



City Council Minutes

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

July 20, 1999

The meeting was called to order at 5:14 p.m.

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

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

Approval of the minutes of the City Council study sessions of March 30, 1999, April 13, 20 and 27, 1999, May 4, 11, and 18, 1999, June 15, 22 and 29, 1999; Joint City Council/Public Utility Board, April 6, 1999; Joint City Council/Foss Waterway Development Authority, May 25, 1999; Joint City Council/Tacoma-Pierce County Commission on Children, Youth, and Their Families, June 8, 1999; and Joint City Council/Planning Commission, July 13, 1999.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, July 27, 1999.
- b. Minutes of the Landmarks Preservation Commission, June 23, 1999.
- c. Minutes of the Tacoma Community Redevelopment Authority, May 13, May 27, and June 10, 1999.
- d. Minutes of the Tacoma-Pierce County Board of Health special meetings, June 23 and 30, 1999; and regular meeting, June 2, 1999.
- e. Amended 1999 and 2000-2005 Six-Year Comprehensive Transportation Program, June 1999.

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

Mayor Ebersole announced that the public hearing scheduled to be heard at 5:30 this evening regarding Work Release Facilities will be removed from the agenda and scheduled at a future date.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26399

Vacating South 8th Street between I Street and the alley to the west.
(City of Tacoma; File No. 124.1088)

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26399. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Substitute Ordinance was declared passed.

Ordinance No. 26460

Vacating the ten-foot wide pedestrian walkway south of South 35th Street and west of Sprague Avenue. (Titus Will Enterprises, Inc.; File No. 124.1089)

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26465

Granting a nonexclusive franchise to Level 3 Communications, LLC, to construct, operate and repair a telecommunications system throughout the City of Tacoma.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26469

Authorizing the acceptance, deposit, and appropriation of miscellaneous monies, in the amount of \$235,696.70, for various projects.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26470

Authorizing the execution of a grant agreement with the United States Department of Housing and Urban Development, in the amount of \$1,589,000; accepting, depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the 1999-2000 HOME Investment Partnership projects.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26471

Authorizing the execution of a grant agreement with the United States Department of Housing and Urban Development, in the amount of \$3,344,000; accepting, depositing in and appropriating said sum from the Community Development Grants Summary Fund for the 1999-2000 Community Development Block Grant projects.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26472

Authorizing the execution of a grant agreement with the United States Department of Housing and Urban Development, in the amount of \$119,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the 1999 Emergency Shelter Grant projects.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26473

Approving and confirming the Assessment Roll for LID No. 8588 for the placement of permanent pavement with storm drainage on Madison Street from South 69th Street to approximately 325 feet north of South 74th Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26474

Approving and confirming the Assessment Roll for LID No. 8598 for the placement of permanent pavement with storm drainage on the alley between Trafton and State Streets from South 8th to South 10th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26475

Approving and confirming the Assessment Roll for LID No. 8603 for the placement of permanent pavement on South Junett Street from South 60th to South 62nd Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26476

Approving and confirming the Assessment Roll for LID No. 8604 to provide for the placement of permanent alley pavement on the alley between South 42nd and South 43rd Streets from Cushman Avenue to Asotin Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26477

Approving and confirming the Assessment Roll for LID No. 8608 for the placement of permanent alley pavement with storm drainage and storm water catch basins on the alley between East G Street and McKinley Avenue from East 36th to East 37th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26478

Approving and confirming the Assessment Roll for LID No. 8612 for the placement of permanent alley pavement on the alley between M Street and Sheridan Avenue from South 64th Street north 550 feet, then west to Sheridan Avenue.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26479

Providing for the formation of LID No. 2632 for the placement of two-inch asphalt surface treatment and necessary facilities for storm drainage on 27th Street NE from 55th Avenue NE to 56th Avenue NE; and 27th Street NE from 56th Avenue NE to 57th Avenue NE.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26480

Providing for the formation of LID No. 8624 for the placement of permanent pavement and necessary facilities for storm drainage on East N Street from East 55th to East 56th Streets; and on Harrison Street from East J to East K Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26481

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the west side of Norpoint Way, 250 feet south of the intersection of 29th Street NE and Norpoint Way NE, from an "R-2" One-Family Dwelling District to an "R-4-L" Low-Density Multiple-Family Dwelling District to allow the construction of a 16-unit apartment complex. (Gerry Hodgkiss; File No. REZ98-0009)

Council Member Crowley 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. 26482

Accepting a third-year Juvenile Justice Grant from the Washington State Department of Social and Health Services, in the amount of \$93,590; and class fees, in the amount of \$25,000; depositing in and appropriating said sums into the Miscellaneous Grants Summary Fund to continue a crime-free housing education and certification program and a latchkey program.

The Ordinance was set over for final reading next week.

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Ordinance No. 26483

Submitting the following proposition to the voters of the City of Tacoma for the Primary Election on September 14, 1999:

PROPOSITION NO. 1

**TACOMA FIRE DEPARTMENT MEDIC ONE
EMERGENCY MEDICAL SERVICES TAX LEVY**

Shall the City of Tacoma be authorized to impose a PERMANENT regular property tax levy of \$.42 or less per \$1,000 of assessed valuation (for continued provision of the emergency medical services by the Tacoma Fire Department beyond the same levy scheduled to cease in 2000)?

YES

NO

and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Speaking before the Council were:

Name	Affiliation/Address
Dick Sonntag	Resident
Will Baker	Resident

The Ordinance was set over for final reading next week.

RESOLUTIONS

Resolution No. 34445 (Continued from the meeting of June 29, 1999)

Requesting the Pierce County Council to place before the voters of Pierce County, on the September 14, 1999, ballot, the question of authorizing a one-tenth of one percent sales and use tax for the support of the Point Defiance Zoo and Aquarium and Northwest Trek Wildlife Park.

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

Speaking before the Council were:

Name	Affiliation/Address
Phyllis Barrett	912 South Cushman
Larry Dahl	President, Metropolitan Park Board
Harold Moss	Pierce County Council Member

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

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 1 – Silas

The Resolution was declared adopted.

Resolution No. 34453

Authorizing the execution of an interlocal agreement with Pierce County and the Metropolitan Park District for the creation of the Zoo-Trek Authority (ZTA) and setting forth the powers and limitations of the ZTA.

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

Speaking before the Council were:

Name	Affiliation/Address
Phyllis Barrett	912 South Cushman
Gary Geddis	Interim Executive Director, Metropolitan Park District

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

RESOLUTIONS

Purchase Resolution No. 34454

Awarding contracts to:

1. J & D's Hydraulic and Repair, on its bid of \$60,811.66, for a metal solid waste container with knuckleboom crane – Specification No. G-028-99;
2. Concrete Barrier, Inc., on its bid of \$614,900.00, for seismic upgrades to the South M Street bridge, Tacoma Avenue bridge, River Street viaduct extension, two East 34th Street bridges, and rehabilitation of the River Street viaduct – Specification No. G-205-99;
3. Mid-Mountain Contractors, Inc., on its bid of \$1,167,758.13, for replacement of concrete sanitary sewer trunklines in Alder Street, from South 74th to South 70th Streets; and South 70th Street, from Alder Street to South Tacoma Way – Specification No. G-222-99;
4. Olalla Hills Excavating, Inc., on its bid of \$1,467,105.93, for sanitary and storm sewer reconstruction between Thompson and Fawcett Avenues, from South 50th to South 64th Streets; Pacific Avenue and D Street, from South 43rd to South 46th Streets; and the intersection of East D and East 19th Streets – Specification No. G-223-99;
5. Harborside, Inc., in the amount of \$55,000, for Business District furniture installation and citywide bicycle rack installation – Specification No. G-240-98;
6. Chevron Products Company, in the amount of \$20,000, to extend and increase its contract for lubricants – Washington State Contract No. 22403; and

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7. Tennant Co., in the amount of \$41,166.02, for a Tennant 800 mid-size sweeper for the Business Improvement Area cleanup program.

Council Member Crowley moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 7, be adopted. Seconded by Mayor Ebersole.

Speaking before the Council was:

Name	Affiliation/Address
Phyllis Barrett	912 South Cushman

Council Member De Forrest moved to continue Item No. 1 of the Purchase Resolution to the City Council meeting of July 27, 1999. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 7 and continuing Item No. 1 to the City Council meeting of July 27, 1999, was declared adopted.

Resolution No. 34455

Authorizing the execution of Amendment No. 2 to the agreement with Mikkelborg, Broz, Wells and Fryer, in the amount of \$150,000, for litigation assistance on the Parcel 7 site, known as the Morris Property, located adjacent to the Thea Foss Waterway.

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

Resolution No. 34456

Authorizing the execution of an agreement with NRG Energy, Inc. to negotiate and prepare a management and operation agreement to jointly operate Steam Plant No. 2.

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

Speaking before the Council was:

Name	Affiliation/Address
John Walston	7627 South Yakima

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

Resolution No. 34457

Authorizing the execution of an amendment to the agreement with Preston Gates & Ellis, in the amount of \$55,000, for legal assistance relating to the Steam Plant No. 2 project.

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.

PUBLIC HEARINGS AND APPEALS

This is the date set for a public hearing by the City Council regarding amendments to Chapter 13.06 of the Municipal Code and the Land Use Management Plan policies on items relative to Work Release Facilities.

Council Member Crowley moved to remove the Public Hearing from the Agenda per the request of staff. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. requested authority to grant a temporary six-month residency waiver for Mr. George Jensen, to fill the position of legal intern, in the Legal Department.

City Manager Corpuz requested authority to approve the appointment of Attorney Mark Lewington as one arbitrator for the impact fee dispute matter with Lewis County pertaining to the City's Cowlitz River hydroelectric project. He stated that this appointment was approved by the Tacoma Public Utility Board on July 14, 1999.

Council Member Crowley moved to authorize the City Manager to grant a temporary six-month residency waiver for Mr. George Jensen, to fill the position of legal intern, in the Legal Department. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Crowley moved to approve the appointment of Attorney Mark Lewington as one arbitrator for the impact fee dispute matter with Lewis County pertaining to the City's Cowlitz River hydroelectric project. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

City Manager Ray E. Corpuz Jr. announced that the City of Tacoma won the International Downtown Association award for the Tacoma Space.com, which is the web page that provides information on commercial listings. He stated that the web page was characterized as being very innovative for economic development. Mr. Corpuz thanked Juli Wilkerson, Economic Development Director, and her staff for making that possible.

Mr. Corpuz then announced that the City of Tacoma also received a 1999 Best Practices award for the collaborative effort on fair housing education, which was awarded to our Human Rights and Human Services Department. He stated that the award will be presented at the Technical Assistance Symposium this week in Kansas City.

Mr. Corpuz then reminded everyone that Ethnic Fest is this Saturday and Sunday at Wright Park.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Phelps requested that the citizens' committee that worked on the Work Release issue be kept informed and involved with the discussions that are taking place with the Planning Commission.

Council Member McGavick requested that the City Manager give a capsule report of performance audits that are taking place within City government.

City Manager Corpuz stated that Price Waterhouse, an independent auditor, performed one performance audit on the Risk Management Division. He stated that the results of that audit were shared with the City Council and that the Risk Management Division is implementing some of the results. Mr. Corpuz stated that the pilot performance audit was done to determine how a performance audit would add value to the City in terms of the performance results and to look at the question of cost. He stated that the City Council expressed some concerns raised by Pierce County and other jurisdictions regarding whether performance audits really add value in terms of the cost benefits, or are we just paying more fees to consultants. He stated the performance audit will be aligned with the performance measure management system, total quality, the strategic plan, and quality of life measurements. He stated that these are all major issues and progress is being made.

Council Member McGavick asked about performance evaluations.

City Manager Corpuz stated that under the pay for performance system, performance evaluations and the appraisal system will be looked at and discussed. He stated that a performance schedule will be given to the City Council this fall, as well as recommended revisions to the current ordinance which will address the concerns of the City Council.

Council Member Baarsma stated that the proposed LeMay Car Museum was the topic of considerable interest at the study session today and that a full presentation would be forthcoming in August. He stated that the consultant indicated that this may be the best single location on the West Coast and that the possibility of this kind of facility being one of a kind, worldwide, is achievable.

Council Member Baarsma stated that he had the opportunity last Saturday to join in the celebration of the 10th Anniversary of the Phoebe House, which is a facility that provides assistance for women in need. He stated that over 300 women have been through the program to prepare themselves to re-enter society.

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Council Member De Forrest requested a report relative to how many fireworks were confiscated and citations written over the Fourth of July holiday. He stated that one of his constituents called the nonemergency phone number to make a report regarding the shooting of fireworks. He stated that this constituent left a voice mail but was never called back. He then requested information regarding the nonemergency phone number and policy for responding to citizens, and also information as to whether or not the Police Department writes citations for shooting fireworks on the Fourth of July.

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



BRIAN EBERSOLE, MAYOR

ATTEST: 

RICK ROSENBLADT, CITY CLERK

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