



City Council Minutes

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

June 10, 2003

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

Council Members Present: 8 ~ Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Talbert and Mayor Baarsma.

Council Members Absent: 1 ~ Phelps.

The Flag Salute was led by Council Member Lonergan.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the LESA Executive Board, March 19, 2003.
- b. Minutes of the Public Safety Committee, May 8, 2003.
- c. Minutes of the Public Utility Board special meeting, May 13, 2003; and study session and meeting, May 14, 2003.
- d. Minutes of the Tacoma Public Library, Board of Trustees, April 23, 2003.
- e. 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, February and March 2003.

CONSENT AGENDA

RESOLUTIONS

Resolution No. 35868

Setting Tuesday, June 24, 2003, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the surplus of less than one acre of vacant land and shore lands, located at Lake Kapowsin, in Pierce County.

Resolution No. 35869

Setting Tuesday, July 8, 2003, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the use of a design build alternative contracting process for the \$60,000,000 Central Wastewater Treatment Plant Upgrade Project.

Deputy Mayor Moss moved that the Consent Agenda, including Resolution Nos. 35868 and 35869 be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 35868 and 35869, was declared approved.

PRESENTATION

Mayor Baarsma called on Ms. Victoria Woodard, Ethnic Fest Coordinator, who presented certificates to the winners of the Ethnic Fest Poster contest and unveiled the 2003 Ethnic Fest poster.

R E G U L A R A G E N D A

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS

Resolution No. 35870

Appointing Council Member Connie Ladenburg and Council Member Rick Talbert as the alternate to the Pierce County Commission Against Domestic Violence.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 S. J Street, Apt. 1A
David Murray	2006 East Columbia Avenue

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

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FINAL READING OF ORDINANCES

Ordinance No. 27085

Accepting donated construction materials from Randles Sand & Gravel, Inc., in the amount of \$40,500, for use on the Train to the Mountain railroad.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Phelps

The Ordinance was declared passed.

Ordinance No. 27092

Amending Chapter 1.29 of the Municipal Code, relating to the City of Tacoma’s Law Against Discrimination, to modify the definition of “employer” from one employee to eight or more; add exemptions for single-sex living facilities and expand the definition of high school youth to include post-secondary students for the Human Rights Commission.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Phelps

The Ordinance was declared passed.

Ordinance No. 27093

Modifying the 2003-2004 Biennial Budget by appropriating funds for 2001-2002 contract obligations, transfers and other budget adjustments; and accepting, depositing, and appropriating miscellaneous donations, contributions and/or fees.

Council Member Longergan moved to amend Ordinance 27093, Exhibit A, Line 17 to amend total revised 2003-04 appropriation for the General Fund from \$342,130,152 to the new figure \$341,630,152 to remove the funds for the Museum of Glass. Seconded by Council Member Ladenburg.

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

Ayes: 5 – Ladenburg, Lonergan, Miller, Talbert, and Mayor Baarsma

Nays: 3 – Evans, McGavick, and Moss

Absent: 1 – Phelps

The motion was declared passed.

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Roll call vote was taken on Ordinance No. 27093, as amended, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, McGavick, Miller, Talbert, and Mayor Baarsma

Nays: 1 – Moss

Absent: 1 – Phelps

The Ordinance, as amended, was declared passed.

Ordinance No. 27094

Accepting \$38,512 from the Office of Crime Victim Advocacy of the State of Washington Department of Community, Trade, and Economic Development to allow 200 law enforcement officers to attend training for the investigation of domestic violence and special assaults.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Phelps

The Ordinance was declared passed.

Ordinance No. 27095

Amending Chapter 12.08 of the Municipal Code to modify the charges and pricing structure of TAGRO, by charging \$8.00 a cubic yard for TAGRO cake and \$30.00 a load for TAGRO liquid and increasing the rate from \$8.00 a cubic yard to \$10.00 a cubic yard, for commercial and non-ratepayer customers.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – Phelps

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27096

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the east side of Pacific Avenue at 3615 Pacific Avenue from a “R-3” Two-Family Dwelling District and a “R2-SRD” One-Family Dwelling Special Review District to a “T” Transitional

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District for the development of an approximately 60,000 square foot, three-story office building with parking. (Arsland, Inc.; REZ2000-00017)

Deputy Mayor Moss 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. 27097

Vacating a portion of South Warner Street lying between South 9th and South 10th Streets, for landscaping purposes. (Steven J. Berken; File No. 124.1182)

Deputy Mayor Moss 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. 27098

Vacating a portion of the alley lying between South J and South I Streets from South 21st Street north approximately 312 feet, for future expansion of church facilities. (St. John Baptist Church; File No. 124.1186)

Deputy Mayor Moss 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. 27099

Authorizing the issuance of a Junior Lien Revenue Bond 2003, in the principal amount not to exceed \$3,310,000, to finance capital projects approved in the 2003-2004 budget and repay the existing \$1,400,000, line of credit, which expires in August 2003.

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

Ordinance No. 27100

Amending Chapter 6.62 of the Municipal Code relating to taxation and cabarets, to exempt, from the admission/cabaret tax, organizations licensed as a Class "C" Cabaret, including restaurants offering live music such as a piano bar, mariachi band or karaoke music.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Jim Rich	5424 South Tacoma Way
Troy Christian	General Manager, El Gaucho Restaurant
Paul MacKay	Owner/Manager, El Gaucho Restaurant
Will Baker	www.piercecountyinsider.com
Casey Leifson	5717 South Tyler Street
Alton McDonald	Resident
Carol Charette	Owner, Opal Tavern

The Ordinance was set over for final reading next week.

Ordinance No. 27101

Amending Chapter 1.12 of the Municipal Code relating to the Compensation Plan, to implement provisions of two collective bargaining agreements, the United Transportation Union (Switch Crews Unit) and the Brotherhood of Locomotive Engineers, and correcting the classification code and pay rate of the Fire Medical Services Officer.

The Ordinance was set over for final reading next week.

Ordinance No. 27102

Accepting \$15,650 from the United States Equal Employment Opportunity Commission for processing and resolving employment discrimination charges and training.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street 1A

The Ordinance was set over for final reading next week.

Ordinance No. 27103

Accepting \$200,000 from the Washington State Interagency Committee for Outdoor Recreation to replace the transient moorage and loading floats at the Point Defiance Boat Launch.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35871

Awarding contracts to:

1. Water Recovery Services, Inc., in the amount of \$363,600.00, for groundwater extraction well rehabilitation at the landfill – Sole Source;
2. Bud Clary Chevrolet Jeep Eagle, in the amount of \$84,170.50, for four replacement vehicles and one additional vehicle for the Public Works Department – Washington State Contract Nos. 05702, 05902, and 05102; and
3. Frontier Ford, in the amount of \$85,761.50, for three replacement vehicles for the Public Works Department – Washington State Contract No. 05702.

Deputy Mayor Moss moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member McGavick.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Alton McDonald	Resident

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

Deputy Mayor Moss moved to suspend the rules to consider Resolution No. 35875 at this time. Seconded by Council Member McGavick. Voice vote was taken and carried on the motion. The motion was declared adopted.

Resolution No. 35875

Renaming South 12th Street between Tacoma Avenue South and South Sprague Avenue to "E. S. Brazill Street."

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

Deputy Mayor Moss moved to amend Resolution No. 35875 by amending the reference to "E. S. Brazill Street," found on line 5 of page 1 and on line 8 of page 2, to read "Earnest S. Brazill Street." Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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Speaking before the Council on Resolution No. 35875 were:

Name	Address/Affiliation
Thomas Dixon	1619 South Meyers Street
Tom Luce	District Director for Congressman Norm Dicks
Dave Alger	Director, Associated Ministries
Karen Vialle	Former Mayor, City of Tacoma
Daniel Kyler	President, Tacoma-Pierce County Bar Association
Julie Weigand Carey	620 South 12 th Street
Jacqueline Parkes	620 South 12 th Street
Herbert Burke	1206 South Cushman Avenue
Susan Odenchantz	Director, Tacoma Public Library
Bob Evans	Vice President, Library Board of Trustees
John Butler	North K Street
Carl Brown	President, Tacoma Branch NAACP
Will Baker	www.piercecountyinsider.com
Tom Fortt	South 12 th Street
Gregory Christopher	Pastor, Shiloh Baptist Church
Rufus Burleson	2361 South Ferry Street
Alton McDonald	Resident
Jesse T. Ogburn	7512 South L Street
David Diaz	Resident
Marilyn Taylor	Resident
Marti Hilyard	4964 North Scenic View Lane
Jim Shea	2108 North Frace Street
Dalton Gittens	Architect, South 11 th Street
Vilnis Norins	818 North Cushman Avenue
Allen Douglass	507 South J Street Apt. 1A
Mike Amaral	1802 South L Street
Alfred Sortlund	1106 South Monroe Street

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

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

Nays: 0

Absent: 1 – Phelps

The Resolution, as amended, was declared passed.

Resolution No. 35872

Authorizing the execution of an agreement with Rocky Bay Consulting, in the amount of \$95,000, for design and programming services for the Tax and License Information System through December 31, 2003.

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. 35873

Authorizing the execution of a two-year agreement with the Tacoma Regional Convention & Visitor Bureau, in the amount of \$700,000, to provide assistance in furthering the city's convention and tourism industry.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Ruthie Reinhart	Convention and Visitors Bureau
David Allen Murray	2006 East Columbia Avenue
Will Baker	www.piercecountyinsider.com
Joy Flores	Marketing Manager Tacoma Regional Visitors Bureau
Alton McDonald	Resident
Allen Douglass	507 South J Street Apt. 1A
Rick Cvitanich	2808 North 8 th Street

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

Resolution No. 35874

Authorizing the execution of an amendment to the professional services agreement with Vanir Construction Management, Inc., in the amount of \$11,397, for a cumulative total of \$60,897, for additional work relating to the new police headquarters project.

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. 35875

Renaming South 12th Street between Tacoma Avenue South and South Sprague Avenue to "E. S. Brazill Street."

Resolution No. 35875 was considered earlier in the meeting.

PUBLIC HEARINGS (Began at 8:02 p.m.)

This is the date set for a public hearing by the City Council regarding the Six-Year Comprehensive Transportation Program for the years 2004 – 2009 and the Amended 2003 Transportation Program.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Doug Swanberg	3918 North Verde Street
Dan McBride	3915 North Verde Street
Andrew Roger	3917 North Verde Street
Natal LaBerge	Northend Neighbors for Traffic Calming
Mike Amaral	1802 South L Street
Allen Douglass	507 South J Street 1A
Alton McDonald	Resident

The public hearing was declared closed at 8:30 p.m.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

Interim City Manager James Walton, stated that he was pleased to report that the Abandoned Vehicle Program is back in business. He stated that the savings have been

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found in vacant positions to meet this high expectation from the City Council and the citizens of Tacoma.

Mr. Walton acknowledged that the actions of the City Council this evening led to his understanding as to why the City of Tacoma is being recognized by the Association of Washington Cities as a "Diversity Champion." He stated that this award will be presented at the annual conference on the 18th of June in Spokane, Washington.

Mr. Walton reminded the City Council of the invitation they had received to attend the Municipal League 2003 Distinguished Citizens of the Year Award Luncheon, where Deputy Mayor Bil Moss will receive an award.

Mr. Walton then requested an Executive Session to discuss potential litigation, the session not to exceed 30 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Mayor Baarsma stated that he had attended a banquet and fundraising event last Saturday to promote Chinese Reconciliation project. He stated that the General Consul of the People's Republic of China, Ambassador Wong, had been present to lend his support and commitment to our Sister City in China as a participant in that project.

Council Member Ladenburg announced that next week's City Council meeting would be held at Bates Technical College, South Campus, Administration Building, 2201 South 78th Street, which is in Council District No. 5. She stated that a regular City Council meeting would be held beginning at 5:00 p.m. and would be immediately followed by the Town Hall meeting. Council Member Ladenburg stated that she will give a short presentation, followed by a Budget 101 presentation by Diane Supler, Director, Office of Management, Budget and Analysis.

Deputy Mayor Moss moved to excuse Council Member Phelps from the meeting. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Lonergan congratulated the North Slope Historic District for being placed on the National Register of Historic Places. Council Member Lonergan also stated that he had attended an event on Ruston Way and had presented a proclamation proclaiming "National Trail Day." He commented that the refurbished old Temple Baptist Church on St. Helens Street is now called the Metropolitan Apartments. Council Member Lonergan also stated that he is pleased with the reinstatement of the Abandoned Vehicle program.

Council Member Evans reminded everyone that the Farmers Market is in full swing on Thursdays in downtown and on Saturdays in the Proctor District. He stated that we need to focus on the positive things that are going on in our city.

Deputy Mayor Moss stated that she had attended the opening of the Five Black Judges Display at the African-American Museum. She urged everyone to view the wonderful display.

Council Member McGavick stated that she attended the Rotary 8 Auction at the Sheraton Hotel. She stated that the auction raised over \$30,000 solely for Phoebe House and other money will be distributed to other non-profit projects in the community.

Council Member Ladenburg commented that the slide show at the American Travel Writer's Society reception included some phenomenal pictures of Tacoma.

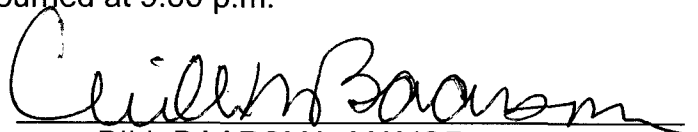
Mayor Baarsma stated that he also had attended the reception for American Travel Writer's Society and that the Society was surprised and delighted at the progress the City of Tacoma has made in recent years.

At 8:50 p.m. Mayor Baarsma moved to convene to Executive Session to discuss potential litigation, the Session not to exceed 30 minutes. Seconded by Deputy Mayor Moss. Voice vote taken and carried. The motion was declared adopted.

At 9:20 p.m. Mayor Baarsma extended the Executive Session for 10 minutes.

At 9:30 p.m. the City Council reconvened.

On proper motion, the meeting was adjourned at 9:30 p.m.


BILL BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

