



# City Council Minutes

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

February 10, 1998

The meeting was called to order at 5:04 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 Miller.

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## CONSENT AGENDA

Approval of the Tacoma City Council minutes of February 3, 1998.

## RESOLUTIONS

### **Resolution No. 33953**

Setting Tuesday, March 10, 1998, at approximately 6:00 p.m., as the date for a public hearing by the City Council regarding amendments to Chapter 13.06 of the Municipal Code relative to new wireless communication facility regulations.

### **Resolution No. 33954**

Setting Tuesday, March 31, 1998, at 9:00 a.m., as the date for a public hearing by the Hearing Examiner, on the request to vacate East N Street north of East 26th Street. (Steve M. Paul; File No. 124.1065)

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Planning Commission, January 21, 1998.
- b. Minutes of the Public Utility Board, January 14, 1998.
- c. Proposed amendments to Pierce Transit's Bylaws.

- d. Statement by a City employee disclosing remote interest pursuant to Tacoma Municipal Code 1.46.030(O) as follows:
 

<u>Name</u>	<u>Affiliation</u>
Cheryl F. Carlson	Board Member of Emergency Food Network
- e. Report of the Finance Director, November 1997.

Deputy Mayor Crowley moved that the Consent Agenda, including Resolution Nos. 33953 and 33954, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33953 and 33954, was declared approved.

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## REGULAR AGENDA

### FIRST READING OF ORDINANCES

**Ordinance No. 26196**

Vacating portions of Olympic Boulevard and Meyers Street to combine the vacated right-of-way with the abutting property for the expansion of Fire Station No. 16, located at 7217 Sixth Avenue. (Tacoma Fire Department; File No. 124.1064)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Deputy Mayor Crowley. 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. 26197**

Vacating Augusta Drive NE, 44th Avenue NE, and an adjacent alley in Northshore Country Club Estates Division II, to construct private, gated streets and alleys. (Novastar Development; File No. 124.1063)

Deputy Mayor Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Miller. 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. 26198**

Authorizing the execution of an agreement with the Washington State National Guard, in the amount of \$2,360, for reimbursement of emergency management planning expenses; accepting, depositing in and appropriating \$2,360 from the General Fund for said purpose.

The Ordinance was set over for final reading next week.

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**Ordinance No. 26199**

Accepting a total of \$16,000 from Work/Family Directions Inc., Ceridian Performance Partners, and members of the Washington State Child Care Resource and Referral Network; accepting \$35,000 from various Pierce County employers; depositing in and appropriating \$51,000 from the Miscellaneous Grants Summary Fund; and authorizing the execution of agreements with said entities for child care resource, referral and training services.

The Ordinance was set over for final reading next week.

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**RESOLUTIONS**

**Purchase Resolution No. 33955**

Awarding a contract to:

Totem Electric of Tacoma, Inc., on its bid of \$61,858, for traffic signalization at the intersection of Northshore Parkway and Nassau Avenue - Specification No. G-246-97.

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

**Resolution No. 33956**

Authorizing the execution of Amendment No. 157 to the Neighborhood Preservation Program with the Tacoma Community Redevelopment Authority (TCRA) to allocate \$7,000 in 1997 HOME Partnership funds and \$25,500 in 23rd Year Community Development Block Grant funds; and authorizing the TCRA to loan funds to the Phoebe House Association for the rehabilitation of the property located at 712 Martin Luther King, Jr. Way.

Deputy Mayor 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. 33957**

Authorizing the execution of an agreement with Architects Reed Reinvald Johnson Willows, in the amount of \$575,000, for the development of construction drawings for the Thea Foss Waterway public esplanade and Dock Street streetscape and for assistance during construction.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Mathew D. Schwartz	Executive Director, Public Development Authority
John Shaw	Resident
Hubert Burke	1206 South Cushman

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

### **Resolution No. 33958**

Authorizing the submittal of two grant applications to the U.S. Department of Commerce, for a total amount of \$1,400,000, for the planning, design and construction of an institutional network (I-Net) and other telecommunications services.

Deputy Mayor Crowley moved to suspend the rules to consider Substitute Resolution No. 33958. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

### **PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:06 P.M.)**

This is the date set for a public hearing by the City Council regarding the extension of the moratorium on the acceptance of special property use permits and building permits for support structures of telecommunication facilities for an additional 90-days.

The public hearing was held later in the meeting.

### **UNFINISHED BUSINESS**

None.

### **REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz Jr. reported that the Pierce County Council's Budget and Operations Committee and the Pierce County Executive will make presentations on the status of the Pierce County jail on February 11, 1998, at 10:00 a.m., in the Pierce County Council Chambers. He stated that City of Tacoma staff will be in attendance.

Mr. Corpuz then called on Mr. Randy Lewis, Government Relations, for an update on the Legislative Session. Mr. Lewis discussed legislation that will have an impact on the City of Tacoma. He stated the legislation discussed included: International Services, local government revenue, the hydroelectric dam tax, manufactured housing, and the control of the rights-of-way for telecommunications infrastructure. Mr. Lewis then acknowledged the legislators who have been "friends" to local government.

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**PUBLIC HEARINGS AND APPEALS** (BEGAN AT APPROXIMATELY 6:06 P.M.)

This is the date set for a public hearing by the City Council regarding the extension of the moratorium on the acceptance of special property use permits and building permits for support structures of telecommunication facilities for an additional 90 days.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Scott Steiding	Western Wireless Corporation
Hyun Ja Chang	7055 Portland Avenue East

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

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Miller asked for clarification on information he received regarding the denial of an appeal of the Hearing Examiner's decision. He stated that he is assuming that the City Council will not have this issue before them and that the appeal will be heard by the courts.

Robin Jenkinson, City Attorney, stated that Council Member Miller's understanding is correct.

Council Member Miller stated he had been contacted by a citizen regarding a tree on City property. He stated that this citizen is afraid the tree may fall on his property and cause damage. Council Member Miller stated that this citizen was told by an employee of the City that they did not perceive the tree as a threat to his property and that if he wanted it removed he would have to pay for it. Council Member Miller then requested a copy of the policy that addresses these types of liabilities.

Council Member Miller stated his concerns regarding citizens using school grounds, in particular Mason Middle School, as a place to allow their dogs to run without leashes. He stated that on weekend mornings there are as many as 40 dogs on the school grounds. He stated that the City of Tacoma has a leash law that basically says the City of Tacoma will enforce the leash law in parks and on school grounds. Council Member Miller stated that he would like to have a discussion as to whether or not the leash law applies to school district property and should the Humane Society be enforcing those regulations.

Council Member Miller stated that since the City of Tacoma has almost two years before the next City elections he would like to request that the City Council seat enumeration be reviewed. He stated that currently the City Council seat enumeration is by District one through five, and At Large, one through three. He stated that it would be his preference that the enumeration be Council District one through five, and At-Large, six, seven and eight, and then the Mayor's position.

Council Member Baarsma stated that five years ago the City Council voted on the restructuring of the debt of the Sheraton Tacoma Hotel. He stated that the vote by the City Council was unanimous. He stated that this grant was given to the prior owners of the Sheraton Tacoma Hotel back in 1984. Council Member Baarsma stated that in 1993, which was the first year of the restructured debt, the City of Tacoma received a

little over \$50,000. He then stated that in 1997 the Sheraton Tacoma Hotel returned, to the City of Tacoma, \$517,974 in interest on their U-DAG Grant, which was deposited into a fund for economic development purposes.

Council Member Baarsma then noted that the Tacoma Narrows Airport is being designated by the U.S. Customs Services as an International Gateway Airport.

Council Member De Forrest requested information as to whether or not the City of Tacoma has any future plans for the hearing impaired on TV Tacoma. He stated that under the American Disabilities Act there should be some type of provision for the deaf, even if it is sign language.

Council Member De Forrest commented on the "Top of the Ocean" project. He stated that it was indicated two weeks ago that City staff would be looking into the prevailing wage issue. He then asked if the City of Tacoma has received any information as to whether or not the contractor is paying prevailing wages.

Robin Jenkinson, City Attorney, responded that staff was working hard with the contractor to try to identify the different classifications, all of which have to be identified and a determination has to be made for each position. Ms. Jenkinson stated that she does not know when it will be ready, but as soon as it is, it will be provided to the City Council.

Council Member De Forrest then continued discussing the "Top of the Ocean" project.

Council Member Phelps stated that he had the opportunity to welcome the Washington State Tourism Conference to our city. He stated that he gave them a brief update on the different things the City of Tacoma has done in the last few years. He stated that many positive remarks were made about the City of Tacoma by people attending the conference, including officials from the City of Spokane.

Council Member Phelps then wished Council Member Miller's wife a speedy recovery from an accident in which she was recently involved.

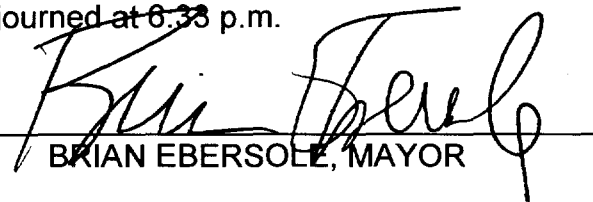
Mayor Ebersole thanked Council Member Phelps for addressing the 290 people from the Visitor and Convention Services.

Mayor Ebersole stated that last Sunday night he attended the performance of Mark Russell, a political satirist, at the Pantages Theater, which was very enjoyable.

Mayor Ebersole stated that he also represented the City Council at the First Annual American Music Reggae Bob Marley Commemorative Festival at The Swiss, which was very entertaining.

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On proper motion, the meeting was adjourned at 6:38 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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