

CITY COUNCIL MINUTES

City Council Chambers
August 12, 1997

The meeting was called to order at 5:08 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

The Flag Salute was led by Council Member Silas.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of July 22 and 29, and study session of July 29, 1997.

RESOLUTIONS

Resolution No. 33791

Setting Tuesday, August 26, 1997, at approximately 6:00 p.m., as the date for a public hearing by the City Council regarding proposed amendments to Chapter 13.13 of the Municipal Code relating to solar access.

Resolution No. 33792

Setting Tuesday, September 16, 1997, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate portions of East M Street, Hill Street and alleys south of East 38th Street. (Tacoma School District No. 10; File No. 124.1054)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, August 12, 1997.
- b. Agenda of the Foss Waterway Development Authority, July 30, 1997.
- c. Minutes of the Planning Commission, July 16, 1997.
- d. Minutes of the Public Utility Board meeting and study session, July 9, 1997.
- e. Minutes of the Tacoma Area Task Force on Disabilities, June 26, 1997.

- f. Minutes of the Tacoma Public Library Board of Trustees meeting and study session, June 18, 1997.
- g. Report of the Director of Finance, June 1997.

Deputy Mayor Baarsma moved that the Consent Agenda, including Resolution Nos. 33791 and 33792, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33791 and 33792, was declared approved.

Mayor Ebersole called on Mr. Tony Anderson who presented the Sister Cities International Diverse Community Award.

Council Member McGavick requested a moment of personal privilege and introduced Bill Delorenzo and his parents Tony and Betty Delorenzo, who were visiting from Schenectady, New York.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26107

Amending Title 1 of the Municipal Code by adding a new chapter to be known as Chapter 1.35, entitled "Performance Audits."

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

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Ordinance No. 26108

Providing for the formation of LID No. 8604 for the construction of permanent pavement with storm drainage on the alley between South 42nd and 43rd Streets from Cushman Avenue to Asotin Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26109

Providing for the formation of LID No. 8605 for the construction of permanent pavement with storm drainage on Middle Road from Wright Avenue to East 34th Street.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

Ordinance No. 26110

Providing for the formation of LID No. 8606 for the construction of permanent pavement with storm drainage on the alley between South 9th and South 10th Streets from Cedar to Alder Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Council Member De Forrest moved to take Ordinance No. 25988 from the table and to suspend the rules to consider it under First Reading on tonight's agenda. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25988

Amending Title 13 of the Municipal Code by amending Section 13.06.408 and repealing Chapter 13.13 relative to solar access land use.

Speaking before the Council were:

| Name | Address/Affiliation |
|----------------|--|
| Jerry Dinndorf | Director of Government Affairs, Master Builders Association of Pierce County |
| David Litowitz | 2715 64th Ave NE |

The Ordinance was set over for final reading on August 26, 1997.

Ordinance No. 26112

Vacating a portion of Union Avenue north of South 30th Street to develop a residential building site. (Roy T. Murphy; File No. 124.1051)

Deputy Mayor Baarsma moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. 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. 26113

Vacating a portion of the alley right-of-way between East B and McGhee Streets north of East 60th Street to combine the vacated areas with abutting properties to provide additional yard space. (Edwards Construction Company; File No. 124.1052)

Council Member Miller 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.

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

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Ordinance No. 26114

Amending Chapter 13.06 of the Municipal Code to downzone the property located at the northwest corner of South 31st and Washington Streets from an "R-3-T" Residential Commercial Transitional District to an "R-2SRD" Residential Special Review District due to certain conditions relating to street improvements that have not been performed. (City of Tacoma; REZ97-00007)

Deputy Mayor Baarsma 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.

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

Ordinance No. 26115

Accepting donations from various individuals and organizations, in the amount of \$22,492.17; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund to support the D.A.R.E. Program activities.

The Ordinance was set over for final reading next week.

Ordinance No. 26116

Amending Chapter 1.12 of the Municipal Code to implement 1997 rates of pay and compensation for represented and unrepresented employees, and changes in classification to reflect the organizational structure.

Speaking before the Council were:

| Name | Address/Affiliation |
|-----------------|----------------------------|
| Phyllis Barrett | 912 South Cushman |
| Will Baker | 809 South I Street |

The Ordinance was set over for final reading next week.

Ordinance No. 26117

Amending Title 8 of the Municipal Code, by amending Section 8.12.010, and creating a new Chapter 8.110 entitled "Inhaling Toxic Fumes."

The Ordinance was set over for final reading next week.

Ordinance No. 26118

Amending Chapter 1.30 of the Municipal Code relative to a 15-day Leave of Absence, Refunding of Contributions, Rehiring, and Qualified Domestic Relations Orders and the rules governing said orders.

The Ordinance was set over for final reading next week.

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Ordinance No. 26119

Accepting \$400,000 from the Washington State Department of Ecology; and depositing in and appropriating said sum from the Capital Improvements Summary Fund for reimbursement of costs incurred in the environmental investigation and cleanup design for the property along the west side of the Thea Foss Waterway.

The Ordinance was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:02 P.M.)

This is the date set for a public hearing by the City Council on the annexation of unincorporated territory in Northeast Tacoma.

Speaking before the Council were:

| Name | Address/Affiliation |
|------------------|----------------------------|
| Grant Sulham | 4111 53rd Street NE |
| Karin Kleven | 3810 52nd Street NE |
| Frank W. Swanson | 3811 53rd Street NE |
| Peter Laman | 4101 52nd Street NE |
| Noreen Light | 2528 54th Avenue NE |

The public hearing was declared closed at 6:19 p.m.

A motion was made under Unfinished Business regarding this public meeting later in the agenda.

CITIZENS' FORUM (BEGAN AT 6:20 P.M.)

Speaking before the Council were:

| Name | Address/Affiliation | Topic |
|---------------|--|----------------------------------|
| Daren Holter | 4606 North 14th Street | Performance audits |
| Marion Weed | Northeast Neighborhood Council | Smoke shop |
| Nancy Davis | President, Eastside Neighborhoods Advisory Council of Tacoma | Smoke shop |
| Jeanna Corona | 3602 East T Street | Smoke shop |
| Will Baker | 809 South I Street | Editing of City Council meetings |
| Ted Kennedy | 1116 East 34th Street | Enforcement codes |
| Steve Muller | 821 South Macarthur | West End land use issues |

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| Mozella Pooley | 8041 East Sherwood | Thanked the Finance Department, the Public Works Department and the City Manager's Office for the requested paperwork. |
| Phyllis Barrett | 912 South Cushman | Performance audits |
| Robert Napoli | 1111 East 34th Street | Loitering |
| Laura Ryan | 3535 55th Avenue NE | Smoke shop |
| Sherry Bockwinkel | Director, Citizens for Leaders with Ethics and Accountability Now (CLEAN) | Voter pamphlet rules |
| Ed Jacobs | 6707A South Monroe | Problems at 6700 South Monroe |
| Skip Vaughn | 7634 South Fife | Notification to the Neighborhood Councils |
| | | Thanked the City Manager for the staff provided to the Wapato Hills project |
| | | Municipal Code enforcement |
| David King | 3563 East J Street | McKinley Street Fair, Safeway reopening at 56th Street and M Street, LEAP program |

The Citizens' Forum was declared closed at 7:55 p.m.

RESOLUTIONS

Purchase Resolution No. 33793

Awarding contracts to:

1. E.J. Rody and Sons, Inc., on its bid of \$46,863, for the Tacoma Eastern Railroad trestle replacement - Work Order No. RR0115 - Emergency P.O. No. E54397 - Specification No. G-231-97;
2. Unifirst Corporation, in the amount of \$41,000, to extend and increase their contract for coverall, uniform and linen services - Specification No. G-071-91;
3. Shelby Williams Industries, Inc., on its bid of \$94,543.20, for stacking chairs for the Bicentennial Pavilion/Convention Center - Specification No. G-006-97;

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4. Western Peterbilt, on its bid of \$904,023.48, for side loader recycle trucks - Specification No. G-035-97; and
5. Mid-Mountain Contractors, Inc., on its bid of \$434,980, for storm sewer and outfall replacement at 38th Avenue Northeast - Specification No. G-212-97.

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

Resolution No. 33794

Authorizing the execution of a Letter of Authorization and agreement with US West Communications allowing the Fire Department and the Washington State Department of Transportation to replace and use electrical cable on the Tacoma Narrows Bridge.

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

Resolution No. 33795

Authorizing the execution of an addendum to the agreement with Pierce County and participating organizations in the Puget Sound Urban Search & Rescue Task Force clarifying the respective rights, duties and responsibilities of the parties relative to disaster preparedness.

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

Resolution No. 33796

Authorizing the execution of an amendment to the agreement with Michael L. Price, in the amount of \$25,000, to provide computer programming consulting services to the Tacoma Employees' Retirement System for the upgrade of the PeopleSoft Human Resources Payroll System through December 31, 1997.

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

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Resolution No. 33797

Authorizing the execution of an agreement with Wilshire Associates, Inc., in the amount of \$115,000, to provide pension consulting services effective October 1, 1997, through September 30, 1998.

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

Resolution No. 33798

Authorizing the execution of an agreement with Disciplined Investment Advisors, in the amount of \$455,000, to provide equity investment services for the Retirement Fund effective October 1, 1997, through September 30, 1998.

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

Resolution No. 33799

Authorizing the execution of an amendment to the agreement with Proud African American Youth Society, in the amount of \$32,000, to provide additional domestic violence prevention services to youth and young adults.

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

Speaking before the Council was:

| Name | Address/Affiliation |
|-------------|----------------------------|
| Will Baker | 809 South I Street |

Council Member De Forrest called for the question on Resolution No. 33799. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 33800

Authorizing the execution of an amendment to the Neighborhood Preservation Program agreement to allow the Tacoma Community Redevelopment Authority to enter into a loan agreement with Martin Luther King Housing Development Association for \$41,304 in 21st Year Community Development Block Grant funds and \$117,454 in HOME funds for acquisition and rehabilitation of two houses located at 2304 and 2313 Martin Luther King Jr. Way.

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

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Resolution No. 33801

Directing the City Manager to pursue the appropriate procedures and submit to the City Council for consideration an amendment to the Consolidation Plan to reallocate \$50,000 of Community Development Block Grant funds from the Fire Sprinkler Loan Fund to the Cascade Community Health Project in the Eastside.

Council Member Evans moved that the Resolution be adopted. Seconded by Deputy Mayor Baarsma.

Speaking before the Council was:

| <u>Name</u> | <u>Address/Affiliation</u> |
|--------------|----------------------------|
| Mark Zaharko | 215 South 36th Street |

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

CITIZENS' FORUM (BEGAN AT 6:20 P.M.)

The Citizens' Forum was held earlier in the meeting.

PUBLIC HEARINGS AND APPEALS (BEGAN AT 6:02 P.M.)

This is the date set for a public hearing by the City Council on the annexation of unincorporated territory in Northeast Tacoma.

The Public Hearings and Appeals was held earlier in the meeting.

UNFINISHED BUSINESS

Deputy Mayor Baarsma moved that the City Council accept the petition of annexation from the residents of the Summit at Stone Brook when that petition is complete. He further moved that the City waive the voter-approved bonded indebtedness other than the EMS levy for the area, that the City apply its comprehensive planning to the area, and that the petition be amended to include two adjacent city-owned parcels. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz Jr. stated that the public comments relative to the Environmental Impact Statement (EIS) for the new Pierce County Detention Facility are due on September 2, 1997. Mr. Corpuz stated that many of the City Council Members had expressed concerns about this issue in terms of land use, transportation, design issues and social economics. He stated that City staff is collectively trying to coordinate

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a City response. Mr. Corpuz recommended that Council Members contact him as soon as possible so their comments can be included in the response.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Kirby stated that he has received some complaints regarding the goose excrement at Wapato Park. He stated that he did let citizens know that the Metropolitan Park District is responsible for maintaining that park. He then asked if the City Council could do anything to impact that situation. Council Member Kirby requested information as to whether or not the Metropolitan Park District has a solution to this problem.

Council Member De Forrest requested a response to the allegations and complaints made by the City employee earlier in the meeting.

Council Member De Forrest then stated that he had spent time in the dunk tank at the McKinley Booster's Street Festival. He stated that the festival was very successful. He then thanked the police officers from Sector 4 and the firefighters of that area for participating.

Council Member De Forrest then suggested that the City Council agenda be put on the Internet.

Mayor Ebersole expressed the City Council's condolences to the family of Paula Joyce, who was tragically killed in a hit-and-run accident. He stated that by all accounts Paula Joyce was a wonderful person. He stated that the police officers were on the scene immediately and made an arrest. Mayor Ebersole stated that Paula Joyce's father-in-law is a well respected retired officer of the Tacoma Police Department and her mother-in-law, Mary Joyce, serves on the Board of Pierce Transit. He then stated that Paula Joyce's sister-in-law serves on the Tacoma Housing Authority. Mayor Ebersole stated that this family is a prominent and well respected family.

Council Member Evans added his condolences and stated the need to treat drunk driving or irresponsible driving with more severe penalties.

Council Member Evans requested a response regarding the latitude the City of Tacoma has with the Washington State Department of Transportation relative to the painting of the SR509 Bridge. He stated that he would like some resolution to this issue.

Council Member Evans stated he had received several telephone calls complimenting the new management at the Tacoma Narrows Airport. He then complimented Leslie Rowen, General Services Director, and Steve Williams, Asset Manager, for making a difficult situation into something which now appears to be totally fair and proper.

Deputy Mayor Baarsma extended his sympathies to the family of Paula Joyce. He stated that the Joyce family was a family of good citizens.

Deputy Mayor Baarsma then reported on his trip to Japan. He announced that the business and government leaders will be in Tacoma to participate in the Business-to-Business Expo at the Tacoma Dome. He stated that the Expo is being organized by the Tacoma Chamber of Commerce and will be held the first week in October. Deputy Mayor Baarsma stated that he hoped the event would be another step in the direction of increasing the relationship between the Port of Tacoma and the Port in Hachinohe. He stated that if we are successful in establishing a direct trading link with Hachinohe, at some point in the future, they hope to bring one of their floats to our Daffodil Parade.

Deputy Mayor Baarsma then shared a picture of a cable stay bridge in Hachinohe, Japan. He stated that with proper design a City can really make a statement that will lend a lot of credibility and excitement to a community. He stated that the cable stay bridge that connects Downtown Hachinohe with their new port development area, Harbor Island, is something to behold.

Council Member Crowley stated that while he reads the Environmental Impact Statement for the Pierce County Jail, which is located within the City of Tacoma limits, he will keep two notions in mind. He stated that one notion is that Pierce County doesn't necessarily think that the expansion of our convention center benefits the entire county. He stated that the second notion is the idea of Pierce County balancing their budget by cutting dollars from the Broadway Center which, in some County Council Members' view, also does not benefit the entire county.

Council Member Crowley also stated they had all received an invitation to the opening of the Sixth and Oakes housing project which used the tax incentive program. He stated that he had toured it and encouraged others to attend. He said it was an example of a quality project in a good neighborhood and without the advantage of the tax incentive program, would not have been built.

Council Member McGavick stated she liked the idea of opening up the naming of the SR509 Bridge to the public.

Council Member McGavick then stated that they continue to get letters and calls from business people stating that the City Council is trying to put the multiplex theater in Antique Row. She clarified that it was the developers pushing the location, not the City Council. She stated that the City Council is interested in a multiplex theater in downtown Tacoma but has not said where it should be. She stated that the developers have been taken around to show them different places and they always seem to come back to Antique Row.

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On proper motion, the meeting was adjourned at 8:55 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK