



City Council Minutes

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

November 26, 2002

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

Council Members Present: 7 ~ Evans, Ladenburg, Miller, Moss, Phelps, Talbert, and Mayor Baarsma.

Council Members Absent: 2 ~ Loneragan and McGavick.

The Flag Salute was led by Council Member Evans.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Arts Commission, October 14, 2002.
- b. Minutes of the Citizens Recognition Committee, October 17, 2002.
- c. Minutes of the Public Utility Board study session and meeting, October 23, 2002.
- d. Minutes of the Rainier Communications Commission, May 15 and October 2, 2002.
- e. Minutes of the Tacoma Community Redevelopment Authority, September 12 and October 10, 2002.
- f. Humane Society Total Service Reports, July 2002.
- g. Monthly Financial Reports for the Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund, Self-Insurance Claim Fund, Tacoma Power, Tacoma Rail, and Tacoma Water, September 2002.

CONSENT AGENDA

Approval of the minutes of the City Council meeting of November 5, 2002, and study session of November 12, 2002.

RESOLUTIONS

Resolution No. 35701

Setting Tuesday, December 10, 2002, as the date for a public hearing by the City Council regarding recommendations for programs funded through the United States Department of Justice Local Law Enforcement Block Grant funds.

Council Member Phelps moved that the Consent Agenda, including Resolution No. 35701, be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 35701, was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27012

Accepting \$11,150 from Pierce Transit; depositing in and appropriating said sum from the Miscellaneous Special Revenue Summary Fund to implement the state-mandated Commute Trip Reduction program at City worksites; and amending the 2001-2002 Biennial Budget for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Evans, Ladenburg, Miller, Moss, Phelps, and Mayor Baarsma

Nays: 0

Absent: 3 – Lonergan, McGavick, and Talbert

The Ordinance was declared passed.

Ordinance No. 27013

Authorizing the execution of an agreement with the Washington State Arts Commission; accepting, depositing in, and appropriating \$7,500 from the Miscellaneous Grants Summary Fund to support the Tacoma Arts Commission; and amending the 2001-2002 Biennial Budget for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Evans, Ladenburg, Miller, Moss, Phelps, and Mayor Baarsma

Nays: 0

Absent: 3 – Lonergan, McGavick, and Talbert

The Ordinance was declared passed.

Mayor Baarsma stated Ordinance No. 27014 would be considered after Council Member Talbert returned to the Council Chambers. He then moved to First Reading of Ordinances and considered Ordinance No. 27015.

FIRST READING OF ORDINANCES

Ordinance No. 27015

Accepting \$517,891 from the United States Department of Justice, Bureau of Justice Assistance; transferring \$57,543 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$575,434 from the Miscellaneous Grants Summary Fund to reduce crime and improve public safety; and authorizing the execution of an agreement with said agency for said purpose.

The Ordinance was set over for final reading next week.

Mayor Baarsma returned to Final Reading Ordinances.

FINAL READING OF ORDINANCES

Ordinance No. 27014

Amending Chapter 13.06 of the Municipal Code relating to zoning; adopting amendments to the comprehensive plan consisting of a new Introduction Chapter; the Capital Facilities Program 2003-2008; the Transportation Program; and the Generalized Land Use Plan; adding a new section to be known and designated as Section 13.06.110(44) reclassifying the property located in the vicinity of South 69th and Tyler Streets from an "R-3" Two-Family Dwelling District to an "R-2" One-Family Dwelling District.

Council Member Phelps moved to suspend the rules to consider Substitute Ordinance No. 27014. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Tom Smith, Chair	Planning Commission
Jim Rich	South Tacoma Neighborhood Council

Roll call vote was taken, resulting as follows:

Ayes: 4 – Miller, Moss, Phelps, Talbert

Nays: 3 – Evans, Ladenburg, and Mayor Baarsma

Absent: 2 – Lonergan and McGavick

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

Ayes: 3 – Miller, Moss, Talbert

Nays: 4 – Evans, Ladenburg, Phelps, and Mayor Baarsma

Absent: 2 – Lonergan and McGavick

The Substitute Ordinance was declared failed.

The original Ordinance No. 27014 was then considered.

Roll call vote was taken, resulting as follows:

Ayes: 3 – Evans, Ladenburg, and Mayor Baarsma

Nays: 4 – Miller, Moss, Phelps, and Talbert

Absent: 2 – Lonergan and McGavick.

The Ordinance was declared failed.

FIRST READING OF ORDINANCES

Ordinance No. 27015

Accepting \$517,891 from the United States Department of Justice, Bureau of Justice Assistance; transferring \$57,543 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$575,434 from the Miscellaneous Grants Summary Fund to reduce crime and improve public safety; and authorizing the execution of an agreement with said agency for said purpose.

The Ordinance was considered earlier in the meeting.

Ordinance No. 27016

Amending Title 8 of the Municipal Code by repealing, in its entirety, Chapter 8.98 "Professional Strikebreakers."

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Dan Miller	Representing the Pacific Northwest Regional Council of Carpenters

The Ordinance was set over for final reading next week.

SLP

Ordinance No. 27017

Amending Chapters 13.04, 13.05, 13.06 and 13.16 of the Municipal Code relating to the Land Use Regulatory Code; transferring certain responsibilities from the Building and Land Use Services Division Manager to the Land Use Administrator; enhancing the administration and implementation of the newly adopted zoning regulations; clarifying reporting responsibilities within the Building and Land Use Services Division; and improving customer service.

The Ordinance was set over for final reading next week.

Ordinance No. 27018

Amending Chapter 11.05, Section 11.05.520 of the Municipal Code relating to traffic, to reduce the speed limit from 30 mph to 25 mph on the following arterial streets:

- East L Street from Puyallup Avenue to East Fairbanks Street;
- North 15th Street from Steele to Alder Streets;
- Pacific Avenue from South 17th to South 26th Streets; and
- 25th Street from Pacific Avenue to East J Street.

Speaking before the Council was:

Name	Address/Affiliation
Allen Douglass	612 South 18 th Street, #5

The Ordinance was set over for final reading next week.

The Public Hearing was considered at this time.

PUBLIC HEARINGS (Began at 5:59 p.m.)

This is the date set for a public hearing by the City Council regarding recommendations for Community Service funding for local human services.

Speaking before the Council were:

Name	Address/Affiliation
Bev Hatter	Manager of Grief and Loss Services and Bridges, Mary Bridge Children's Hospital and Health Center
Mary Zodrow	Manager of Grants, Fund Development Department, Mary Bridge Children's Hospital and Health Center
Allen Douglass	612 South 18 th Street, Apt. 5
Anita Kent	Neighborhood Emergency Shelter Respite Program
Art Wang	Chair of the Board of Directors, Pierce County Aids Foundation
Robert Wardell	TACID Board
Bobbie Jo Tarnecki	Board of Directors for new Phoebe House
Jeanie Peterson	Hilltop Action Coalition
Ernest Cathcart	Regional Director for the Children's Home Society of Washington in Pierce County

Speaking before the Council were:

Name	Address/Affiliation
Riel Dararak	Chair of the Board of Directors of the Cambodian Community of Tacoma
Alton McDonald	Resident
Scott MacKay	Executive Director of Nativity House
Paul Robson	Chair of the Urban Policy Committee

The public hearing was declared closed at 6:32 p.m.

Ordinance No. 27019

Amending Title 6 of the Municipal Code by adding a new chapter to be known and designated as Chapter 6.92, "Alarm Devices," to regulate alarm monitoring companies and monitored alarm devices, imposing license fees, recovering costs related to responses to false alarms, and providing for enforcement and penalties.

Speaking before the Council were:

Name	Address/Affiliation
Howard Richardson	President of Washington Burglar and Fire Alarm Association
Mike Cory	Washington Burglar and Fire Alarm Association
Skip Keeley	General Manager of Brinks Home Security
Josh Garner	Mountain Alarm Company
Thomas Orr	Legal Advisor to the Police Department
John Jolibois	Service Manager for ABC Security
Jack Wingerter	Owner of Security Lock Safe & Alarm Company
Dave Brown	Owner of Alarm Works Northwest
Tom Szell	Protection One Alarm Services
Wayne Beals	Vice President of Tacoma Police Union, Local 6
Allen Douglass	612 South 18 th Street, Apt. 5
Alton McDonald	Resident
David Allen Murray	Owner of My Alarm Services
Phyllis Barrett	912 South Cushman Avenue

The Ordinance was set over for final reading next week.

Ordinance No. 27020

Amending Chapter 6.62, Section 6.62.030, of the Municipal Code relating to taxation of cabaret to re-establish the cabaret tax on businesses licensed to conduct Class B or Class C cabaret activity.

The Ordinance was set over for final reading on December 10, 2002.

Ordinance No. 27021

Amending Chapter 6.68, Section 6.68.050, of the Municipal Code relating to Business and Occupation taxation to discontinue the ramp-down of the service tax rate.

The Ordinance was set over for final reading on December 10, 2002.

Ordinance No. 27022

Amending Chapter 6.68, Section 6.80.050, of the Municipal Code relating to taxation and gambling and increasing the gambling tax on social card rooms.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
David Anderson	Cofounder of Flag (Families in Lakewood Against Gambling)
Khamphilay K	Employee of Silver Dollar Casino
Carie Baltazar	Marketing Manager for Silver Dollar Casino
Melissa Flesher	Floor Supervisor for Silver Dollar Casino
Bruce Hammer	5816 A Street
Derrick D'Abreau	Employee of Silver Dollar Casino
Jim Lovejoy	175 North Prospect
Tim Iszley	CEO of Silver Dollar Casino
Allen Douglass	612 South 18 th Street, Apt. 5
Jimmy My Phung	Floor Supervisor at Silver Dollar Casino
San Phanith	23113 – 116 th Ave. SE, Seattle
Dan Hilger	Owner of Luciano's
Susan Malcarm	Silver Dollar Casino
Marie Simpson	Comptroller at Great Wall Casino
Ren Ra	Chair of Board of Directors of Cambodian Community of Tacoma
Christa Pattison	Dealer at Silver Dollar Casino
J.B. Bond	General Manager of Paradise Bowling Center and Casino
Dennis Gonzales	Employee of Great Wall Casino
Phyllis Barrett	912 South Cushman Avenue
Ed Linden	Employee of Silver Dollar Casino
Chang	Owner of Great Wall Casino
Gary Barley	Employee of Silver Dollar Casino and Golden Nugget
Dolores Chiechi	Recreational Gaming Association
Ed Bray	United Lamp Supply

The Ordinance was set over for final reading on December 10, 2002.

Ordinance No. 27023

Adopting the 2003-2004 Biennial Budget; authorizing an emergency medical service transport base fee; and increasing the appropriation to the Tacoma Public Library.

Speaking before the Council were:

Name	Address/Affiliation
Sally Nixon	Coordinator for Pierce County Aging and Long-Term Care
Phyllis Barrett	912 South Cushman Avenue
Allen Douglass	612 South 18 th Street, Apt. 5
Carol Sloman	Chair of North End Neighborhood Council
Pat McElligott	Representing Tacoma Firefighters' Union

The Ordinance was set over for final reading on December 10, 2002.

RESOLUTIONS

Purchase Resolution No. 35702

Awarding contracts to:

1. Altec Industries, Inc., on its bid of \$140,956.00, for one 2003 truck with boom derrick digger – Specification No. FLT-209-02;
2. Courtesy Chevrolet, Inc., on its bid of \$68,318.04, for two 2003 crew cab, short box pick up trucks – Specification No. FLT-210-02; and
3. Avnet, Inc., on its bid of \$255,933.60, for node hardware 800 MHZ radio communications fiber ring – Request for Proposal No. G-024-01.

Council Member Phelps moved that the Purchase Resolution be adopted. Seconded by Council Member Moss. Voice vote was taken and carried on the Purchase Resolution, with Council Member Evans voting in opposition. The Purchase Resolution was declared adopted.

Resolution No. 35703

Authorizing the execution of an agreement with the Barrington-Wellesley Group, Inc., in the amount of \$199,500, to perform the Department of Public Utilities' Ten-Year Management and Operations Review.

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

Resolution No. 35704

Authorizing the execution of an amendment to the professional services Agreement with Merritt + Pardini, Inc., in the amount of \$2,250,000, for additional design and construction administration services on the Convention Center.

Council Member Phelps moved that the Resolution be adopted. Seconded by Council Member Miller.

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Speaking before the Council were:

Name	Address/Affiliation
Scott Harm	Merritt + Pardini
Allen Douglass	612 South 18 th Street, #5

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

PUBLIC HEARINGS

This is the date set for a public hearing by the City Council regarding recommendations for Community Service funding for local human services.

The public hearing was held earlier in the meeting.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Corpuz stated the City would be closed this Thursday and Friday for the Thanksgiving holiday.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Phelps moved to excuse Deputy Mayor McGavick and Council Member Lonergan from tonight's meeting. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Baarsma stated Council Member Lonergan and his wife are on vacation in Ireland.

Council Member Evans welcomed REI and stated the opening of REI in Tacoma was attended by 10,000 people.

Mayor Baarsma stated he had joined with Council Members Moss, Lonergan, and Evans for the REI event prior to the grand opening. He stated Best Buy opened their store two weeks ago, and the first commercial establishment on the Foss, the Urban Doggie Boutique, also opened. He stated he toured the Albers Mill development. He also attended a meeting of the Foss Waterway Development Authority where they discussed Requests for Proposals for development along the Foss Waterway.

Council Member Phelps moved to authorize the City Attorney to have the City of Tacoma joined as a plaintiff in the Declaratory Judgment Action that Pierce County and King County are bringing challenging Initiative 776.

Mayor Baarsma called on City Attorney Robin Jenkinson.

Ms. Jenkinson explained the City of Tacoma has been asked by Pierce County and King County to join them, along with the City of Kenmore, in filing a Declaratory Judgment Action to challenge Initiative 776. She stated the Initiative will be effective on December 5, 2002. She stated the counties are most anxious to get that action filed and have approached the City indicating that were the City to lend it's name and support, the County would cover the legal fees for this matter. She stated the Council has been briefed on the various constitutional basis of this challenge.

Mayor Baarsma stated Initiative 776 failed in the City of Tacoma and will adversely affect the City's road funds.

Seconded by Council Member Talbert. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 9:13 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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