



# City Council Minutes

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

May 25, 1999

The meeting was called to order at 5:11 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 De Forrest.

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## CONSENT AGENDA

Approval of the minutes of the City Council meeting of April 6, 1999.

## ASSESSMENT ROLL

The Director of Public Utilities presents the Assessment Roll for the following:

- LID No. 7718 for the conversion of existing overhead wiring to underground along Frances Avenue from approximately 230 feet south of 55<sup>th</sup> Street NE to Scenic Drive; Broad View Avenue from approximately 150 feet south of 55<sup>th</sup> Street NE to approximately 120 feet north of Scenic Drive; 58<sup>th</sup> Street NE from Frances Avenue to Broad View Avenue; Scenic Drive from Beverly Avenue to Broad View Avenue; and Scenic Drive from approximately 5949 Scenic Drive southeasterly 400 feet.

Setting Thursday, June 24, 1999, at 9:00 a.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, June 1, 1999.
- b. Minutes of the Planning Commission, May 5, 1999.
- c. Minutes of the Public Utility Board study session and meeting, April 28, 1999.
- d. Minutes of the Rainier Communications Commission, March 17, 1999.

- e. Minutes of the Urban Policy Committee, April 8, 1999.
- f. Monthly Financial Reports for the Belt Line Division, Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund, Light Division, Self-Insurance Claim Fund, and Water Division, March 1999.

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

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## REGULAR AGENDA

### FINAL READING OF ORDINANCES

**Ordinance No. 26389**

Amending 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.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26389. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Robert Grenley	Grenley Stewart Resources, Inc.
Charlie Brown	State Executive and Counsel, Washington Oil Marketers Association
Bill Stauffacher	The Fleet Fuelers Coalition of Washington

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.

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**Ordinance No. 26426**

Accepting \$60,000 from the State of Washington Department of Ecology; depositing in and appropriating said sum from the Capital Improvements Summary Fund for partial reimbursement of the Underground Storage Tank Removal Program.

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. 26427**

Authorizing the execution of an amendment to the lease agreement with Tyson Limited Partnership, sublet to JDL, Inc., to increase the rent by approximately \$10,000 per year; amending the terms of the agreement for the operation of a golf course on City-owned land at the Tacoma Narrows Airport; and depositing in and appropriating \$20,000 from the Airport Summary Fund for airport operations and maintenance.

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. 26428**

Authorizing the execution of a non-interest-bearing interfund loan, in the amount of \$5,000,000, from the General Fund to the Capital Improvements Summary Fund, to be repaid three years after the date of issuance of the loan; and appropriating \$5,000,000 from the Capital Improvements Summary Fund to provide design and preconstruction services for the Tacoma Convention Center; expressing the intent to issue councilmanic bonds in the amount of \$51,000,000; and designating the Tacoma Convention Center as a special project of limited duration.

Roll call vote was taken, resulting as follows:

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

Nays: 1 – De Forrest

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The Ordinance was declared passed.

**Ordinance No. 26429**

Appropriating \$750,000 from the Miscellaneous Trust Summary Fund; and authorizing the execution of a loan agreement, a security agreement, and a promissory note with OliverMcMillan Tacoma Project LLC, for predevelopment and land assembly costs for a mixed-use project including entertainment, retail, housing, and parking to be located in the Old City Hall District.

Roll call vote was taken, resulting as follows:

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

Nays: 1 – De Forrest

The Ordinance was declared passed.

**Ordinance No. 26430**

Providing for the issuance and sale of Electric System Revenue Refunding Bonds 1999, in an amount not to exceed \$110,000,000, to provide funds for capital improvements and for the advance refunding of a portion of the City's Electric Revenue and Refunding Bonds, 1994.

Roll call vote was taken, resulting as follows:

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

Nays: 1 – De Forrest

The Ordinance was declared passed.

**FIRST READING OF ORDINANCES**

**Ordinance No. 26431**

Authorizing the acceptance, receipt, deposit, and/or appropriation of miscellaneous donations.

Speaking before the Council was:

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

The Ordinance was set over for final reading on June 8, 1999.

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**Ordinance No. 26432**

Authorizing the execution of an amendment to the grant award contract with the Washington State Military Department, in the amount of \$12,016; depositing in and appropriating said sum from the General Fund to support Emergency Management planning activities through September 30, 1999.

The Ordinance was set over for final reading on June 8, 1999.

**Ordinance No. 26433**

Accepting \$64,360 from the Tacoma Public Library; depositing in and appropriating said sum from the Special Institutional Network (I-Net) Support Fund for the purchase and installation of I-Net equipment for the Moore and Dr. Martin Luther King, Jr., library branches.

The Ordinance was set over for final reading on June 8, 1999.

**Ordinance No. 26434**

Accepting \$17,500 from the Department of Justice COPS School-Based Partnership grant funds; depositing in and appropriating said sum from the Miscellaneous Grants Summary fund to support grant activities.

Speaking before the Council was:

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

The Ordinance was set over for final reading on June 8, 1999.

**Ordinance No. 26435**

Amending Chapters 1.23, 13.05 and 13.06 of the Municipal Code relating to sign regulations for the temporary display of off-premises open house/directional signs and the enforcement thereof, and the jurisdiction of the Hearing Examiner.

Council Member Crowley moved to suspend the rules to consider Substitute Ordinance No. 26435. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Mozella Pooley	8041 East Sherwood
Louise Batchelor	5314 North 46th Street
George Pilant	3803 North 36 <sup>th</sup> Street

The Substitute Ordinance was set over for final reading on June 8, 1999.

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**RESOLUTIONS**

**Purchase Resolution No. 34403**

Awarding contracts to:

1. Remotec, Inc., on its bid of \$127,629, for a hazardous duty mobile robot - Specification No. G-021-99;
2. SDI Refuse Equipment, Inc., on its bid of \$61,860, for an automated side loader compactor - Specification No. G-023-99;
3. Tacoma Pump & Drilling Co., Inc., on its bid of \$161,640, for the Tacoma Landfill Groundwater Extraction Well Rehabilitation Project - Phase II - Specification No. G-212-99;
4. Midland Interiors, Inc., in the amount of \$24,400, for office moving services - Informal Bid No. 8399;
5. Dupont Flooring Systems, on its bid of \$40,000, for carpet replacement work - Washington State Contract No. 01997; and
6. Reed Electric, in the amount of \$90,000; West Coast Industries, in the amount of \$90,000, Amtest, in the amount of \$200,000, and Chemco, in the amount of \$200,000, for open purchase orders over \$25,000 for supplies and services for Steam Plant No. 2.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 4 and 6, be adopted. Seconded by Council Member McGavick.

Speaking before the Council were:

<b>Name</b>	<b>Affiliation/Address</b>
Louise Batchelor	5314 North 46th Street
Phyllis Barrett	912 South Cushman
Ron Earwood	Resident

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item Nos. 4 and 6, was declared adopted.

Council Member Miller moved to suspend the rules to consider additional Resolution No. 34409. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 34409**

Authorizing the execution of an agreement with Fiber Cable, Inc., in the amount of \$5,091,575, for the construction of Phase IV of the telecommunications system.

Council Member Miller moved that the Resolution be adopted. Seconded by Deputy Mayor Kirby.

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Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Thomas Dickson	President, Tacoma Urban League
Louise Batchelor	5314 North 46th Street

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

**Resolution No. 34404**

Authorizing the execution of an interlocal agreement with Pierce County, the Tacoma-Pierce County Health Department, and other municipal governments in Pierce County, in the amount of \$47,500, to support the Tacoma-Pierce County Commission on Children, Youth and their Families for 1999; and reappointing Commissioners Steen Armstrong, Patricia Bastian, Gary Benton, LeiLani Jackson, David Knighton, Martha McCravey, and Carolyn Schultz to serve the remainder of their terms on the Tacoma-Pierce County Commission on Children, Youth and their Families.

Council Member Baarsma moved to continue Resolution No. 34404 to the meeting of June 8, 1999. Seconded Deputy Mayor Kirby. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34404 will be considered at the regular City Council meeting of June 8, 1999.

**Resolution No. 34405**

Authorizing the execution of an agreement with Western Forest Industries Museum to allow operation of its passenger trains on the City railroad between Mineral Lake and the Eatonville area in east Pierce and Lewis Counties.

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

**Resolution No. 34406**

Authorizing the execution of an environmental consulting services agreement with Pentec Environmental, Inc., in the amount of \$98,686, to support the development of the Swan Creek site located near the intersection of Pioneer Way and River Road.

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

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**Resolution No. 34407**

Authorizing the execution of an amendment to the environmental consulting services agreement with Hart Crowser, Inc., in the amount of \$48,400, for the Middle Waterway Natural Restoration site located near the intersection of East 11<sup>th</sup> and East F Streets.

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

**Resolution No. 34408**

Stating the preferred route for a light rail alignment in the north half of Downtown Tacoma as a double track configuration on Pacific Avenue to South 17<sup>th</sup> Street where it will turn up to Commerce Street to the last proposed station located on the north side of South 9<sup>th</sup> Street; and beginning construction in the Summer/Fall of 2000, with completion in the Winter/Spring of 2002.

Council Member Crowley moved to suspend the rules to consider Substitute Resolution No. 34408. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Louise Batchelor	5314 North 46th Street
Thomas Dickson	President, Tacoma Urban League
Eileen Fox	League of Women Voters of Tacoma-Pierce County

Roll call vote on Substitute Resolution No. 34408 was requested and taken, resulting as follows:

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

Nays: 0

The Substitute Resolution was declared adopted.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz Jr. requested an Executive Session to discuss pending litigation, the session not to exceed 30 minutes.

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**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Mayor Ebersole reminded everyone that the City Council meeting and study session for June 1, 1999, have been canceled and that the next regularly scheduled meetings would be held on Tuesday, June 8, 1999.

Council Member McGavick asked Ms. Becky Summers, Library Board Trustee, who was in the audience, to take back to the Library Board a strong message, about how shocked and appalled she is that time clocks are still being used at the Libraries. Council Member McGavick stated that she believes time clocks foster a trust, distrust relationship between labor and management.

Council Member Miller requested staff to follow-up on a letter he received from a federal law enforcement officer employed at the Union Station. He stated that the law enforcement officer is requesting that the City Council take a position as a City regarding the Department of Housing and Urban Development program which allows federal officers to locate in areas that are defined as ones in which the locality is selected for economic development efforts and high vacancy.

Council Member Miller expressed his disappointment with the response the City Council received regarding the inquiry that was made relative to the sequencing of traffic lights. He stated that he is looking forward to the follow-up response regarding the inquiries that were made about this issue.

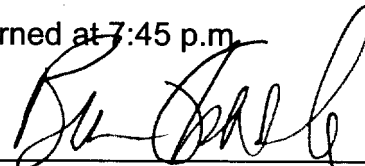
Council Member De Forrest responded to Council Member Miller's inquiry about the Department of Housing and Urban Development program. He stated that he had discussed this issue with Mr. Don Hines, Assistant Director, Tacoma Economic Development. He stated that staff is working with the Department of Housing and Urban Development to put together a program for the City Council's review. Council Member De Forrest stated that one of the issues being discussed is the availability of Housing and Urban Development properties in Tacoma. He stated that in conjunction with that program, there is also a COPS program in which any police officer may receive a 50 percent break on purchasing a house in designated crime areas. He stated that he thought the enterprise zone qualifies for that particular program.

Council Member Miller moved to convene to Executive Session to discuss pending litigation, the session not to exceed 30 minutes. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 7:22 p.m. and reconvened at 7:45 p.m.

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On proper motion, the meeting was adjourned at 7:45 p.m.



BRIAN EBERSOLE, MAYOR



RICK ROSENBLADT, CITY CLERK

ATTEST:

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