

Roll call vote was requested and taken, resulting as follows:

Ayes: 6 – Baarsma, De Forrest, McGavick, Miller, Phelps, and Deputy Mayor Kirby

Nays: 1 – Crowley

Absent: 2 – Silas and Mayor Ebersole

Ordinance No. 26389 was remanded to the Environmental Commission.

FIRST READING OF ORDINANCES

Ordinance No. 26390

Amending Chapter 11.50 of the Municipal Code to add a ceiling rate for all-day parking, in the amount of \$10, to be charged on an as-needed basis at the North and South Plaza garages by the City or its contractors.

The Ordinance was set over for final reading next week.

Ordinance No. 26391

Accepting \$250,000 from NRG Energy, Inc.; depositing in and appropriating said sum from the Solid Waste Utility Operating Fund to assist in offsetting the costs of ongoing feasibility testing at Steam Plant No. 2; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 26392

Transferring \$890,000 from the Tacoma Power Operating Fund; depositing in and appropriating said sum from the Solid Waste Utility Operating Fund for solid waste disposal costs after the closure of Steam Plant No. 2 in April 1998; increasing costs for staffing during the test burns; and declaring an emergency making necessary the passage of this ordinance.

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Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26392. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council was:

Name	Address/Affiliation
Phyllis Barrett	912 South Cushman

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

RESOLUTIONS

Purchase Resolution No. 34349

Awarding a contract to:

Bailey Berg General Contractors, in the amount of \$80,000, to increase its contract for additional construction of Fire Station No. 16 at 7217 Sixth Avenue – Specification No. G-210-98.

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

Resolution No. 34350

Authorizing the execution of an agreement with Potelco, Inc., in the amount of \$5,284,950, for Telecommunications construction services.

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. 34351

Authorizing the execution of an amendment to the agreement with Merritt+Pardini/HOK, in the amount of \$50,000, for architectural services for expansion of the Tacoma Convention Center.

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.

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Resolution No. 34352

Authorizing the execution of an amendment to the agreement with Timothy J. Parker, of Carney Badley Smith & Spellman, in the amount of \$42,000, for legal services regarding the lawsuit of Cool v. Tacoma Police Department, et al.

Council Member Crowley moved that the Resolution be adopted. Seconded by Council Member McGavick.

Speaking before the Council was:

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

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

Resolution No. 34353

Authorizing the execution of an amendment to the Tacoma Community Redevelopment Authority (TCRA) Agreement to allocate \$48,000 in 1997 HOME Investment Partnership funds and authorizing the TCRA to loan these funds to Crown Assisted Living Development for construction of assisted care rental units.

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. 34354

Authorizing the execution of an interlocal agreement with Tacoma School District No. 10, in the amount of \$69,000, for the Adult Crossing Guard Program, for the period of January 1999 through June 2000.

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

Resolution No. 34355

Authorizing the execution of Amendment No. 4 to the agreement with Hart Crowser, Inc., in the amount of \$800,000, for completion of sediment remedial design activities in the Thea Foss and Wheeler-Osgood Waterways.

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.

UNFINISHED BUSINESS

None.

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REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. stated that Mayor Ebersole was feeling better and hopes to be able to come home by Friday.

Mr. Corpuz requested authority to grant a six-month residency waiver for the position of Legal Intern in the Civil Division, Employment Law Section. He stated this is an appointive position, which is limited to people who are law students.

Council Member Crowley moved to authorize the City Manager to grant a six-month residency waiver for the position of Legal Intern in the Civil Division, Employment Law Section. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Crowley moved to excuse Council Member Silas and Mayor Ebersole from tonight's meeting. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma paid tribute to Doris Evans, who passed away today. He stated that she had been very active in the PTA and was one of the first staffers in Safe Streets. She served on a Charter Review Committee and on the Urban Policy Committee. She established Allied Arts with her husband, former Council Member Bob Evans. Council Member Baarsma stated that she would be greatly missed.

On proper motion, the meeting was adjourned at 7:02 p.m.



STEVE KIRBY, DEPUTY MAYOR

ATTEST: 

RICK ROSENBLADT, CITY CLERK