



City Council Minutes

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

August 17, 1999

The meeting was called to order at 5:06 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 Crowley.

CONSENT AGENDA

Approval of the minutes of the City Council meeting and study session of August 10, 1999.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Arts Commission, July 12, 1999.
- b. Minutes of the Civil Service Board, June 21, 1999.
- c. Minutes of the Tacoma-Pierce County Board of Health regular meeting, July 7, 1999; and special meeting, July 21, 1999.
- d. Report of the Finance Director, June 1999.

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

PROCLAMATION

Council Member Phelps read a proclamation asking the citizens of Tacoma to recognize Rear Admiral Eric Thor Olson as one of the most decorated Navy SEALs in America. He also read a letter from Congressman Norm Dicks who expressed his desire to join the City Council in honoring Rear Admiral Eric Thor Olson.

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

FINAL READING OF ORDINANCES

Ordinances No. 26319

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the northeast corner of South 38th Street and Pacific Avenue from an "R-2-SRD" Residential Special Review District, "R-3" Two-Family Dwelling District, "R-3-T" Residential-Commercial Transitional District, and "C-1" Commercial District to a "C-2" Commercial District to allow a two-phased development project, including a Walgreens Drug Store. (Richard Gumpert, Independent Development Services, Co., LLC; File No. REZ98-00006)

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. 26442

Vacating a portion of South Gove Street between Center to South 31st Streets, and South 31st Street between Mullen and Gove Streets. (Touchstone Corp./Home Depot; File No. 124.1086)

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. 26494

Authorizing the execution of a renewal and extension of a Domestic Violence STOP grant agreement with the Office of Crime Victim Advocacy of the State of Washington Department of Community, Trade and Economic Development, in the amount of \$43,520; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to address crimes of violence against females; and authorizing the execution of an interlocal agreement with Pierce County and the City of Puyallup to carry out the activities of said grant.

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. 26495

Providing for the formation of LID No. 3961 for the construction of sanitary sewers on Bennett Street, from North 37th to North 35th Streets, and on Shirley Street, from North 35th Street south 350 feet.

Deputy Mayor Kirby moved to continue Ordinance No. 26495 to the meeting of August 24, 1999. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 26495 will be considered at the regular City Council meeting of August 24, 1999.

Ordinance No. 26496

Approving and confirming the assessment roll for LID No. 7718 for the conversion of the existing overhead electrical primary, telephone, and cable-TV lines to underground along Frances Avenue, from approximately 230 feet south of 55th Street NE to Scenic Drive; Broad View Avenue, from approximately 150 feet south of 55th Street NE to approximately 120 feet north of Scenic Drive; 58th 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 southeast 400 feet.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – McGavick

The Ordinance was declared passed.

Ordinance No. 26497

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 57.

Council Member Silas moved to suspend the rules to consider Substitute Ordinance No. 26497. Seconded by Council Member Crowley. 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.

FIRST READING OF ORDINANCES

Ordinance No. 26498

Vacating a portion of Huson Street south of South 30th Street, and South 31st Street between Huson and Ferdinand Streets. (Dexter Silver; File No. 124.1095)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 26499

Vacating the west 8 feet of East D Street adjacent to 9436 East D Street. (City of Tacoma, Department of Public Works; File No. 124.1100)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. 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. 26500

Vacating the south 200 feet of the alley right-of-way between Cushman Avenue and Sawyer Street, south of Center Street, north of the Burlington Northern tracks. (Ply Trim West; File No. 124.1101)

Council Member Crowley moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 26501

Authorizing the execution of a grant award agreement with the United States Department of Justice, accepting and depositing \$175,000 into the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary Fund for the Weed and Seed program; and authorizing the execution of an agreement with Safe Streets Campaign, Inc., in the amount of \$95,879, for program coordination services.

Speaking before the Council were:

Name	Affiliation/Address
Will Baker	8 th and 9 th Streets Neighborhood
Julie Martinez	3594 East I Street

The Ordinance was set over for final reading next week.

Ordinance No. 26502

Appropriating a total of \$317,000 from the Law Enforcement Support Agency Fund for the purchase of computer servers to support the LEADS 2000 project; and declaring an emergency making necessary the passage of this Ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 26503

Accepting \$1,600 from the Washington Traffic Safety Commission Cooper Jones Bicycle and Pedestrian Safety Committee Grant award; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to purchase pedestrian crossing signs and support mechanisms.

Speaking before the Council was:

Name	Affiliation/Address
Dr. Ray McGroarty	Resident

The Ordinance was set over for final reading next week.

RESOLUTIONS

Council Member Crowley moved to suspend the rules to add Resolution No. 34478 to the Agenda. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34478

Requesting the Pierce County Council to place before the voters of Pierce County, on the November 2, 1999, ballot the question of authorizing a one-tenth of 1 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 McGavick.

Speaking before the Council was:

Name	Affiliation/Address
Will Baker	Resident

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

Resolution No. 34477 (Continued from the meeting of August 10, 1999)

Directing the City Manager to identify potential revenue sources, not to exceed \$50,000, to cover operations of the Community Clinic of Pierce County for the remainder of 1999.

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

Speaking before the Council were:

Name	Affiliation/Address
Dr. Ray McGroarty	Resident
Jackie Feaver	Community Clinics of Pierce County
Margaret Riebe	Resident

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

Ayes: 7 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Miller and Phelps

The Resolution was declared adopted.

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Purchase Resolution No. 34485

Awarding contracts to:

1. Xerox, Corporation, in the amount of \$10,000, to increase its contract for continued maintenance on the Color Copier and Splash 320 Digital Server – King County Director’s Association Contract No. 97-213;
2. Instruments & Controls Northwest, on its bid of \$31,119.91, for digital continuous power systems for the Central and North End Treatment Plants – Specification No. G-025-99;
3. Easy Treat Corporation/Kemwater, on its bid of \$150,000.21, for polyaluminum hydroxylchloride solution at the Central and North End Treatment Plants – Specification No. G-034-99;
4. Tucci and Sons, Inc., on its bid of \$65,836.80, for two-inch asphalt pavement on 27th Street NE, from 55th to 57th Avenues NE – Specification No. G-235-99;
5. Potelco, Inc., on its bid of \$173,882.50, for ornamental streetlighting on South 38th Street, from Yakima Avenue to G Street; and on South 11th Street, from South I to South J Streets – Specification No. G-238-99;
6. SeaWestern, Inc., on its bid of \$32,825, for Fire Department nomex uniform shirts – Specification No. G-032-99; and
7. Approving an interlocal agreement with North Highline Fire District for cooperative purchasing.

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

Resolution No. 34486

Authorizing approval of the first six-year extension and clarified language to the Amended and Restated Broadway Center for the Performing Arts Operations Agreement.

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

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Ann Brown	President, Broadway Center for the Performing Arts

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

Resolution No. 34487

Authorizing the execution of an amendment to the lease agreement with Horizon Partners LLC to lease an additional 40 parking spaces, for a total of 240 spaces, at the I-705 parking facility.

Council Member Crowley moved to continue Resolution No. 34487 to the meeting of August 24, 1999, per the request of staff. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34487 will be considered at the regular City Council meeting of August 24, 1999.

Resolution No. 34488

Authorizing the submittal of a grant application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, in the amount of \$150,000, to provide for up to 50 percent of the cost of each bulletproof vest ordered on or after March 1, 1999.

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. 34489

Designating the GIS Mapping for the Downtown Plan as a special project of limited duration.

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

Resolution No. 34490

Authorizing the submittal of an application to the State of Washington Department of Community, Trade, and Economic Development for an Economic Opportunities Grant, in the amount of \$90,000, to further economic 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.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. requested a permanent residency waiver for Frances Bailey to the half-time appointive position of Civil Service Coordinator in the Human Resources Department.

Council Member Crowley moved to approve the permanent residency waiver for Frances Bailey to the half-time appointive position of Civil Service Coordinator in the Human Resources Department. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Mr. Corpuz then announced that Kevin Hegarty, former Tacoma Public Library Director, lost his battle with cancer and passed away yesterday. He stated that a service is scheduled for this Friday, August 20, 1999, at 11 a.m. at St. Patrick's Parish.

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Mr. Corpuz expressed his deepest sympathy for Kevin’s wife Teresa and their son Sean. He stated that Kevin Hegarty was the best library director the City of Tacoma ever had.

Mayor Ebersole requested a Resolution honoring Kevin Hegarty be brought before the City Council at the appropriate time.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Miller commented on the report the City Council received regarding political signs that have been posted illegally. He stated that on the corner of 19th and Stevens Streets there are many illegally posted political signs and asked that they be removed. He stated that he believes candidates running for political office should know the law and should know that political signs can only be posted on private property with permission of the owner and not on public property. He requested that the politicians running for office respect the laws that are on the books.

Council Member Miller acknowledged receipt of an invitation he received for the Fleet Services Customer Appreciation Barbecue.

Council Member Miller stated that Kevin Hegarty’s passing is a sad one. He stated that Kevin Hegarty is responsible for what the City of Tacoma’s Library System is today. He stated that Kevin Hegarty took the Library System a tremendous distance in terms of the quality of the organization and the readership. Council Member Miller expressed his sincere condolences to Kevin’s wife Teresa and their son Sean.

Council Member McGavick stated that she first met Kevin Hegarty in 1987 when she conducted several training sessions for the Library through her work at Tacoma Community College. She stated that Kevin Hegarty was a very strong and controversial. She stated that Kevin Hegarty believed so strongly in a neighborhood Library System that he built a system second to none. She then expressed her condolences to Kevin’s wife Teresa and their son Sean.

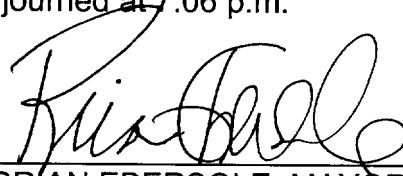
Council Member Crowley moved to accept the settlement of \$40,000, negotiated by the Legal Department in the matter of Lillie Mick v. City of Tacoma, et al., Pierce County Superior Court Cause No. 97-2-11870-6. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Mayor Ebersole stated that a national film crew from the Bravo Network was in the City of Tacoma this past week filming a 15-minute segment on Tacoma as a blossoming arts center. He stated that the segment will be aired nationally and premiered at the Rialto Center for the Performing Arts sometime in October.

Council Member Baarsma stated that he has received several letters from various Neighborhood Councils expressing their position on enhanced social card rooms, (mini-casinos). He stated that the North End Neighborhood Council has requested that the Tacoma City Council enact an immediate ban on enhanced social card rooms in the City of Tacoma. He stated that the North End Neighborhood Council also supported raising taxes on any pre-existing enhanced social card room to the maximum level. He requested an update of the status of the proposed mini-casino on Ruston Way and the action taken by the Pierce County Council relative to mini-casinos in unincorporated areas.

Council Member Silas gave an update on the positive things that are happening in Hilltop. She stated that on Monday, August 16, 1999, a groundbreaking ceremony took place for the construction of townhouses on 23rd Street and Martin Luther King Jr. Way. She then stated that on the corner of 11th Street and Martin Luther King Jr. Way, housing for senior citizens along with retail outlets will be constructed.

On proper motion, the meeting was adjourned at 7:06 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK

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