



# City Council Minutes

<http://www.cityoftacoma.org>

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

December 2, 2003

The meeting was called to order at 5:12 p.m.

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

The Flag Salute was led by Council Member Evans.

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## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Meeting notes of the Citizens Advisory Panel, October 8 and November 12, 2003.
- b. Minutes of the Planning Commission, November 5, 2003.
- c. Minutes of the Rainer Communications Commission, September 17, 2003.
- d. Minutes of the Tacoma Arts Commission, October 13, 2003.
- e. Minutes of the Task Force on Disabilities, October 23, 2003.
- f. Monthly Financial Reports for the Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund, Tacoma Power, Tacoma Rail, and Tacoma Water, July 2003.
- g. Reports of the Director of Finance, August and September 2003.

## CONSENT AGENDA

Approval of the minutes of the City Council meeting of October 14; and study sessions of October 14, 21, and 28, 2003.

## RESOLUTIONS

### **Resolution No. 36020**

Setting Tuesday, December 16, 2003, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the authorization of the application to the United States Department of Housing and Urban Development for a Community Development Block Grant Section 108 guarantee loan to assist Tacoma Sawmill LLC in the acquisition of the Louisiana Pacific Sawmill located at 3701 Taylor Way.

Deputy Mayor Moss moved that the Consent Agenda, including Resolution No. 36020, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 36020, was declared approved.

## PROCLAMATIONS

Mayor Baarsma proclaimed December 3, 2003, to be "Ben W. Gilbert Historic Preservation Day" and presented the proclamation to Mr. Ben W. Gilbert, Landmarks Preservation Commissioner.

## PUBLIC COMMENT

This is the time set aside for public comment on items on the agenda. Speakers are asked to identify the specific agenda items they wish to address and comments will be limited to up to five minutes per person.

Mayor Baarsma read the rules relative to Public Comment.

Public Comment began at 5:30 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
Charles Creso	5501 Broadview	Ordinances No. 27170, wages
Rob McNair-Huff	3711 North Mullen Street; Tahoma Audubon Society	Ordinance No. 27172, Comprehensive Plan
Toby Joseph	1614 South 11 <sup>th</sup> Street; Native Community	Ordinance No. 27168, rates of pay
Scott Hansen	702 Broadway, Ste. 101; Puget Creek Restoration Society	Ordinance No. 27172, Comprehensive Plan
Allen Douglass	University Place	Resolution No. 36022, Ordinance Nos. 27170 and 27171; Charter Review, rates of pay and public safety

<b>Name</b>	<b>Address/Affiliation</b>	<b>Subject</b>
Dee Margeson	1502 South Washington	Ordinance No. 27172, Comprehensive Plan
Howard Anderson	1757 South Proctor	Ordinance No. 27172, Comprehensive Plan
Rick Cvitanich	2808 North 8 <sup>th</sup> Street	Resolution No. 36022, Charter Review
Michele Reich	1205 Earnest S. Brazill Street	Ordinance No. 27171, public safety
John Ohlson	Local 120, AFSCME	Ordinance No. 27147; BISD
Alison Moss	2183 Sunset Avenue SW	Ordinance No. 27172, Comprehensive Plan
Alton McDonald	Resident	Resolution No. 36021, contracts

## REGULAR AGENDA

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## **FINAL READING OF ORDINANCES**

### **Substitute Ordinance No. 27147**

Amending Chapter 1.06 of the Municipal Code, relating to the Information Systems Department, to reorganize and rename the Information Systems Department to the Business Information Systems Department, effective January 1, 2004.

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. 27167**

Amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation negotiated with the United Transportation Union Yardmasters Unit representing four employees effective January 1, 2002, through June 30, 2007.

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. 27168**

Amending Chapter 1.12 of the Municipal Code to implement rates of pay including market-driven adjustments of up to nine percent for unrepresented classifications consistent with the Compensation Policy for unrepresented employees.

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. 27169**

Amending the legal description of the property reclassified by Ordinance No. 27096 and located on the east side of Pacific Avenue at 3615 Pacific Avenue.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Evans, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma

Nays: 0

Absent: 1 – Ladenburg

The Ordinance was declared passed.

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**PUBLIC HEARINGS**

This is the date set for a public hearing by the City Council to consider the modified Biennial Budget for the years 2003-2004. (Continued from the meeting of November 18, 2003)

Public Hearing began at 6:55 p.m.

Speaking before Council:

<b>Name</b>	<b>Address/Affiliation</b>
Charles Creso	5501 Broadview
Toby Joseph	1614 South 11 <sup>th</sup> Street
Allen Douglass	University Place
Phyllis Barrett	912 South Cushman
Alton McDonald	Resident
Michele Reich	Earnest S. Brazill Street

Public Hearing ended at 7:35 p.m.

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**FIRST READING OF ORDINANCES****Ordinance No. 27170**

Amending Chapter 1.12 of the Municipal Code relating to the Compensation Plan to implement rates of pay negotiated with the following unions:

- International Association of Machinist and Aerospace Workers, Local 160, Yard Clerk Unit;
- International Brotherhood of Electrical Workers, Local 483, Water Division Unit;
- International Brotherhood of Electrical Workers, Local 483, Supervisors' Unit;

- Warehouse, Automotive, Food, Public Employees, Driver Sales & Special Services Union, Local 599, Public Assembly Facilities Unit; and
- United Transportation Union, Switch Crews Unit; and

further implementing provisions relating to the salary for the Mayor, Deputy Mayor, and Council Members and a general wage increase of one percent for unrepresented employees; and to make changes in classifications to reflect the organizational structure.

The Ordinance was set over for final reading next week.

**Ordinance No. 27171**

Amending Chapter 8.109 of the Municipal Code relating to public safety to extend the effective date of the Curfew Ordinance to December 31, 2006.

The Ordinance was set over for final reading next week.

**Ordinance No. 27172**

Amending Title 13 of the Municipal Code, adopting amendments to the Comprehensive Plan, relating to the Neighborhood Element and Generalized Land Use Plan, regarding area-wide zoning designation changes and replacing existing plans for the Northeast and Central neighborhood areas.

Mayor Baarsma moved to continue Ordinance No. 27172 to the meeting of December 16, 2003. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27172 will be considered at the regular City Council meeting of December 16, 2003.

**RESOLUTIONS**

**Purchase Resolution No. 36021**

Awarding contracts to:

1. Tucci & Sons, Inc., on its bid of \$2,283,861.51, for arterial street improvements along Norpoint Way NE from 49<sup>th</sup> Avenue NE to 29<sup>th</sup> Street NE - Specification No. PW03-0801F; and
2. U.S. Oil & Refining Co., on its bid of \$189,200.00, for asphalt material – Washington State Contract No. 14399.

Deputy Mayor Moss 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. 36022**

Designating the Charter Review Committee as a special project of limited duration.

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

**Resolution No. 36023**

Authorizing the execution of agreements with the following:

- Denver Investment Advisors LLC, in the amount of \$1,380,000;
- Lend Lease Rosen Real Estate Securities, LLC, in the amount of \$2,814,000; and
- TT International, in the amount of \$2,337,000;

to provide investment management services, from January 1, 2004, through December 31, 2006;

- The Northern Trust Company in the amount of \$327,000, for custodial services from January 1, 2004, through December 31, 2004;
- Davis Wright Tremaine, in the amount of \$130,000, to provide legal services from January 1, 2004, through December 31, 2005; and
- Milliman USA, in the amount of \$135,000, to provide general actuarial services from January 1, 2004, through December 31, 2004.

Council Member Phelps moved to waive further reading of the Resolution. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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

**Resolution No. 36024**

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Customer & Field Services Unit representing 129 employees, effective January 1, 2004, through December 31, 2004.

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

**Resolution No. 36025**

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Clerical Unit representing 188 employees, effective January 1, 2004, through December 31, 2004.

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

**Resolution No. 36026**

Authorizing the execution of an agreement with KPG, Inc., in the amount of \$2.5 million, to provide architectural and engineering services for the design of the Environmental Services Building located at 3510 South Mullen Street.

Deputy Mayor Moss moved to adopt Resolution No. 36026. Seconded by Council Member McGavick.

Council Member Phelps moved to continue Resolution No. 36026 to the meeting of January 20, 2004. Seconded by Mayor Baarsma.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, McGavick, Moss, Phelps, and Mayor Baarsma

Nays: 2 – Miller and Talbert

Resolution No. 36026 will be considered at the regular City Council meeting of January 20, 2004.

**PUBLIC HEARINGS**

This is the date set for a public hearing by the City Council to consider the modified Biennial Budget for the years 2003-2004. (Continued from the meeting of November 18, 2003)

The Public Hearing was considered earlier in the meeting.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

City Manager James Walton announced the following events:

- Old Town Tree lighting at the Job Carr Cabin in Old Town Park, December 3, 2003, at 4 p.m.;
- Santa will be at the Pomodoro Restaurant on North 26<sup>th</sup> Street; December 6, 2003, from 9:00 a.m. to 11:30 a.m.,
- Tree Lighting and dessert potluck in Oakland/Madrona on December 10, 2003, at 6:30 p.m.; and
- McKinley Hill Living Christmas Tree dedication at 6 p.m. in the lot of the Tacoma Christian Center at 3523 McKinley Avenue.



He thanked everyone in the Business District for making the holidays an enjoyable time for our citizens.

## COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Talbert stated that the Health Board will hold a hearing tomorrow at 3 p.m., at 37<sup>th</sup> and Pacific Avenue, regarding a proposal to ban smoking in all in-door facilities in Pierce County. He stated that the Human Rights Commission will hold one of a series of discussions on police accountability oversight tomorrow at the Mottet Library at 6:30 p.m.

Council Member Phelps stated the Mayor reminds everyone that the Study Session is broadcast out over the Web during each Study Session. He asked for clarification on how to find the link. He then wished his wife a happy anniversary.

Council Member Evans asked everyone to join him and the Hilltop Action Coalition on Saturday morning, at 8:30 a.m., between South 15<sup>th</sup> and 17<sup>th</sup> Streets on South L Street, to plant trees.

Council Member Lonergan thanked the volunteers who helped with Thanksgiving dinners for the less fortunate. He stated he represented the City at the Christian Brotherhood Academy on Martin Luther King, Jr. Way. He stated there was a very nice ceremony honoring Pastor Ivory Crittendon, founder, who turned the reins over to Pastor Robert F. Penton. He stated on November 20, 2003, he attended the new Tacoma-Pierce County Access to Civil Justice Center on Tacoma Avenue South.

Council Member Ladenburg encouraged everyone to attend the non-smoking hearing tomorrow.

Mayor Baarsma stated the official 57<sup>th</sup> Christmas Tree Lighting was held last weekend and noted that for all 57 years, the Ft. Lewis community has donated the tree.

## CITIZENS' FORUM

Mayor Baarsma read the rules relative to Citizens' Forum.

Citizens' Forum began at 8:45 p.m.

Speaking before the Council were:

Name	Address/Affiliation	Topic
Charles Creso	5501 Broadview	City investments
Rick Cvitanich	2808 North 8 <sup>th</sup> Street	Budget
Debra Dykstra	2808 North 8 <sup>th</sup> Street	Safety of individuals on Sixth Avenue
Michele Reich	Earnest S. Brazill Street	Citizens speeches should be connected to Ordinances and Resolutions; Council accountability
Brock Logan	WSCCE, Local 120	Business Information Systems Department

Speaking before the Council (continued):


Name	Address/Affiliation	Topic
Phyllis Barrett	912 South Cushman	Police Department
Alton McDonald	Resident	Council inaction; public access channel
Allen Douglass	University Place	Christmas parade; tree lighting in University Place
David Olson		Click! Network

Citizens' Forum closed at 9:20 p.m.

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On proper motion, the meeting was adjourned at 9:20 p.m.

  
BILL BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK