



# City Council Minutes

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

March 3, 1998

The meeting was called to order at 5:02 p.m.

Present on roll call: 7 - Baarsma, De Forrest, Kirby, McGavick, Miller, Silas, and Mayor Ebersole. Absent: 2 - Crowley and Phelps. (Deputy Mayor Crowley and Council Member Phelps arrived at 5:03 p.m.)

The Flag Salute was led by Council Member Baarsma.

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## CONSENT AGENDA

Approval of the Tacoma City Council study session minutes of February 24, 1998.

### ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, March 3, 1998.
- b. Agenda of the Foss Waterway Development Authority, February 25, 1998.
- c. Minutes of the Foss Waterway Development Authority, January 28, 1998.
- d. Minutes of the Human Rights Commission, January 15, 1998.
- e. Minutes of the Landmarks Preservation Commission, February 11, 1998.
- f. Minutes of the Tacoma Area Task Force on Disabilities, January 22, 1998.
- g. Minutes of the Urban Policy Committee, January 7 and 8, 1998.
- h. Statement by a City employee disclosing remote interests pursuant to Tacoma Municipal Code 1.46.030(O) as follows:

<u>Name</u>	<u>Affiliation</u>
Rebecca Rex	Pierce County Playwright's Festival Steering Committee

(Deputy Mayor Crowley and Council Member Phelps arrived at 5:03 p.m.)

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

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**PROCLAMATION**

Mayor Ebersole proclaimed the day of March 18, 1998, as "Meeker Middle School Ambassadors to Invercargill, New Zealand Day" and presented the proclamation to Mr. Dan Barnes and Ms. Bree Woll.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS**

**Resolution No. 33961** (Continued from the meeting of February 24, 1998.)

Appointing Tacoma City Council Members to various committees, boards and commissions.

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

Council Member Silas stated she had the opportunity to observe the Police Pension Disability Committee this morning and not only found it interesting, but very informative. She stated that she would like the record to indicate that she will be a full pledging, voting member of this committee.

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

**FINAL READING OF ORDINANCES**

**Ordinance No. 26201**

Authorizing the execution of a grant agreement with the Pierce County Department of Aging and Long-Term Care, in the amount of \$284,102; depositing \$269,102 in the Miscellaneous Grants Summary Fund and \$15,000 in the General Fund; appropriating \$269,102 from the Miscellaneous Grants Summary Fund for various services to senior citizens and \$15,000 from the General Fund for the Senior Center Nutrition 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.

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**Ordinance No. 26202**

Amending Chapter 11.05 of the Municipal Code to provide for Residential Parking Zones within designated areas.

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.

**FIRST READING OF ORDINANCES**

**Ordinance No. 26203**

Accepting and depositing \$750,000 from Lewis County; appropriating said sum from the Tacoma Eastern Railroad Acquisition and Operating Summary Fund for track repair of the Tacoma Eastern Railroad and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 26203. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

**Ordinance No. 26204**

Authorizing the execution of an interlocal agreement with Pierce County for the disbursement and use of Washington State Department of Community, Trade and Economic Development funds, to cooperatively develop a land inventory and evaluation; accepting, depositing in and appropriating \$16,391 from the Miscellaneous Grants Summary Fund for development of a buildable lands evaluation and monitoring program.

The Ordinance was set over for final reading next week.

**Ordinance No. 26205**

Reestablishing a Downtown Business Improvement Area; providing for the levy of a special assessment upon real property (and the owners thereof) within the area; and providing for the deposit of revenue in a special account, and expenditures therefrom.

The Ordinance was set over for final reading next week.

## RESOLUTIONS

### **Purchase Resolution No. 33974**

Awarding contracts to:

1. Cascade Architectural & Engineering Supplies Company, on its bid of \$48,445, to furnish and install engineering printing equipment - Specification No. G-004-98;
2. PRC Public Sector, Inc., in the amount of \$226,699, for computer hardware and software upgrades and maintenance for the Fire Department's Computer Aided Dispatch System - Sole Source;
3. Bound Tree ALS Medical Products, in the amount of \$46,000, for medical supplies for the Fire Department's Emergency Medical Service program - Specification No. G-004-96;
4. General Chemical Corporation, on its bid of \$187,380.24, for liquid aluminum sulphate at the Central and North End Wastewater Treatment Plants - Specification No. G-059-97; and
5. Kelly Temporary Services, in the amount of \$70,000, and Manpower, Inc., in the amount of \$28,000 for temporary personnel services - Specification No. G-008-96.

Deputy Mayor Crowley moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2 and removing Item No. 3 in Exhibit A per the request of staff, be adopted. 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. 2 and removing Item No. 3 from Exhibit A per the request of staff, was declared adopted.

### **Resolution No. 33975**

Authorizing the execution of a Lease Agreement with Davis Aviation, Inc., to reflect an adjustment to the area under lease, incorporate new regulatory language, and amend rental rates at Tacoma Narrows Airport.

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. 33976**

Expressing the intent for the Light Division to provide the I-NET; consenting to the Light Division proceeding with the purchase of the I-NET fiber for the Phase I portion of the I-NET; and expressing intent to reimburse the Light Division for costs incurred in connection with the purchase of such I-NET fiber in the amount of \$551,000.

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

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**CITIZENS' FORUM** (BEGAN AT 5:44 P.M.)

<b>Name</b>	<b>Address/Affiliation</b>	<b>Topic</b>
Julie Porter	Washington Gaming Consultants	Pull Tab Tax Reduction
Sean Hamilton	7015 South D Street	Pull Tab Tax Reduction
Charleen Smith	Bill's Rite Spot Cafe	Pull Tab Tax Reduction
John Farrell	Hob Nob Restaurant	Pull Tab Tax Reduction
Sally Guthrie	Oakland Tavern	Pull Tab Tax Reduction
Phyllis Barrett	912 South Cushman	Police/Cops

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Mayor Ebersole moved for a short recess. Seconded by Council Member Baarsma.

The City Council recessed at 6:32 p.m. and reconvened at 6:47 p.m.

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**CITIZENS' FORUM** (CONTINUED)

<b>Name</b>	<b>Address/Affiliation</b>	<b>Topic</b>
Doug Delin	East Tacoma Resident	Food Contracts
Judy Quakenbush	8 <sup>th</sup> and I Streets Neighborhood	Improvements to the neighborhood
SegKoech Dong	8 <sup>th</sup> and I Streets Neighborhood	Neighbors Park
Michael Dong	8 <sup>th</sup> and I Streets Neighborhood	Neighbors Park
Frank Pribbenow	Resident	Crosswalks on St. Helens and the Drinking Fountain in the Tacoma Municipal Building
Ruth Swanson	President, Stadium Historical Activity Group	Parking in the Stadium District

The Citizens' Forum closed at 7:01 p.m.

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**PUBLIC HEARINGS AND APPEALS** (BEGAN AT 7:01 P.M.)

William T. Lynn, from the law office of Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim, on behalf of Gray Lumber Company, appealing the recommendation of the Hearing Examiner on the denial to reclassify the property fronting South Seventh Street, between Proctor and Adams Streets, from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District. (Gray Lumber Company; File No. REZ97-00012)  
(Continued from the meeting of February 24, 1998.)

Council Member Miller moved to continue the appeal to the City Council meeting of April 28, 1998. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

The appeal was closed at 7:10 p.m.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz Jr. called on Mr. Randy Lewis, Government Relations, to give an overview of current legislative activities.

Mr. Lewis reported that the Legislature has given final approval to fix the hotel/motel tax from last session. He stated it was now back to Governor Locke who will sign the bill into law.

Mr. Lewis reported that the International Services Bill is still alive as the only economic development bill introduced this session. He stated that this bill has been exempted from the legislative cutoffs and is waiting for a hearing. He stated that this bill is the House of Representative's version and that it is in the Senate Ways and Means Committee. He stated that there has been some redrafting of the bill to make it more palatable to the Department of Revenue who will have to enforce the law. He stated that there is general agreement with the new form of the legislation and that he is optimistic that it will pass.

Mr. Lewis reported that both the House and Senate versions of the Narrows Bridge Exemption Bill have been passed. He stated that it will be up to a conference committee to determine which version will go forward. He stated that Senator Oak's version does not exempt quite as many taxes as Representative Huff's, so it will be a matter of which one has the votes to get their bill through. He stated that the impact on Tacoma varies depending on whether you believe that the sales taxes will really be deferred or ultimately totally exempted, but the potential impact is about \$1 million in deferred sales tax on that project.

Mr. Lewis reported on Senate Bill 6515 (Right-of-Way Bill), which started out as a bill which was totally drafted by the telecommunications industry and passed by the Senate in nearly the introductory form, which severely limited the City's ability to do franchises

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and to get compensation for use of public rights-of-way. He stated the bill has improved and gave credit to Representative Larry Crowse and Senator Jim West, along with others who have worked closely on this. He stated that as the bill passed the House Transportation Committee yesterday it gained some new language that seemed to be Tacoma-specific which stated that no city may operate a cable television system and that the prohibition would be in place until 2003. He stated that there was a great deal of concern about this. He then stated that he was also troubled by another provision which relates to our agreements with the cities of University Place and Lakewood. He stated there was a bill which attacks the cities' utility taxes on electricity; however, Bill 6515 now also contains language which he believes would nullify the agreements which the City of Tacoma has negotiated with those cities. He stated it would not affect our tax but would state that we cannot enter into an agreement with another community to transfer revenues. He stated that the remaining portions of the Rights-of-Way Bill have essentially turned into a study by the Legislature declaring a task force will be convened and all of the issues will be studied. He stated he was troubled that one of the charges of the task force is to write a model telecommunications ordinance that all cities and counties would be required to adopt. He stated that the bill will go to the floor of the House of Representatives for action and he expects it to be one of the last things the Legislature deals with before adjournment.

Mr. Lewis then reported on the utility tax legislation, House Bill 2709, which is in the Senate Rules Committee. He expects it will go to the Senate floor some time this week. He stated that the bill has shown great momentum and that he is working closely with the City of Seattle to offer amendments to make the bill more palatable or to kill the legislation in the Senate or in the Governor's office. He stated it prohibits the City from collecting its gross earnings tax on electric utilities in other incorporated communities. He stated that it would still allow us to collect the tax in unincorporated communities.

Mr. Lewis reported on the manufactured housing legislation and that staff were successful in keeping in committee the original bill which pre-empted the City Council's authority to keep manufactured homes out of single-family neighborhoods. He stated that the industry is attempting to amend the pre-emption language onto other bills which are still alive on the House and Senate floor. He stated that Representative Joyce McDonald has been a strong supporter of the authority of local government.

Mr. Lewis stated that he expects Initiative 200 will go on the fall ballot.

## **COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Kirby commented on his experience as a cabin leader at Camp Seymour for three days supervising four kindergartners and three fourth graders.

Council Member Kirby thanked the Public Works Department for their response regarding the placement of recycling cans for those people who have retaining walls and steps. He stated that the Public Works Department assured him that those recycling containers can be picked up in the alley.

Council Member Kirby then stated that he will be proposing two ordinances for the City Council to consider in the near future. He stated that one of the ordinances will be an

amendment to the potbellied pig regulations and the other ordinance pertains to dogs defecating and giving the owner of the dog the responsibility for cleaning it up.

Council Member McGavick requested staff to review the procedure and look at providing an opportunity to a variety of vendors and restaurants to bid on the catering of the City Council study sessions and meetings.

Council Member Baarsma reported that this evening is party precinct caucuses and that former Council Member Evans is at Mason Middle School preparing to preside at that precinct caucus. He invited people to join with Council Member Evans in talking about the issues of the day.

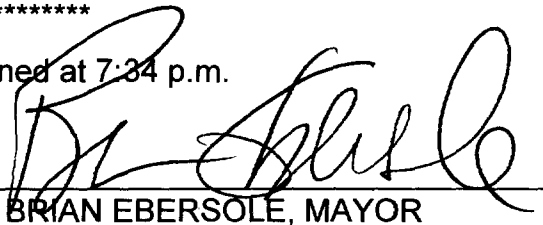
Council Member Miller reported on the response from Mr. Bill Pugh, Director of Public Works, regarding Truman Middle School. He expressed his concern regarding the City allowing the school district to separate a parcel of land into two parcels. He stated that now the school district is requesting a special use permit for the development of the first parcel, which may have undercut the City's ability to require sidewalk and street improvements around the entire site. He expressed his belief that staff should be taking the position that the entire site should have street, curb and sidewalk improvements done at the time the school opens.

Council Member Miller stated that he brought up the issue of system development charges earlier in the afternoon and that Mark Crisson, Director of Public Utilities, had called him and stated that the Department of Public Utilities is open to the system development charge, the inside/outside differential. He stated that he and Mr. Crisson had talked about procedures and that the Utility Board is going to present this matter to the City Council, at which time the Council will have the discretion of adjusting the inside/outside rate.

Council Member Miller then complimented City staff and the "Collectors" who were featured in the nation's "City Weekly," the national newspaper. He stated that the newspaper had a front-page picture of them and that they were also nationally and internationally featured on the radio. He stated that there has also been requests to send them around the nation. Council Member Miller stated that he had not originally liked the idea, but gave his compliments for how well this campaign has turned out.

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On proper motion, the meeting was adjourned at 7:34 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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