



City Council Minutes

<http://www.cityoftacoma.org>

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

April 27, 2004

The meeting was called to order at 5:04 p.m.

Council Members Present: 8 – Anderson, Evans, Loneragan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma.

Council Members Absent: 1 – Ladenburg.

The Flag Salute was led by Council Member Anderson.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Citizens Recognition Committee, March 18, 2004.
- b. Minutes of the Charter Review Committee, April 1 and 8, 2004.
- c. Minutes of the Charter Review Agenda Sub-Committee, March 25, 2004.
- d. Amended minutes of the Charter Review Expenditures Sub-Committee, February 9 and 23, 2004; and meeting minutes, March 8 and 29, and April 5, 2004.
- e. Minutes of the Economic Development Committee, April 13, 2004.
- f. Minutes of the Environment and Public Works Committee, March 24, 2004.
- g. Minutes of the Government Performance & Finance Committee, April 1, 2004.
- h. Minutes of the Human Rights Commission, March 18, 2004.
- i. Minutes of the Planning Commission, April 7, 2004.
- i. Minutes of the Public Utility Board study session and meeting, March 10, 2004.

CONSENT AGENDA

Approval of the minutes of the City Council study sessions, February 3, 10, 17, and 24, 2004; Town Hall meeting, March 30, 2004; and regular meeting, April 6, 2004.

75

RESOLUTIONS

Resolution No. 36155

Setting Tuesday, May 11, 2004, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the draft Scope of Work for the 2004 Comprehensive Plan Update.

Resolution No. 36156

Setting Tuesday, May 18, 2004, at approximately 5:30 p.m., as the date for a public hearing by the City Council on minor amendments to portions of the Commercial, Industrial and Sign code sections of the Tacoma Municipal Code, including amendments to Title 13 entitled Land Use Regulatory Code.

Resolution No. 36157

Setting Tuesday, June 22, 2004, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the Six-Year Comprehensive Transportation Program for the years 2005 through 2010 and the Amended 2004 Transportation Program.

FIRST READING OF ORDINANCES

Ordinance No. 27229

Vacating park tracts, including several streets and portions of the rights-of-way within the existing plat of Salishan, bounded by East Portland Avenue on the west, Swan Creek Park on the east, East 52nd Street on the south, and East 38th Street on the north for the HOPE VI project. (Tacoma Housing Authority/Salishan HOPE VI Redevelopment; File No. 40000022616)

Deputy Mayor Evans moved that the Consent Agenda, including Resolution Nos. 36155 through 36157 and Ordinance No. 27229, be approved. Seconded by Council Member Phelps.

Deputy Mayor Evans moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner for Ordinance No. 27229. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 36155 through 36157 and setting Ordinance No. 27229 over for final reading to a date to be determined, was declared approved.

PROCLAMATIONS

Mayor Baarsma proclaimed April 29, 2004, to be "Dine Out for Life Day" and presented the proclamation to Ms. Jeannie Darneille, Executive Director of the Pierce County Aids Foundation.

76

Deputy Mayor Evans moved to suspend the rules to consider Resolution No. 36159. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 36159

Authorizing the execution of an employment agreement with James L. Walton, as City Manager, through March 31, 2005.

Deputy Mayor Evans moved to continue Resolution No. 36159 to a date to be determined. Seconded by Council Member Phelps. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC COMMENT

This is the time set aside for public comment on items on the agenda. Speakers are asked to identify the specific agenda items they wish to address and comments will be limited to up to five minutes per person.

Public Comment began at 5:16 p.m.

Speaking before Council:

| <u>Name</u> | <u>Address/Affiliation</u> | <u>Subject</u> |
|----------------|-----------------------------------|---|
| Allen Douglass | University Place | Resolution Nos. 36124, 36159, and 36160 |
| Rick Cvitanich | 2808 North 8 th Street | Resolution No. 36124 |

Public Comment closed at 5:22 p.m.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 27227

Amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, by repealing Section 12.06.318 removing the Safety Net Cost Recovery Adjustment Clause rate surcharge; 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 – Anderson, Evans, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma

Nays: 0

Absent 1 – Ladenburg

The Ordinance was declared passed.

Substitute Ordinance No. 27228

Authorizing the execution of an interest-bearing Public Works Trust Fund Construction Loan from the Washington State Department of Community, Trade and Economic Development in the amount of \$10,000,000; depositing in and appropriating said sum from the Arterial Street Fund for infrastructure rehabilitation and new construction projects, including work on bridges, street improvements, sidewalks, street lighting, traffic signals, bicycle lanes, and landscaping.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Anderson, Evans, Lonergan, Manthou, Phelps, Stenger, Talbert, and Mayor Baarsma

Nays: 0

Absent 1 – Ladenburg

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27230

Providing for issuance and sale of Electric System Revenue and Refunding Bonds 2004, Series A, in an amount not to exceed \$125,000,000, for capital improvements and refunding a portion of the existing 1992 B and 1994 Electric System bonds.

The Ordinance was set over for final reading next week.

Ordinance No. 27231

Amending Chapters 2.02, 2.06, 2.07, and 2.17 of the Municipal Code to adopt and amend the 2003 editions of the International Building Code, the International Residential Code, the International Existing Building Code, the International Mechanical Code, and the Uniform Plumbing Code to be consistent with state law.

The Ordinance was set over for final reading next week.

78

RESOLUTIONS

Resolution No. 36124 (Continued from the meeting of December 9, 2003)

Authorizing the execution of an agreement with the law firm of Wolfe Leinbach, P.S., in the amount of \$400,000, to provide independent legal services for retired Assistant Chief Catherine Woodard in the matter of Brame, et al. v. City of Tacoma, et al., King County Superior Court Cause No. 04-2-00712-7.

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

Purchase Resolution No. 36158

Awarding contracts to:

1. Western Peterbilt, Inc., in the amount of \$215,751.80, including sales tax, for two long-haul tractors to transport garbage and yard waste – Specification No. PW04-0106F; and
2. Electric Lightwave, Inc., in the amount of \$115,887.29, plus sales tax, for a cumulative total of \$226,256.14, to renew its contract for local and long-distance telephone services – Specification No. G-027-02.

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

Resolution No. 36159

Authorizing the execution of an employment agreement with James L. Walton, as City Manager, through March 31, 2005.

The Resolution was continued to a date to be determined earlier in the meeting.

Resolution No. 36160

Authorizing the execution of an agreement with the law firm of Gordon, Thomas Honeywell, Malanca, Peterson & Daheim LLP, in the amount of \$375,000, to provide independent legal services for former City Manager Ray E. Corpuz, Jr., in the matter of Brame, et al. v. City of Tacoma, et al., King County Superior Court Cause No. 04-2-00712-7.

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

79

UNFINISHED BUSINESS

None

REPORTS BY CITY MANAGER

City Manager James Walton reported that staff was investigating the cause for a telecommunication outage in the Downtown area which had just occurred. He also announced Police Officer James Lewis had passed away following a motorcycle accident while on duty that afternoon.

Mayor Baarsma called for a moment of silence.

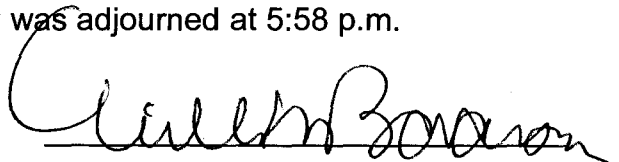
COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Mayor Baarsma stated the City of Destiny awards will be held tonight after the City Council meeting at Jason Lee Middle School and invited the public to attend.

Council Member Lonergan announced the retirements of Mr. Gary Pedersen, Building and Land Use Services Division Manager, Public Works Department, and Mr. Tony Susinski, Court Administrator, Municipal Court.

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

On proper motion, the meeting was adjourned at 5:58 p.m.



WILLIAM H. BAARSMA, MAYOR

ATTEST:



DORIS SORUM, CITY CLERK

