



# City Council Minutes

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

November 19, 2002

The meeting was called to order at 5:11 p.m.

Council Members Present: 9 ~ Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma.

The Flag Salute was led by Cub Scout Pack 299, Webelos II.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Landmarks Preservation Commission, October 23, 2002.
- b. Minutes of the Public Safety Committee, September 26, 2002.
- c. Minutes of the Tacoma-Pierce County Board of Health, October 2, 2002.
- d. Report of the Finance Director, September 2002.
- e. 2003-2004 Preliminary Biennial Budget, City of Tacoma.
- f. 2003-2004 Preliminary Biennial Budget, Tacoma Public Utilities.

## C O N S E N T   A G E N D A

Approval of the minutes of the City Council meeting of October 29, 2002, and study session of November 5, 2002.

## RESOLUTIONS

### **Resolution No. 35689**

Setting Monday, December 9, 2002, at 5:00 p.m., as the date for a hearing by the Hearing Examiner, on LID No. 7722, for installation of an underground electrical system along Huson Street, from South 58<sup>th</sup> Street north approximately 650 feet.

### **Resolution No. 35690**

Setting Monday, December 9, 2002, at 5:00 p.m., as the date for a hearing by the Hearing Examiner, on LID No. 5726, for the installation of water mains and fire hydrants in South Huson Street, from South 56<sup>th</sup> to South 58<sup>th</sup> Streets.

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**Resolution No. 35691**

Setting Monday, December 9, 2002, at 5:00 p.m., as the date for a hearing by the Hearing Examiner, on LID No. 6977, for the installation of street lights on poles along Huson Street from South 58<sup>th</sup> Street north approximately 650 feet.

**Resolution No. 35692**

Setting Monday, December 9, 2002, at 5:00 p.m., as the date for a hearing by the Hearing Examiner, on LID No. 3962, for the installation of sanitary sewers in South 58<sup>th</sup> Street from the manhole approximately 175 feet west of Huson Street.

**Resolution No. 35693**

Setting Monday, December 9, 2002, at 5:00 p.m., as the date for a hearing by the Hearing Examiner, on LID No. 8638, for the placement of permanent paving with necessary storm drainage on South 58<sup>th</sup> Street from the existing pavement between Ferdinand and Huson Streets to Huson Street, north approximately 650 feet.

Deputy Mayor McGavick moved that the Consent Agenda, including Resolution Nos. 35689 through 35693, be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 35693 through 35693, was declared approved.

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Mayor Baarsma moved to suspend the rules to allow the City Manager's Report at this time. Seconded by Deputy Mayor McGavick. Voice vote was taken and carried. The motion was declared adopted.

Mr. Ray E. Corpuz, City Manager, reported on the negative impacts of Initiative 776 relative to the 2003-2004 Biennial Budget.

Mayor Baarsma called on Mr. Bill Pugh, Public Works Director, who reported on the impacts of Initiative 776 relative to the funding of direct services.

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Mayor Baarsma stated that, pursuant to the authority of RCW 35.82.040, he reappointed Stanley J. Rumbaugh as a Commissioner of the Tacoma Housing Authority for a term to expire August 16, 2007.

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**PUBLIC HEARINGS** (Began at 5:30 p.m.)

This is the date set for a public hearing by the City Council concerning amendments to the Land Use Regulatory Code, Title 13 of the Municipal Code, relating to platting, land use permit procedures, zoning, and concurrency management system.

There were no speakers.

The public hearing was declared closed at 5:35 p.m.

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**R E G U L A R   A G E N D A**

**FINAL READING OF ORDINANCES**

**Ordinance No. 27008**

Vacating a portion of Jefferson Avenue, adjacent to South 17<sup>th</sup> Street and Pacific Avenue, for construction of a hotel with retail space on the ground floor as part of the Tacoma Convention and Trade Center development. (City of Tacoma; File No. 124.1168)

Roll call vote was taken, resulting as follows:

Ayes:    9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert,  
          and Mayor Baarsma

Nays:    0

The Ordinance was declared passed.

**Ordinance No. 27003**

Amending Chapter 12.08 of the Municipal Code adjusting the rates and charges for Wastewater Management Services for the years 2003 and 2004; adding the minimum stormwater requirements; and making miscellaneous housekeeping adjustments.

Roll call vote was taken, resulting as follows:

Ayes:    9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert,  
          and Mayor Baarsma

Nays:    0

The Ordinance was declared passed.

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**Ordinance No. 27004**

Amending Chapter 12.09 of the Municipal Code adjusting the rates and charges for solid waste collection and disposal for the years 2003 and 2004; and making miscellaneous housekeeping adjustments.

Deputy Mayor McGavick moved to suspend the rules to consider Substitute Ordinance No. 27004. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Substitute Ordinance was declared passed.

**Substitute Ordinance No. 27007**

Amending Title 12 of the Municipal Code by adding a new chapter to be known as "Click! Cable TV Products," to provide for the adjustments of rates for cable television products and services effective February 1, 2003; and repealing Ordinance Nos. 26531, 26368, and 26330.

Deputy Mayor McGavick moved to suspend the rules to consider Substitute Ordinance No. 27007. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Substitute Ordinance was declared passed.

**Ordinance No. 27009**

Amending Chapter 2.09 of the Municipal Code to increase Public Works construction-related permit fees

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

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The Ordinance was declared passed.

**Ordinance No. 27010**

Adopting the Model Business and Occupations Tax Ordinance to encourage uniformity of application of the municipal business and occupation taxes among the cities of this state.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

The Ordinance was declared passed.

**FIRST READING OF ORDINANCES**

**Ordinance No. 27011**

Amending Title 13 of the Municipal Code relating to the Environmental Commission by repealing Chapter 13.14; and authorizing the Planning Commission to assume all duties and responsibilities formerly performed by the Environmental Commission.

Deputy Mayor McGavick moved to continue Ordinance No. 27011 to a date to be determined. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27011 was set over to a date to be determined.

**Ordinance No. 27012**

Accepting \$11,150 from Pierce Transit, depositing in and appropriating said sum from the Miscellaneous Special Revenue Summary Fund to implement the state-mandated Commute Trip Reduction program at City worksites; and amending the 2001-2002 Biennial Budget for said purpose.

Speaking before the Council was:

| <u>Name</u>    | <u>Address/Affiliation</u>            |
|----------------|---------------------------------------|
| Allen Douglass | 612 South 18 <sup>th</sup> Street, #5 |

The Ordinance was set over for final reading next week.

**Ordinance No. 27013**

Authorizing the execution of an agreement with the Washington State Arts Commission; accepting, depositing in, and appropriating \$7,500 from the Miscellaneous Grants Summary Fund to support the Tacoma Arts Commission; and amending the 2001-2002 Biennial Budget for said purpose.

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The Ordinance was set over for final reading next week.

**Ordinance No. 27014**

Amending Chapter 13.06 of the Municipal Code relating to zoning; adopting amendments to the comprehensive plan consisting of a new Introduction Chapter; the Capital Facilities Program 2003-2008; the Transportation Program; and the Generalized Land Use Plan; adding a new section to be known and designated as Section 13.06.110(44) reclassifying the property located in the vicinity of South 69<sup>th</sup> and Tyler Streets from an "R-3" Two-Family Dwelling District to an "R-2" One-Family Dwelling District.

Speaking before the Council were:

| <u>Name</u>      | <u>Address/Affiliation</u>                           |
|------------------|--|
| Mary Ann Coble   | 304 South 84 <sup>th</sup> Street                    |
| Maureen Kelly    | 8435 South D Street                                  |
| Joseph Hayden    | 8442 South Fawcett Avenue                            |
| Lori Linenberger | 8621 South Fawcett Avenue                            |
| Jack Evans       | 6402 Tacoma Mall Boulevard; First Western Properties |
| Tom Smith        | Chair, Planning Commission                           |

The Ordinance was set over for final reading next week.

**RESOLUTIONS**

**Purchase Resolution No. 35694**

Awarding contracts to:

1. Avaya Inc., in the amount of \$361,916.09, for a Version 11 upgrade for telephone switches and Release 5 upgrade for the voice mail messaging system for General Government – Sole Source;
2. Specialized Landscaping, Inc., in the amount of \$67,633.00, for landscaping and irrigation work to complete the parking lot at South 15<sup>th</sup> and Market Streets – Specification No. G-246-02;
3. Cummins Northwest, Inc., in the amount of \$66,370.00, for two emergency generators to supply emergency power for the Hylebos and Titlow Wastewater Pump Stations – Washington State Contract No. 04899; and
4. Corporate Express, in the amount of \$400,000.00, to renew its contract for office supplies – Specification No. G-040-01.

Deputy Mayor McGavick moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member Miller.

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Speaking before the Council was:

| <b>Name</b>    | <b>Address/Affiliation</b>            |
|----------------|---------------------------------------|
| Allen Douglass | 612 South 18 <sup>th</sup> Street, #5 |

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

**Resolution No. 35695**

Authorizing the execution of agreements with Davis Wright Tremaine LLP, in the amount of \$60,000, to provide legal services; Denver Investment Advisors LLC, in the amount of \$438,000, Deutsche Asset Management, in the amount of \$217,000, Lend Lease Rosen Real Estate Securities, in the amount of \$866,000, and TT International, in the amount of \$742,000, to provide investment services; Milliman USA, in the amount of \$182,500, to provide actuarial consultation services; The Northern Trust Company, in the amount of \$110,000, to provide custodial services for the period of January 1, 2003 through December 31, 2003; and Russell/Mellon Analytical Services, in the amount of \$42,000, to provide portfolio verification services for the period of January 1, 2003 through December 31, 2004.

Mayor Baarsma moved to continue Resolution No. 35695 to the meeting of December 10, 2002. Seconded Deputy Mayor McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 35695 will be considered at the regular City Council meeting of December 10, 2002.

**Resolution No. 35696**

Authorizing the execution of Amendment No. 223 to the Tacoma Community Redevelopment Authority (TCRA) Agreement approving the TCRA's biennial administrative and operational budget of \$319,885 for 2003 and \$342,101 for 2004.

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

**Resolution No. 35697**

Authorizing the execution of a Memorandum of Understanding with Puget Sound Energy, PacifiCorp, and Advance Ross Sub Company to coordinate clean-up of the Thea Foss and Wheeler-Osgood waterways.

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

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**Resolution No. 35698**

Authorizing the execution of a consultant services agreement with Lexington Consulting, Inc., in the amount of \$64,800, to review and prepare environmental documents for the City's Land Use Regulatory Code update.

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

**Resolution No. 35699**

Authorizing the execution of Supplement No. 2 to the consultant services agreement with Reid Middleton, Inc., in the amount of \$125,316, for a cumulative total of \$798,955, for design services on Dock Street; and ratifying and approving the execution of Supplement No. 1, which provided the design of moorage facilities for temporary relocation of vessels during dredging of the waterway.

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

**Resolution No. 35700**

Approving the Funding Priorities Statement for the 2003-2004 Consolidated Plan Annual Action Plan.

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

**PUBLIC HEARINGS (Will begin at approximately 5:30 p.m.)**

This is the date set for a public hearing by the City Council concerning amendments to the Land Use Regulatory Code, Title 13 of the Municipal Code, relating to platting, land use permit procedures, zoning, and concurrency management system.

The public hearing was held earlier in the meeting.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

The City Manager's report was held earlier in the meeting.

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**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Deputy Mayor McGavick wished a happy 80<sup>th</sup> birthday to Marianne Hayes, mother of Doris Sorum, City Clerk.

Council Member Lonergan stated that due to a personal commitment he would not be able to attend next week’s Council meeting. He re-emphasized his comments from a previous meeting for a commitment to volunteerism by citizens, participation of employees in seeking a solution, and stated he would forego his cost-of-living increase this year. He stated the City Attorney had informed him that he cannot decrease his wages, but he can write a check back to the City Treasurer, which he will do. He commended the Tacoma Fire Department supervisors for looking at the possibility of delaying a previously negotiated, one-time salary adjustment in order to help the budget by approximately \$.5 million.

Mayor Baarsma stated next week will be first reading of the City Manager’s budget proposal for the 2003-2004 Biennial Budget and invited citizen participation. He stated that he and the Council have spent a great deal of time giving serious consideration to all of the issues. He stated three revenue options are under consideration: delay of the ramp-down of the Business and Occupations Tax on the service tax rate; an increase to the gambling tax; and re-institution of the cabaret tax.

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On proper motion, the meeting was adjourned at 7:02 p.m.

  
WILLIAM H. BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK

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