



City Council Minutes

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

December 4, 2001

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

Present on roll call: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley. Absent: 3 – Davis, Miller, and Moss.

The Flag Salute was led by Deputy Mayor Phelps.

C O N S E N T A G E N D A

Approval of the minutes of the City Council study session of November 27, 2001.

FIRST READING OF ORDINANCES

Ordinance No. 26892

Accepting a donation of real property located in the vicinity of East 40th and East Howe Streets, from the Robert J. and Lucille M. Wood Trust, for upgrades to the storm sewer system.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Citizens Recognition Committee, October 18, 2001.
- b. Minutes of the Committee of the Whole, November 20, 2001.
- c. Minutes of the LESA Executive Board, October 3, 2001.
- d. Minutes of the Rainier Communications Commission, September 19, 2001.

Deputy Mayor Phelps moved that the Consent Agenda, including setting Ordinance No. 26892 over for final reading next week, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including setting Ordinance No. 26892 over for final reading next week, was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Mayor Crowley appointed Mr. Willie C. Stewart for a term to expire August 16, 2005; Mr. Hyun J. Um for a term to expire August 16, 2006; and Mr. Kenneth J. Norbe for a term to expire August 16, 2004, to the Tacoma Housing Authority.

Resolution No. 35360

Appointing Mark Mathews, General Manager, Tacoma Sheraton Hotel, to the Hotel-Motel Tax Advisory Committee.

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

Resolution No. 35361

Appointing John Croley to the Greater Tacoma Regional Convention Center Public Facilities District Board of Directors, for a four-year term commencing December 3, 2001, and expiring December 3, 2005.

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

Resolution No. 35362

Appointing individuals to the Tacoma Art Commission, Urban Policy Committee, Planning Commission, and Board of Building Appeals.

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

FINAL READING OF ORDINANCES

Ordinance No. 26885

Amending Title 11 of the Municipal Code by repealing and reenacting Chapter 11.30, to be known as "Bicycle, Skateboard, Roller Skates, and Scooter Helmets" requiring the wearing of approved safety helmets while bicycling, skateboarding, roller skating, or scootering within the city limits.

Deputy Mayor Phelps moved to suspend the rules to consider Substitute Ordinance No. 26885. Seconded by Council Member Dahl. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

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Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Substitute Ordinance was declared passed.

Ordinance No. 26886

Amending several sections of Chapter 1.24 of the Municipal Code relating to administration and personnel to assist in the recruitment and hiring process for qualified candidates to classified positions.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Ordinance was declared passed.

Ordinance No. 26887

Amending Chapter 12.09 of the Municipal Code to clarify and limit conditions for issuing special permits for hauling solid waste and other miscellaneous housekeeping adjustments of the Solid Waste Management Division.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Ordinance was declared passed.

Ordinance No. 26888

Amending Chapter 12.08 of the Municipal Code to adjust rates and charges for Wastewater Management Services and other miscellaneous housekeeping adjustments.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

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The Ordinance was declared passed.

Ordinance No. 26889

Approving the ad valorem tax levies for 2002.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Ordinance was declared passed.

Ordinance No. 26890

Modifying the Biennial Budget for the fiscal years 2001-2002 and adopting the 2001-2002 Mid-Biennial Modification.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Ordinance was declared passed.

Ordinance No. 26891

Accepting \$366,530 from the Washington State Department of Ecology (DOE), depositing in and appropriating said sum from the Solid Waste Utility Fund for the recycling and hazardous waste programs; and authorizing the execution of a grant agreement for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, McGavick, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 3 – Davis, Miller, and Moss

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES

Ordinance No. 26893

Submitting a proposition to the voters at a special municipal election to be held on Tuesday, February 5, 2002, authorizing the City to issue and sell its general obligation bonds, in an amount up to \$34,300,000, to acquire, construct, improve, and equip a new police headquarters at the old Costco site and four small police stations throughout Tacoma, under a ballot title as follows:

PROPOSITION
CITY OF TACOMA
POLICE FACILITIES BOND - \$34,300,000

The Tacoma City Council adopted Ordinance No. 26893 concerning a proposition relating to public safety facilities.

If approved, this ballot proposition would allow the City to acquire, construct, improve and equip a new police headquarters at the old Costco site, four small police stations throughout Tacoma, issue up to \$34,300,000 of general bonds maturing within 25 years and levy annual excess property taxes to pay and retire the bonds, all as provided in Ordinance No. 26893. Should this proposition be:

APPROVED

REJECTED

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Will Baker	PierceCountyInsider.com
Jack Pleasant	Communities and Children First
Allen Douglas	Citizen
Jim Marso	Citizen of North Tacoma
T. K. Knickerbocker	Government Relations, Tacoma Police Union

The Ordinance, as amended, was set over for final reading next week.

Deputy Mayor Phelps moved to suspend the rules to consider additional Resolution No. 35365 at this time. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 35365

Appointing Ray Fjetland, Brian Ebersole, and Bil Moss to the committee supporting the proposition, and appointing Ralph Baldwin, Will Baker, and Curt Mehlhaff to the committee opposing the proposition to build a new police headquarters and four small police stations throughout Tacoma, at the Special Election of Tuesday, February 5, 2002.

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

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Will Baker	PierceCountyInsider.com

Voice vote was taken and carried. The Resolution was declared adopted, with Deputy Mayor Phelps voting in opposition.

Ordinance No. 26894

Amending Chapter 1.12 of the Municipal Code relating to the Compensation Plan to implement rates of pay and compensation for certain represented and unrepresented employees and changes in classification to reflect the organizational structure.

Deputy Mayor Phelps moved to remove Ordinance No. 26894 from the Agenda. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 26894 was removed from the Agenda.

Ordinance No. 26895

Authorizing the execution of an agreement with the Tacoma Housing Authority, in the amount of \$168,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide intergovernmental cooperation in the Tacoma Housing Authority's New Approach Anti-Drug Program.

The Ordinance was set over for final reading next week.

Ordinance No. 26896

Authorizing the execution of an agreement with the United States Department of Justice, in the amount of \$39,991; accepting, depositing in and appropriating said sum from the General Fund to reimburse the Tacoma Police Department for participation in drug enforcement activities outside the City limits.

The Ordinance was set over for final reading next week.

Ordinance No. 26897

Accepting \$11,347 from the United States Department of Justice Bulletproof Vest Partnership; depositing in and appropriating said sum from the General Fund for the purchase of bulletproof vests.

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The Ordinance was set over for final reading next week.

Ordinance No. 26898

Adopting amendments to the comprehensive plan relative to the Generalized Land Use Plan, the Capital Facilities Program 2002-2007, the Downtown Tacoma Plan, the Economic Development Plan, and the Tacoma Dome Area Plan.

Deputy Mayor Phelps moved to add to Exhibit A of Ordinance No. 26898 an additional amendment to the Generalized Land Use Plan as follows:

South 72nd and Alaska

Change the land use intensity from other low to medium intensity for an area abutting to the north and east of the Tacoma Place Shopping Center and for an area along South 72nd Street as shown on Figure 3 of the map.

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

The Ordinance, including amended Exhibit A, was set over for final reading next week.

Ordinance No. 26899

Amending Title 13 of the Municipal Code relative to procedures to amend the comprehensive plan and development regulations, revising the mixed-use zoning districts, modifying the downtown Tacoma regulations pertaining to parking and design standards, and reclassifying certain properties.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35363

Awarding contracts to:

1. Alphase Builders Corp., on its bid of \$148,788.22, for tenant improvements at the Tacoma Municipal Building basement and Telecommunications and Technology Support office space – Specification No. G-236-01;
2. Scarsella Brothers, Inc., on its bid of \$1,980,731.10, for the Thea Foss Waterway Parcel 3 Esplanade, between East 15th and East 18th Streets – Phase I – Environmental Cleanup and Intertidal Grading – Specification No. G-232-01; and
3. Schetky Northwest Sales, Inc., in the amount of \$48,727.00, for one 2002 Ford Eldorado Nation 21-passenger mini-bus – State of Oregon Contract No. 1030.

Deputy Mayor Phelps 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. 35365B

Authorizing the execution of a property exchange agreement with ORB—Center Street Partnership exchanging 10,874 square feet of open space land for 11,072 square feet of land of equivalent quality to allow Tacoma Screw Products, Inc. to remain at its current site on Center Street.

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

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglas	Citizen

It was noted that the number 35365 was used for a Resolution earlier in the Agenda and that this Resolution would be designated Resolution No. 35365B.

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

Resolution No. 35366

Authorizing the execution of an agreement with Strata, Inc., in the amount of \$1,739,823, for design and build-out of radio site towers and shelters to support the 800 Megahertz Public Safety Radio System Project.

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

Deputy Mayor Phelps moved to amend Resolution No. 35366 by reducing the dollar amount from \$1,739,823 to \$1,628,028. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

Resolution No. 35367

Authorizing the execution of a professional services agreement with James G. Billingsley, M.D., in the amount of \$49,000, to serve as the Medical Program Director of the Fire Department's Emergency Medical Services program, effective through December 31, 2003.

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

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Resolution No. 35368

Authorizing the execution of a Collective Bargaining Agreement with District Lodge No. 160 on behalf of Local No. 297 and the International Association of Machinists and Aerospace Workers, General Unit, effective January 1, 2001 through December 31, 2003.

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

Resolution No. 35369

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Water Pollution Control Unit, effective January 1, 2001 through December 31, 2003.

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

Resolution No. 35370

Authorizing the execution of an amendment to the agreement with Tacoma Recycling Company, Inc., in the amount of \$50,400, to add materials to the commingled recycling program.

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

Resolution No. 35371

Authorizing the acquisition of 7.1 acres of property located between Marine View Drive and McMurray Road, from Sol Christel, in the amount of \$77,755, for open space purposes.

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

Mayor Crowley stated that he would recuse himself for Resolution Nos. 35372, 35373, and 35374 and left the Council Chambers.

Resolution No. 35372

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with the Foss Waterway Development Authority to construct 150 new units of market rate multi-family rental housing at 1543 Dock Street.

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

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
David Alger	Executive Director, Associated Ministries; Member of Steering Committee of the Liberal Wage Coalition
Dan Miller	Organizer with the Carpenters Union
Dave Johnson	Representative for the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Iron Workers Apprenticeship Program
Andy Knapp	Iron Workers Apprentice
Gunnar Pulliam	Living Wage Coalition
Tom Karwaki	Member of North End Neighborhood Council; Living Wage Coalition
Chris Webster	Member of the Carpenters Union
Lloyd Weatherford	Citizen
Allen Douglas	Foss Waterway Development Authority
Don Meyer	

Voice vote was taken and carried, with Mayor Crowley recusing himself. The Resolution was declared adopted.

Resolution No. 35373

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with the Foss Waterway Development Authority to construct 174 new units of market rate multi-family rental housing at 1933 Dock Street.

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

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Brian Carpenter	Rebound
Danielle Green	Cement Masons Local 528; Apprentice
Jack Pleasant	2540 South I Street
Doug Smith	Apprenticeship Coordinator for Iron Workers Local 86

Voice vote was taken and carried, with Mayor Crowley recusing himself. The Resolution was declared adopted.

Resolution No. 35374

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Team Tacoma III LLC to construct 233 new units of market rate multi-family housing at 1701 Dock Street.

Council Member Dahl moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried, with Mayor Crowley recusing himself. The Resolution was declared adopted.

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Resolution No. 35375

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with the Foss Waterway Development Authority and Foss Waterway Development LLC to construct 21 to 30 units of market rate multi-family housing in the 800 block of Dock Street.

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

Resolution No. 35376

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with the Foss Waterway Development Authority and the Foss Waterway Development LLC to construct 40 to 60 units of market rate multi-family housing in the 800 block of Dock Street.

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

Resolution No. 35377

Authorizing the execution of a Multi-Family Housing Limited Property Tax Exemption Agreement with Metropolitan Towers I, L.L.C. to construct 60 new units of market rate multi-family housing at 245 St. Helens Avenue.

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

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Jack Pleasant	2540 South I Street
Allen Douglas	Citizen

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

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. requested an Executive Session to discuss potential litigation, the session not to exceed 30 minutes.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Evans paid tribute to the legacy of Doc Farrens, who passed away Sunday morning, by providing the following information. Mr. Farrens was responsible for the Lincoln High School Clock, the Old City Hall Clock, the Washington Mutual Clock, the Proctor Clock, and a new street clock for Old Town. The City’s Public Works Department proclaimed Doc Farrens an official honorary engineer and former Mayor Ebersole had proclaimed a Doc Farrens Day. Doc Farrens was sent to England by the government to repair Old Ben after World War II and earned a doctorate from Cambridge.

Council Member Scarbrough stated she hoped in future years that the City Council would develop an external process, to include citizens, regarding the budget.

Mayor Crowley stated he participated in the Christmas Tree Lighting Parade Sunday. He thanked the Chamber of Commerce and others in the downtown area who arrange the event every year.

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

CITIZENS’ FORUM

Citizens’ Forum began at 7:58 p.m.

Speaking before the Council were:

Name	Address/Affiliation	Topic
Jack Pleasant	Children and Communities First	Market rate housing
Phyllis Barrett	912 South Cushman	Take home program
David Artis	1508 80 th Street East	Section 6.6 of Charter – Conflict of Interest
Allen Douglas	Citizen	American trust
Steve McCammon	Fife School District	Negligence in Pierce County

Citizens’ Forum closed at 8:12 p.m.

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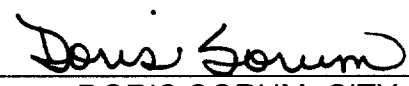
Deputy Mayor Phelps moved to convene to Executive Session to discuss potential litigation, the session not to exceed 30 minutes. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 8:12 p.m. and reconvened at 8:42 p.m.

On proper motion, the meeting was adjourned at 8:42 p.m.



MIKE CROWLEY, MAYOR

ATTEST: 

DORIS SORUM, CITY CLERK

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