



# City Council Minutes

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

August 19, 2003

The meeting was called to order at 5:10 p.m.

Council Members Present: 7 ~ Evans, Lonergan, McGavick, Moss, Phelps, Talbert, and Mayor Baarsma.

Council Members Absent: 2 ~ Ladenburg and Miller.

The Flag Salute was led by Council Member Phelps.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Appointments Committee, June 23 and 30, 2003.
- b. Minutes of the Civil Service Board, June 2 and 16, 2003, and July 7, 2003.
- c. Amended minutes of the Planning Commission, July 16, 2003.
- d. Minutes of the Tacoma Housing Authority Study Session, June 11, 2003.
- e. Minutes of the Tacoma-Pierce County Board of Health, July 2, 2003.
- f. Report of the Finance Director, June 2003.

## CONSENT AGENDA

Approval of the minutes of the City Council meetings of July 1, 8, and 15, 2003.

## RESOLUTIONS

### Resolution No. 35925

Setting Tuesday, August 26, 2003, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the recommended uses of the United States Department of Justice Local Law Enforcement Block Grant funds.

Deputy Mayor Moss moved that the Consent Agenda, including Resolution No. 35925, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 35925, was declared approved.

## PROCLAMATION

Mayor Baarsma proclaimed August 24, 2003, to be "Louie Louie Day" and presented the proclamation to Mr. Kent Morrill and Mr. John "Buck" Ormsby, band members of the Wailers and co-creators of the Wailers Performing Arts Foundation.

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## REGULAR AGENDA

### COMMUNICATION

City Clerk advising that the petitions submitted by the "TIME FOR A CHANGE" Committee, with the effective date of January 1, 2003, did not contain the required number of signatures to place the initiative on the November 2003 ballot.

Mayor Baarsma advised that this is informational only and no action is required.

### FINAL READING OF ORDINANCES

#### Ordinance No. 27131

Amending Chapter 10.27 of the Municipal Code relating to small public works contracts to increase the threshold for the Small Works Roster (SWR) from \$25,000 to \$50,000; and to authorize the Finance Director to modify the types of work for inclusion in the SWR based on recommendations from City Departments.

Deputy Mayor Moss moved to remove Ordinance No. 27131 from the agenda. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27131 was removed from the agenda.

#### Ordinance No. 27132

Accepting \$111,000 from the United States Department of Justice, through Pierce County, for the Northwest High Intensity Drug Trafficking Area Methamphetamine Task Force to reduce the impact of methamphetamine and heroin trafficking, manufacturing, use, and related crime associated with drug trafficking.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Ladenburg and Miller

The Ordinance was declared passed.

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**Ordinance No. 27133**

Approving and confirming the Assessment Roll for Local Improvement District No. 3959 for the construction of sanitary sewers in Shirley Street from North 37<sup>th</sup> to North 35<sup>th</sup> Streets; and in North 35<sup>th</sup> Street from Shirley Street west 250 feet.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Ladenburg and Miller

The Ordinance was declared passed.

**Ordinance No. 27134**

Approving and confirming the Assessment Roll for Local Improvement District No. 3961, for the construction of sanitary sewers in Bennett Street from North 37<sup>th</sup> to North 35<sup>th</sup> Streets; and in Shirley Street from North 35<sup>th</sup> Street south 350 feet.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Ladenburg and Miller

The Ordinance was declared passed.

**Ordinance No. 27135**

Approving and confirming the Assessment Roll for Local Improvement District No. 8626, for the construction of permanent pavement with storm drainage on 39<sup>th</sup> Avenue NE from 33<sup>rd</sup> Street NE to Browns Point Boulevard; and on Harrison Street from East K to East L Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – Ladenburg and Miller

The Ordinance was declared passed.

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## FIRST READING OF ORDINANCES

### **Ordinance No. 27136**

Authorizing the execution of a loan agreement with the Department of Ecology (DOE), in the amount of \$52 million, for the improvements, expansions, and upgrades to the Central Wastewater Treatment Plant; and authorizing the execution of a Memorandum of Agreement with DOE delegating to the City of Tacoma certain engineering and design review and approval activities for said project.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Michele Reich	1205 Ernest S. Brazill Street

The Ordinance was set over for final reading next week.

## RESOLUTIONS

### **Purchase Resolution No. 35926**

Awarding contracts to:

1. Reliance Trailer Co., LLC, in the amount of \$125,460, to increase its contract for two steel transfer trailers for hauling of disposal and solid waste – Specification No. FLT-207-00;
2. Ben-Ko-Matic Co., in the amount of \$269,111, to increase its contract for a catch basin and sewer cleaning vehicle – Specification No. FLT-207-02; and
3. Cummins Northwest, Inc., in the amount of \$74,000, for two standby generator sets to be used at the Lincoln Avenue/Marine View Drive and Lincoln Avenue/Alexander Avenue pump stations – Washington State Contract No. 09402.

Deputy Mayor Moss moved that the Purchase Resolution, including removing Item No. 3, be adopted. Seconded by Council Member McGavick.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including removal of Item No. 3, was declared adopted.

### **Resolution No. 35927**

Authorizing the issuance and sale of Water System Revenue and Refunding Bonds, in the aggregate principal amount not to exceed \$60,000,000, to finance or refinance costs of capital improvements to the water system and to refund the outstanding Water System and Refunding Revenue Bonds, 1993, and the 2003 Line of Credit.

Deputy Mayor Moss moved to suspend the rules to consider Substitute Resolution No. 35927. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Moss moved that the Substitute Resolution be adopted. Seconded by Council Member McGavick.

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Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street, Apt. 1-A

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

**Resolution No. 35928**

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement, with Ronnie W. Pulliam and Jane Wekell-Pulliam, to construct four new units of market-rate rental housing at 616 North Oakes Street.

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. 35929**

Approving the Neighborhood Councils' recommendations for the 2003 Small Innovative Grant Program project recommendations such as street lighting, sidewalk related improvements, removal of blight, and beautification in residential areas.

Deputy Mayor Moss moved that the Resolution be adopted. Seconded by Council Member McGavick. Council Member Lonergan recused himself.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman
Tamara Lynch	Bergeson Terrace resident
Will Baker	piercecountyinsider.com
Allen Douglass	507 South J Street, Apt. 1-A
Rosalynn Watson	2110 South M Street
Ron Pulliam	4124 North Huson Street
Michele Reich	1205 Ernest S. Brazill Street

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

**Resolution No. 35930**

Authorizing the execution of a professional services agreement with John Rogers, in the amount of \$170,000, to create artwork for the new Police headquarters and Fleet Services warehouse.

Deputy Mayor Moss moved that the Resolution be adopted. Seconded by Council Member McGavick.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman
Will Baker	piercecountyinsider.com
Carl Anderson	3320 North 27 <sup>th</sup> Street

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

**Resolution No. 35931**

Authorizing the execution of an agreement with Wilshire Associates, Inc., in the amount of \$140,000, to provide pension-consulting services for October 1, 2003, through September 30, 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. 35932**

Expressing the City Council's intent to defend the Constitution of the United States and take all necessary measures required to protect those values of life, liberty, and the pursuit of happiness relative to civil liberties and civil rights for all residents, and to resist any unconstitutional acts against its residents under the USA PATRIOT Act of 2001 or similar governmental acts.

Deputy Mayor Moss moved that the Resolution be adopted. Seconded by Council Member McGavick.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street, Apt. 1-A
Bob Warfield	143 Candlewyck Drive
Carl Anderson	3320 North 27 <sup>th</sup> Street
Colleen Waterhouse	4417 South 12 <sup>th</sup> Street; Chair of American Civil Liberties Union
Kirsti Thomas	635 North Anderson Street; Member of Bill of Rights Defense Committee and ACLU
Kent Alcorn	4414 North 9 <sup>th</sup> Street
Will Baker	piercecountyinsider.com
Mark K. Jensen	3110 North 31 <sup>st</sup> Street
Timothy Joel Smith	1122 South Grant Avenue
Kenneth W. Little	2809 92 <sup>nd</sup> Street East; Carpenters for a Democratic Union International
Sallie Shawl	1224 South I Street
Michele Reich	1205 Ernest S. Brazill Street
Ken Jones	2410 North 8 <sup>th</sup> Street; Minister of Unitarian Universalists Association

Speaking before Council (continued):

Jana LaGasa	5008 North Pearl Street
Vazaskia Caldwell	7324 North 23 <sup>rd</sup> Street
Beckie Summers	9415 Tacoma Avenue South
Sinuon Hem	2022 East 60 <sup>th</sup> Street
Dale Francis	3401 South 8 <sup>th</sup> Street
Heather Lewis-Lechner	502 South Sheridan
Mark Lewington	3510 North 33 <sup>rd</sup> Street

Mayor Baarsma called for a vote:

Roll call vote was taken, resulting as follows:

- Ayes: 4 – Evans, McGavick, Moss and Mayor Baarsma
- Nays: 2 – Phelps and Talbert
- Absent: 2 – Ladenburg and Miller
- Abstaining: 1 – Lonergan

The Resolution was declared failed.

Council Member Evans changed his vote to the prevailing side and voted nay.

- Ayes: 3 – McGavick, Moss and Mayor Baarsma
- Nays: 3 – Evans, Phelps and Talbert
- Absent: 2 – Ladenburg and Miller
- Abstaining: 1 – Lonergan

Council Member Evans stated he changed his vote so that this Resolution could be brought back when the full Council is present.

Council Member Phelps changed his vote from nay to abstaining.

- Ayes: 3 – McGavick, Moss and Mayor Baarsma
- Nays: 2 – Evans and Talbert
- Absent: 2 – Ladenburg and Miller
- Abstaining: 2 – Lonergan and Phelps

The Resolution was declared failed.

**Resolution No. 35933**

Encouraging the Pierce County Council to seek voter approval of an increase in the sales tax of up to 3/10 of 1 percent at the November 4, 2003 General Election; and expressing the City Council’s intent to use a portion of the revenue for criminal justice purposes, and a portion of the revenue to increase services to victims of domestic violence, and fund criminal justice-related programs and other services.

Deputy Mayor Moss moved to adopt Resolution No. 35933. Seconded by Council Member McGavick.

Speaking before Council:

<u>Name</u>	<u>Address/Affiliation</u>
Priscilla Lisicich	1501 Pacific Avenue, Ste. 305; Safe Streets
David Alger	4510 North Defiance; Alliance for Youth of Pierce County
Phyllis Barrett	912 South Cushman
Allen Douglass	507 South J Street, Apt. 1-A
Will Baker	piercecountyinsider.com
Rick Cvitanich	2808 North 8 <sup>th</sup> Street

Deputy Mayor Moss moved to continue Resolution No. 39533 to the meeting of August 26, 2003. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 35933 will be considered at the regular City Council meeting of August 26, 2003.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

None.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Deputy Mayor Moss moved to excuse Council Members Ladenburg and Miller from tonight’s meeting. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Phelps stated that service for Tacoma Link, the light rail system, will begin this Friday, at 10 a.m., at the Tacoma Dome station. He encouraged the public to attend and stated there would be music, food, and different activities at each of the five stations.

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Council Member Talbert stated that at the Public Safety Committee hearing last Thursday there was discussion regarding some bills from the State Patrol for an investigation that was called for by the Attorney General's Office. He said it concerned him that the citizens of Tacoma could be billed for services ordered by an outside agency. He requested the City Manager to have the legal department look into this.

Council Member Lonergan stated the Tacoma Banjo Band will be performing at the 32<sup>nd</sup> Annual Senior Citizens' Awareness Day at the Tacoma Dome on Wednesday and invited everyone to attend. He stated there would be lots of entertainment along with health and information exhibits.

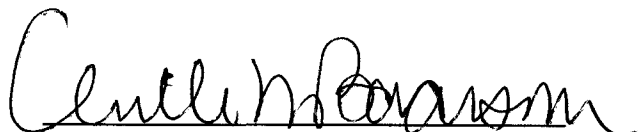
Council Member Evans commented on the new Marriott Hotel to be built soon, which will make Tacoma even more of a destination city. He, along with the Mayor, Deputy Mayor, and Council Member Miller welcomed the Lady Washington and celebrated the fact that in 2005 the Tall Ships from all over the world will come to Tacoma. He also attended the Salishan Gardens celebration and thanked Sue Bernstein for her work with the ethnic communities.


Mayor Baarsma stated this Saturday will be the Summer Readers recognition at the Point Defiance Zoo.

Mayor Baarsma stated at today's Committee of the Whole meeting there was discussion of the allocation of dollars to those neighborhoods which are currently dark. He stated the City Manager and Budget Director have identified the funding necessary and that next Tuesday there will be a Resolution to implement an expedited program to turn all the lights back on.

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On proper motion, the meeting was adjourned at 7:54 p.m.

  
BILL BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK

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