



# City Council Minutes

<http://www.ci.tacoma.wa.us/agendas/council>  
City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

July 27, 1999

The meeting was called to order at 5:06 p.m.

Present on roll call: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, and Mayor Ebersole. Absent: 1 – Silas.

The Flag Salute was led by Council Member De Forrest.

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## CONSENT AGENDA

Approval of the minutes of the City Council meetings of June 22 and 29, 1999, and study session of July 20, 1999.

## RESOLUTIONS

### Resolution No. 34458

Setting Tuesday, August 31, 1999, at 1:30 p.m., as the date for a hearing by the Hearing Examiner to vacate a portion of North Baltimore Street south of North 23<sup>rd</sup> Street. (Brian B. Pearson; File No. 124.1102)

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Civil Service Board, May 3, 1999.
- b. Minutes of the Human Rights Commission, June 17, 1999.
- c. Minutes of the Joint Public Utility Board/Port of Tacoma Commissioners study session, June 28, 1999, and regular meeting, June 23, 1999.
- d. Minutes of the Rainier Communications Commission, May 19, 1999.
- e. Minutes of the Tacoma Area Task Force on Disabilities, June 24, 1999.
- f. Report of the Director of Finance, May 1999.

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

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**PROCLAMATION**

Mayor Ebersole proclaimed the day of August 3, 1999, as "National Night Out Day" and presented the proclamation to Mr. Chino Ramirez.

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**APPOINTMENT**

Mayor Ebersole stated that pursuant to the authority of RCW 35.82.040 he is hereby designating and appointing Mr. Hyun Um as a Commissioner of the Tacoma Housing Authority to fill an unexpired term, ending August 6, 2001.

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Council Member Crowley requested and was granted a point of personnel privilege and request. He requested that President Dahl and Commissioner Madsen, Metro Parks, give an update regarding the discussion and vote that took place at the Pierce County Council meeting this afternoon regarding the one-tenth of 1 percent sales and use tax issue for the support of the Point Defiance Zoo and Aquarium and Northwest Trek Wildlife Park.

Speaking before the Council was:

Name	Affiliation/Address
Larry Dahl	President, Board of Park Commissioners, Metro Parks

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**REGULAR AGENDA**

**FINAL READING OF ORDINANCES**

**Ordinance No. 26482**

Accepting a third-year Juvenile Justice Grant from the Washington Department of Social and Health Services, in the amount of \$93,590; and class fees, in the amount of \$25,000; depositing in and appropriating said sums into the Miscellaneous Grants Summary Fund to continue a crime-free housing education and certification program and a latchkey program.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, De Forrest, Kirby, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 2 – Crowley and Silas

The Ordinance was declared passed.

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Mayor Ebersole recognized Ms. Ann Molnar, City Council Member from Loren, Ohio, who was in the audience.

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**Ordinance No. 26483**

Submitting the following proposition to the voters of the City of Tacoma for the Primary Election on September 14, 1999:

PROPOSITION NO. 1

TACOMA FIRE DEPARTMENT MEDIC ONE  
EMERGENCY MEDICAL SERVICES TAX LEVY

Shall the City of Tacoma be authorized to impose a PERMANENT regular property tax levy of \$.42 or less per \$1,000 of assessed valuation (for continued provision of the emergency medical services by the Tacoma Fire Department beyond the same levy scheduled to cease in 2000)?

YES

NO

and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 0

Absent: 1 – Silas

The Ordinance was declared passed.

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**FIRST READING OF ORDINANCES**

**Ordinance No. 26484**

Amending Chapter 1.30 of the Municipal Code relating to retirement and pensions; and extending the Open Window Repayment Period for an additional six months through December 31, 1999.

The Ordinance was set over for final reading next week.

**Ordinance No. 26485**

Amending Chapter 5.27 of the Municipal Code relating to potentially dangerous dogs and dangerous dogs; and further amending Chapter 1.23 of the Municipal Code placing the appeal process regarding dangerous dogs under the jurisdiction of the Hearing Examiner.

The Ordinance was set over for final reading next week.

**Ordinance No. 26486**

Authorizing the execution of a Domestic Violence STOP Grant award contract with the Office of Crime Victim Advocacy of the State of Washington Department of Community, Trade and Economic Development, in the amount of \$43,520, accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for assisting victims of domestic violence; and further authorizing the execution of an interlocal agreement with the City of Puyallup to carry out the activities of the grant program.

Council Member Baarsma moved to suspend the rules to consider Substitute Ordinance No. 26486. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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

**Ordinance No. 26487**

Extending the moratorium on the acceptance of special property use permits and building permits for Group Care Home Class II facilities for an additional 180 days; setting Tuesday, September 28, 1999, at approximately 5:30 p.m., as the date for a public hearing regarding the extension of said moratorium; and declaring an emergency making necessary the passage of this Ordinance and its taking effect immediately upon publication.

Speaking before the Council was:

<u>Name</u>	<u>Affiliation/Address</u>
Jan Bejarano	South Tacoma Neighborhood Council, the Oakland Madrona Neighborhood Group, the Northend and Westend Neighborhood Councils

The Ordinance was set over for final reading next week.

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**Ordinance No. 26488**

Accepting \$4,000 from Pierce County and \$323,084 from the Washington State Office of Child Care Policy; depositing in and appropriating \$327,084 from the Miscellaneous Grants Summary Fund to provide information and education to child care providers and support the Child Care Resource and Referral Services.

The Ordinance was set over for final reading next week.

**RESOLUTIONS**

**Purchase Resolution No. 34459**

Awarding contracts to:

1. J & D's Hydraulic and Repair, on its bid of \$60,811.66, for a metal solid waste container with knuckleboom crane – Specification No. G-028-99 (continued from the meeting of July 20, 1999);
2. Tucci & Sons, in the amount of \$145,000, to increase its contract for arterial street improvements on: Jackson Avenue, from North 10<sup>th</sup> to North 17<sup>th</sup> Streets, and cement concrete sidewalk construction on North 26<sup>th</sup> Street, from Pearl Street to Narrows Drive, and on Narrows Drive, from Harmon to North 26<sup>th</sup> Streets – Specification No. G-220-98;
3. Coast Rail, Inc., on its bid of \$47,696, for the installation of a grade crossing signal and gate system at 50<sup>th</sup> Avenue East, Fredrickson – Specification No. G-230-99; and
4. Xerox Corporation, in the amount of \$215,000, to renew its lease and maintenance agreement for a high speed copier – Washington State Contract No. 0250175-09.

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

**Resolution No. 34460**

Providing for the terms of the Electric System Revenue Bonds, 1999; authorizing the sale of such bonds and the defeasance of certain outstanding bonds.

Council Member Crowley moved to suspend the rules to consider Substitute Resolution No. 34460. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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

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Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
John Rose	President and CEO, Seattle Northwest Securities
Alan Granberg	Seattle Northwest Securities
Nancy Narris	Preston, Gates and Ellis Bond Counsel
Phyllis Barrett	912 South Cushman

Roll call vote was requested and taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, Kirby, McGavick, Miller, Phelps, and Mayor Ebersole

Nays: 1 – De Forrest

Absent: 1 – Silas

The Substitute Resolution was declared adopted.

### **Resolution No. 34461**

Authorizing the execution of several agreements with human service agencies to implement certain human service projects.

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

### **Resolution No. 34462**

Authorizing the execution of an amendment to the agreement with Pollock & Company, in the amount of \$70,300, for real estate development services.

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

Speaking before the Council were:

<u>Name</u>	<u>Affiliation/Address</u>
Ben Pollock	Pollock & Company
Phyllis Barrett	912 South Cushman

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

### **Resolution No. 34463**

Authorizing a six-month delay in procuring competitive bids for transportation and disposal of the City's solid waste that is not recycled, composted, placed in an in-County landfill, placed in the Tacoma landfill, or converted to refuse-derived fuel, from January 1, 2000 to July 1, 2000.

Council Member 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. 34464**

Authorizing the execution of an amendment to the agreement with David Evans and Associates, in the amount of \$26,403.52, for engineering consultant services related to reopening the flood-damaged railroad track between Eatonville and Morton.

Council Member 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. 34465**

Authorizing the execution of Amendment No. 2 to the agreement with Cosmopolitan Engineering Group, Inc., in the amount of \$280,000, to design improvements to the Hosmer Holding Basin and conduct an alternative analysis for stormwater discharges into the Thea Foss Waterway.

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

**Resolution No. 34466**

Authorizing the execution of an amendment to the agreement with McClaren, Wilson & Lawrie, Inc., in the amount of \$171,120, to assist with the next phases of the Public Facility Project.

Mayor Ebersole moved to continue Resolution No. 34466 to the meeting of August 3, 1999. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 34466 will be considered at the regular City Council meeting of August 3, 1999.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

Ray E. Corpuz Jr, City Manager, requested the authority to grant a one-year extension to the residency waiver for Ms. Nancy Agnew, to fill the position of Municipal Court Operations Supervisor.

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Council Member Crowley moved to authorize the City Manager to grant a one-year extension to the residency waiver for Ms. Nancy Agnew, to fill the position of Municipal Court Operations Supervisor. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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City Manager Corpuz stated that the performance by The Tai Ji Men Qigong Academy from Taiwan will be in Tacoma for the first performance in the United States on July 29, at the Farmers' Market. He stated the performance will be a combination of martial

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arts, drummers, dancers, and a special cultural presentation; and on Friday, July 30, they will perform at Cheney Stadium prior to the game.

Mr. Corpuz then asked for clarification on whether or not the City Council wants a new Resolution to request that the Pierce County Council place the zoo funding on the ballot, since there was some confusion in the last Resolution which specified the September ballot.

Mayor Ebersole stated that a new Resolution should be prepared.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Phelps stated that last week the Washington Association of Sheriffs and Police Chiefs released their crime report. He stated that the City of Tacoma showed an overall decline of 6.5 percent both in violent crimes and in property crimes. He stated that many of the counties showed increases such as Pierce County which had more than a 4 percent increase. Council Member Phelps congratulated Police Chief Hairston and the officers who fight crime in the City of Tacoma.

Council Member Phelps then requested clarification regarding the Emergency Medical Services Tax Levy. He stated that in the section authorizing this levy, it said that the City of Tacoma is going to levy an "additional" regular property tax. He stated that this would be a new property tax in as much as the old one will have sunsetted at that time. He stated that the word "additional" makes him think that the City of Tacoma has added a level of levying of \$.42 on top of the existing \$.42.

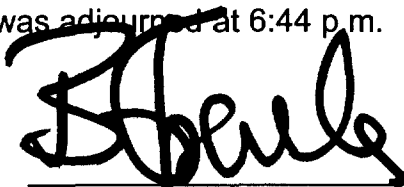
City Attorney Robin Jenkinson stated that the language is consistent with the way it is written in the State Legislation, but, if the levy were not to pass, the City would have the existing authority for as long as it remains; if it does pass, then the new levy will replace the existing authority.

Council Member De Forrest stated that the Mayor received a letter from the Eastside Neighborhood Council regarding the retention pond at 48<sup>th</sup> and 'I' Streets. He inquired as to whether or not a response has been made to that letter. Council Member De Forrest stated that he believes the Eastside Neighborhood Council has requested a citywide moratorium on this issue.

Council Member De Forrest requested a Resolution be brought forward for next Tuesday's City Council meeting, directing the City Manager to allocate \$50,000 to keep the Ruth McElliott Health Clinic open until a better solution can be found.

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On proper motion, the meeting was adjourned at 6:44 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK

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