

CITY COUNCIL MINUTES

City Council Chambers
December 16, 1997

The meeting was called to order at 5:08 p.m.

Present on roll call: 7 - De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole. Absent: 2 - Baarsma and Crowley. (Deputy Mayor Baarsma arrived at 5:09 p.m. and Council Member Crowley arrived at 5:12 p.m.)

(Deputy Mayor Baarsma arrived here.)

The Flag Salute was led by Council Member Evans.

CONSENT AGENDA

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, December 16, 1997.
- b. Minutes of the Commission on Children, Youth and Families, November 13, 1997.
- c. Minutes of the Public Utility Board, October 22, 1997.
- d. Minutes of the Tacoma-Pierce County Board of Health, November 5, 1997.
- e. Minutes of the Urban Policy Committee, October 9, 1997.

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

PROCLAMATION

Council Member Kirby proclaimed Council Member Evans as "an honorary citizen of South Tacoma, entitled to all the benefits therein, including the right to park on the City right-of-way in front of their homes" and presented the proclamation to Council Member Evans.

(Council Member Crowley arrived here.)

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Resolution No. 33900

Appointing individuals to the Tacoma Arts Commission, Tacoma Urban Network, Landmarks Preservation Committee, Transportation Committee, Planning Commission, and Environmental Commission.

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.

FINAL READING OF ORDINANCES

Ordinance No. 26163

Amending Chapter 1.30 of the Municipal Code relative to the Retirement Code and extending the opportunity to repay previously withdrawn contributions to December 31, 1998.

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. 26166

Amending Chapter 6.88 of the Municipal Code by adding a new section to be known as Section 6.88.090, entitled "Ratification or reimposition of tax."

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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Ordinance No. 26168

Amending Chapter 8.109 of the Municipal Code relating to public safety and juvenile curfew, and extending the effectiveness of the curfew through December 31, 1999.

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. 26169

Authorizing the execution of a grant award contract with the United States Department of Justice, Office of Justice Programs, in the amount of \$820,958; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$91,218 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$912,176 from the Miscellaneous Grants Summary Fund to provide activities under said grant projects.

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. 26170

Amending Chapter 6.68 of the Municipal Code relative to reporting requirements and tax rate for motor carriers of freight for hire.

Council Member Miller moved to continue Ordinance No. 26170 indefinitely. Seconded by Council Member McGavick. Voice vote was taken and carried with Council Member Kirby voting in opposition. The motion was declared adopted. The Ordinance was continued indefinitely.

Substitute Ordinance No. 26171

Approving the ad valorem tax levies for 1998.

Roll call vote was taken, resulting as follows:

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

Nays: 1 – De Forrest

The Substitute Ordinance was declared passed.

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Ordinance No. 26172

Accepting donations in the amount of \$14,499 from the Tacoma Housing Authority and \$1,000 from Key Bank; depositing in and appropriating \$15,499 from the General Fund for the construction of the Salishan Gathering Place project within the City's Public Art 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. 26173

Adopting amendments to the Land Use Management Plan and the City's Comprehensive Plan relative to the Capital Facilities Program 1998-2003, Generalized Land Use Plan, Thea Foss Waterway Design and Development Plan and the Transportation 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. 26174

Amending Chapter 13.06 of the Municipal Code relative to zoning by adding and deleting certain described property from zoning classifications; and amending Chapter 13.10 relative to the Master Program for Shoreline Development and "S-8" Shoreline regulations for the Thea Foss Waterway.

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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Ordinance No. 26175

Adopting amendments to Section 13.10 of the Municipal Code relative to the "S-3" Shoreline District Western Slope North, the "S-5" Shoreline District Point Defiance Conservancy and procedural changes, which are part of the Master Program for Shoreline Development.

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. 26176

Amending Chapter 12.09 of the Municipal Code to establish restructured solid waste collection and disposal rates, effective April 1, 1998.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Kirby

The Ordinance was declared passed.

Council Member De Forrest asked for and was granted a Point of Order. He indicated that, since the City Council had not considered the next Ordinance, Council Member Kirby would like to cast a vote on Ordinance No. 26176.

Mayor Ebersole called on Council Member Kirby.

Council Member Kirby voted "Aye" on Ordinance No. 26176.

The amended Roll call vote was as follows:

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

Nays: 0

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Ordinance No. 26177

Extending the moratorium on the acceptance of special property use permits and building permits for support structures of telecommunication facilities for an additional 90-days; and setting Tuesday, February 10, 1998, at approximately 6:00 p.m., as the date for a public hearing by the City Council on the extension of the moratorium.

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. 26178

Accepting various donations in the amount of \$7,228.39; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund; transferring and appropriating \$15,500 from the Miscellaneous Trust Summary Fund in support of the DARE 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. 26179

Accepting various donations in the amount of \$49,824.10; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund in support of the Tacoma Police Department Shooting Range.

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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Ordinance No. 26180

Amending Chapter 1.12 of the Municipal Code to implement 1998 rates of pay and compensation for certain represented and unrepresented employees and changes in classification to reflect the organizational structure for the International Brotherhood of Electrical Workers, Local 483, Customer and Field Services Unit, Custodial and Building Maintenance Unit, and the Professional Safety Manager's Association.

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. 26181

Amending Chapter 1.12 of the Municipal Code to implement 1998 rates of pay and compensation for certain represented and unrepresented employees and changes in classification to reflect the organizational structure for the Fire Fighters Union, Local 31.

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. 26182

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for certain represented and unrepresented employees, and changes in classification to reflect the organizational structure for various bargaining units.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 26182. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest moved to amend page 19 of Substitute Ordinance No. 26182, at line 5, to add the words "50 percent of" following the words ". . . include an amount equal to". Seconded by Council Member Kirby. Voice vote was taken and failed with Council Member De Forrest voting "aye." The motion was declared failed.

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Roll call vote was taken on Substitute Ordinance No. 26182 , resulting as follows:

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

Nays: 0

The Substitute Ordinance was declared passed.

RESOLUTIONS

Purchase Resolution No. 33908

Awarding contracts to:

1. Tacoma Daily Index, in the amount of \$100,000, to extend their contract for official City legal printing - Specification No. G-066-96;
2. AirTouch Cellular, in the amount of \$202,800, for 1998 cellular telephone airtime - Washington State Contract No. T98-MST-006;
3. AT&T Wireless Service, in the amount of \$81,700, for 1998 cellular telephone airtime - Washington State Contract No. T98-MST-007;
4. Gelfel Group, Ltd., in the amount of \$33,103.45, for three ConVault aboveground fuel storage tanks for the Fire Department - Washington State Contract No. 10091;
5. Altec Industries, Inc., in the amount of \$143,927.02, for one 40-foot telescoping and articulating manlift to maintain traffic signals and streetlights - Specification No. G-067-96;
6. Wingard & Company, Inc., on its bid of \$45,783.22, for HVAC replacement at Fire Station No. 2 - Informal Bid Specification No. G-242-97;
7. Totem Electric, on its bid of \$361,002.60, for traffic signal upgrades at South 38th Street and Yakima Avenue, South 38th Street and Thompson Avenue, South 38th Street and Tacoma Avenue, South 38th and G Streets, and South 38th and M Streets - Specification No. G-220-97;
8. DDI Construction, on its bid of \$1,629,356.65, for sanitary sewer reconstruction - Monroe Street trunkline, Jefferson Park to Puget Gulch - Specification No. G-217-97;
9. Tacoma Lawn & Garden, on its bid of \$33,702.40, for one landscape tractor with dozer - Specification No. FLT-202-97; and
10. Pacific Treadco, Inc., in the amount of \$176,000, for vehicle tire repair and road services - Specification No. G-055-95 and tire recapping service - Specification No. G-007-96.

Council Member Crowley moved to waive further reading of the title and adopt the Purchase Resolution, including waiving formal bidding procedures on Item No. 6. Seconded by Council Member McGavick. Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 6, was declared adopted.

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Resolution No. 33910

Authorizing the execution of a Parcel Conversion Agreement with Pierce County to assist in converting the County Assessor's tax parcels to conform to the City/County spatial data standard.

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. 33911

Authorizing the execution of an amendment to the agreement with ERE Rosen, in the amount of \$80,000, to provide real estate investment services for the period November 1, 1997 through December 31, 1998.

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. 33912

Approving a Historic Preservation Special Valuation Covenant between the Tacoma Landmarks Preservation Commission and Russ Winter for the McIlvaine Apartments located at 920 South 9th Street.

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

PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:09 P.M.)

This is the date for a public hearing by the City Council regarding amendments to Chapter 13.05 of the Municipal Code relative to land use permit procedures.

There were no speakers. The public hearing was declared closed at 6:11 p.m.

Resolution No. 33913

Designating the East 26th Street Bridge Rehabilitation, the Sector 4 Police Substation, Phase II Tenant Improvements, the Fire Training Center Construction, the Fire Station No. 16 Construction, the Arterial Street Construction at Jackson Avenue, McKinley Avenue, and East 72nd; and the Neighborhood Bond Construction projects as Special Projects of Limited Duration.

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

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Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
East Side Resident	Eastside Neighborhood Council

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

Resolution No. 33914

Authorizing the execution of a Collective Bargaining Agreement with the Fire Fighters Union, Local 31, effective January 1, 1998 through December 31, 2000.

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.

Resolution No. 33915

Authorizing the execution of a Collective Bargaining Agreement, with Professional Safety Managers' Association, from January 1, 1998 through December 31, 2000.

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

Resolution No. 33916

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Customer and Field Services Bargaining Unit, from January 1, 1998 through December 31, 2000.

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

Resolution No. 33917

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Custodial and Building Maintenance Bargaining Unit, from January 1, 1998 through December 31, 2000.

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

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Resolution No. 33918

Authorizing the execution of an agreement with Lawhead Architects, P.S., in the amount of \$90,000, for architectural and engineering services for the remodel and expansion of Fire Station 16.

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

Resolution No. 33919

Authorizing the execution of an agreement with Republic Parking, Inc., to operate and maintain City-owned parking facilities.

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.

Resolution No. 33920

Approving the 1997-1998 Small Innovative Grant Projects recommended by the Neighborhood Councils.

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

Speaking before the Council were:

Name	Address/Affiliation
Sally Guthrie	Chair, Oakland Madrona Neighborhood Group
John Avery	Chair, Northend Neighborhood Council
Ron Michael	Vice President, Oakland Madrona Business District Association

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

Resolution No. 33921

Authorizing the execution of an amendment to the agreement with the Tacoma-Pierce County Visitor & Convention Bureau, in the amount of \$59,000, for marketing and promotion services to enhance tourism and convention development.

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.

Resolution No. 33922

Stating the preferred site for a Commuter Rail Station in the South Tacoma area is the southwest corner of the intersection of South 56th and Washington Streets, with two alternative sites, one located directly south and west of the preferred site, and the other located to the north of South 56th Street on the east side of Burlington Way, between South 50th and 56th Streets.

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

Resolution No. 33923

Authorizing the execution of an amendment to the agreement with Hart Crowser, Inc., in the amount of \$1,275,000, for completion of sediment remedial design activities in the Thea Foss and Wheeler-Osgood Waterways.

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.

Resolution No. 33924

Authorizing the execution of a Turnback Agreement with the Washington State Department of Transportation to accept the transfer of portions of East 11th Street and assuming management, operation and maintenance functions.

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.

Resolution No. 33925

Supporting the designation of the Puyallup River Watershed as an American Heritage River.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Cheryl Greengrove	Environmental Science Professor, University of Washington

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

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Resolution No. 33926

Adopting, as part of the Consolidated Plan, an Amended Policy Statement, which reflects changes in the federal funds allocation process for housing development projects.

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

Resolution No. 33927

Approving the amended Citizen Participation Plan, which reflects changes in the federal funds allocation process; and authorizing the submittal of said Plan to the United States Department of Housing and Urban Development.

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. 33928

Expressing approval for the Institutional Network (I-NET) portion of the Light Division's Telecommunication Project to be provided in accordance with the I-NET Proposal.

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

PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:09 P.M.)

This is the date for a public hearing by the City Council regarding amendments to Chapter 13.05 of the Municipal Code relative to land use permit procedures.

The public hearing was held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. stated that he attended a meeting with the Pierce County Council concerning the new correctional facility. He stated that several options were presented and discussed, including a facility with 960 beds for an estimated cost of \$64 million, and a facility with 576 beds for an estimated cost of \$49 million. Mr. Corpuz stated that he did not think the Pierce County Council was pleased with either option because of the cost. He stated that a committee to look at sites for the correctional facility has been formed. He stated that the Pierce County Council has asked the Pierce County Executive to look at the lower priced option. Mr. Corpuz

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stated that both of these options would have an impact on the City of Tacoma because the temporary jail would need to be extended to the year 2010. He stated that the Pierce County Council would like to meet with the City Council when more information has been provided.

Mr. Corpuz thanked Lihuang Wung, Planning and Development Services, for his service as the Special Assistant in the City Manager's Office for the last three months. Mr. Corpuz announced that Ms. Genal Gavaldon, Planning and Development Services, will be the next Special Assistant.

Mr. Corpuz congratulated Jan Gilbertson, Human Resources Director, and John Kouklis, Chief Assistant City Attorney, on their retirements.

Mr. Corpuz congratulated Council Member Evans on his two successful terms as a Council Member. He stated that it has been a pleasure and an honor to work with Council Member Evans.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Mayor Ebersole presented Council Member Evans with a proclamation extending best wishes to him as he comes to the end of his term as a Council Member.

Deputy Mayor Baarsma highlighted Council Member Evans' achievements on the City Council and presented him with a framed picture of the City Council.

Council Member Crowley commented on Council Member Evans' years on the City Council. Council Member Crowley stated that Council Member Evans thinks that the week after he leaves office, an effort will be made to have the Municipal Dock Building blown up. Council Member Crowley stated that he wanted to go on record tonight stating that he plans to wait until February to lead that effort.

Council Member McGavick commented on Council Member Evans' achievements during his term on the City Council and called him the conscience of the Council. She then presented him with a picture entitled "The Three Domes of Tacoma."

Council Member Silas expressed her gratitude to Council Member Evans.

Council Member Miller commented on Council Member Evans' achievements. Council Member Miller then stated that there is no member of this Council, current or past, who has served with as much passion in their beliefs as Council Member Evans.

Council Member De Forrest commented on Council Member Evans' career. Council Member De Forrest then stated that he appreciated the 34th Street Bridge Lighting. He then presented Council Member Evans with the new hat of the City of Tacoma.

Susan Hardie, Library Director, presented Council Member Evans with a scrapbook containing pictures, newspaper articles and political pamphlets documenting Council Member Evans' highlights. She stated that Council Member Evans' service to the City of Tacoma goes back to at least the year 1954.

Mayor Ebersole commented on Council Member Evans' career. He stated that Council Member Evans does have a vision and that he sees the City through the eyes of an architect. He stated that Council Member Evans cares deeply about this community

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and making a difference. He stated that Council Member Evans has a great sense of humor. He stated that he appreciated Council Member Evans' work as Chair of the Board of Health. He then presented Council Member Evans with his own billboard. He also presented Council Member Evans with a plaque displaying the City seal. Council Member Evans then made his comments.

Mayor Ebersole announced that the City Council meetings of December 23 and 30, 1997 are canceled. He stated that the next regularly scheduled meeting of the City Council will be held on Tuesday, January 6, 1998, at 5:00 p.m. in the Council Chambers.

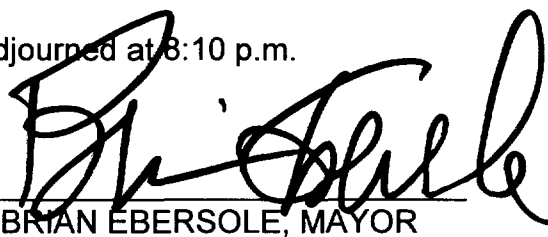
Mayor Ebersole noted that two Tacoma police officers rescued a women whose car plunged into Puget Sound today. He stated that he wanted to recognize the good work of the Tacoma Police Department.

Police Chief Arreola then gave an update on the situation.

Council Member De Forrest moved to excuse Council Member Kirby from those votes that he was unable to participate in this evening. Mayor Ebersole concurred.

Council Member De Forrest thanked Deputy Mayor Baarsma for the excellent job he did as Deputy Mayor this year.

On proper motion, the meeting was adjourned at 8:10 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK

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