

CITY COUNCIL MINUTES

City Council Chambers
July 22, 1997

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

Present on roll call: 8 - Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole. Absent: 1 - De Forrest (Council Member De Forrest arrived at 5:05 p.m.)

The Flag Salute was led by Council Member McGavick.

(Council Member De Forrest arrived at 5:05 p.m.)

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of June 24, 1997 and Joint City Council and Public Utility Board study session minutes of July 15, 1997.

RESOLUTIONS

Resolution No. 33773

Setting Tuesday, August 12, 1997, at approximately 6:00 p.m. as the date for a public hearing by the City Council on the annexation of unincorporated territory in Northeast Tacoma.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's agenda, July 22, 1997.
- b. Minutes of the Public Utility Board study session and meeting, June 25, 1997.
- c. Minutes of the Tacoma Arts Commission, June 9, 1997.
- d. Minutes of the Tacoma Planning Commission, July 2, 1997.

Council Member Miller moved that the Consent Agenda, including Resolution No. 33773, be approved. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 33773, was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Resolution No. 33774

Appointing Tim Strege to the Tacoma Public Utility Board for a five-year term expiring on June 30, 2002.

Council Member Miller moved that the Resolution be adopted. Seconded by Deputy Mayor Baarsma.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Will Baker	809 South I Street

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

Resolution No. 33775

Creating a Hotel-Motel Tax Advisory Committee to review proposed changes in the rate, applicability, or uses of hotel-motel tax revenues; and appointing Mayor Brian Ebersole, Bob Trotter, Mike Hass, Nancy Watkins, and Mike Shields to said committee.

Council Member Miller moved to adopt Resolution No. 33775. Seconded by Council Member Silas.

Deputy Mayor Baarsma moved to amend Resolution No. 33775 to remove Bob Trotter's name from the group, at this time, until a legal opinion is obtained as to whether there is a conflict of interest. Seconded by Council Member McGavick.

Deputy Mayor Baarsma withdrew his motion, with concurrence from the seconder, Council Member McGavick.

Council Member Crowley moved to continue Resolution No. 33775 to the meeting of July 29, 1997. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33775 will be considered at the City Council meeting of July 29, 1997.

Resolution No. 33776

Appointing Council Members to various committees, boards, and commissions.

Deputy Mayor Baarsma moved to adopt Resolution No. 33776. Seconded by Council Member Evans.

Deputy Mayor Baarsma corrected Item No. 21, of Exhibit A of Resolution No. 33776, from "Rainier Cable Commission" to "Rainier Communications Commission."

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman
Will Baker	809 South I Street

Voice vote was taken and carried. The Resolution, including the correction to Exhibit A, was declared adopted.

FINAL READING OF ORDINANCES

Ordinance No. 26101 (Continued from the meeting of July 15, 1997.)

Amending Chapter 13.06 of the Municipal Code regarding sign regulations, taxing, and licensing of billboards.

Council Member Evans moved to suspend the rules to consider Substitute Ordinance No. 26101. Seconded by Deputy Mayor Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole

Nays: 1 – De Forrest

The Substitute Ordinance was declared passed.

Ordinance No. 26094

Authorizing the execution of a franchise agreement with Electric Lightwave, Inc. (ELI), for telecommunications services.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Crowley and Miller

The Ordinance was declared passed.

3

Ordinance No. 26102

Accepting \$40,215 from the State of Washington, Department of Social and Health Services; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the continued operation of the Child Care Resource and Referral System; authorizing a temporary, non-interest bearing loan from the General Fund to the Miscellaneous Grants Summary Fund in the amount of \$40,215 to be repaid by December 31, 1997; and authorizing the execution of an amendment to the agreement with the Department of Social and Health Services for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Ebersole

Nays: 0

Absent: 2 – Crowley and Miller

The Ordinance was declared passed.

Ordinance No. 26103

Authorizing the execution of a renewal and extension of the Domestic Violence S.T.O.P. 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 \$43,082.66; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing the execution of an Interlocal Agreement with Pierce County and the City of Puyallup to carry out the activities of the grant program from July 1, 1997 through June 30, 1998.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

4

FIRST READING OF ORDINANCES

Ordinance No. 26104

Vacating portions of South 49th Street, State Street, and the alley right-of-way between South 48th and South 49th Streets westerly of Tacoma Mall Boulevard to combine the vacated areas with the abutting property to allow construction of a hotel complex. (Extended Stay America; File No. 124.1048)

Deputy Mayor Baarsma moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 26105

Amending Chapter 6.89 of the Municipal Code relative to the reporting and tax requirements for nonprofit organizations engaging in the sale of pull-tabs and punchboards.

Council Member McGavick recused herself from discussion of Ordinance No. 26105 under the provision "appearance of conflict of interest." Council Member McGavick then left the Council Chambers.

The Ordinance was set over for final reading next week.

Ordinance No. 26106

Accepting a Juvenile Justice Grant from the Washington State Department of Social and Health Services, in the amount of \$102,857; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to implement a crime-free housing education and certification program; and authorizing a non-interest bearing loan from the General Fund to the Miscellaneous Grants Summary Fund, in the amount of \$8,000, to be repaid by October 1, 1997.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman
Will Baker	809 South I Street

The Ordinance was set over for final reading next week.

5

RESOLUTIONS

Resolution No. 33777

Authorizing the execution of an interim agreement with Comarco, Inc., in the amount of \$50,000, to manage the Tacoma Narrows Airport through September 30, 1997.

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

Resolution No. 33778

Authorizing the execution of an amendment to the agreement for Legal Services with Karen Willie from the law firm of Smith, Smart, Hancock, Tabler & Schwensen, in the amount of \$60,716.10, in the case of Herried, et al. v. City of Tacoma.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 33779

Authorizing the execution of a Purchase and Sale Agreement with Labrador Ventures and Brad Hughes, in the amount of \$155,068 for in-kind services, for property located near the mouth of the Thea Foss and Middle Waterways.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Will Baker	809 South I Street

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

Resolution No. 33780

Authorizing the execution of an amendment to the agreement with Kevin Lyon of Lyon Corp., P.S., in the amount of \$16,000, for legal assistance regarding the implementation of the Natural Resource Damages settlement Consent Decree.

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

6

Resolution No. 33781

Ratifying Supplemental Agreements Nos. 1-3; and authorizing the execution of Supplement Agreements Nos. 4-7 to the agreement with ABKJ, Inc., in the amount of \$242,961 for additional design and construction engineering services relative to the Chihuly Bridge of Glass.

Council Member Evans moved that the Resolution be adopted. Seconded by Council Member Silas.

Council Member Silas moved to continue Resolution No. 33781 to the meeting of July 29, 1997. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33781 will be considered at the City Council meeting of July 29, 1997.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. stated that a study session will be scheduled in the next couple weeks for the review of the initiative petitions that were filed regarding performance audits.

Mr. Corpuz then requested an Executive Session, not to exceed 30 minutes, to consider pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member De Forrest requested that, in the future, items for the City Council's consideration have a more detailed explanation of which funds are being used.

Council Member Crowley requested information regarding the impact to the City if the City Council amended the reporting and tax requirements for profitable organizations for the sale of pull-tabs and punchboards. He also stated that he would be interested in a comparison to Pierce County and what they are doing regarding this issue.

Council Member Evans stated that he received a letter today indicating a double standard may be being established regarding the reporting and taxing requirements for nonprofit and profitable organizations. He stated that this should be resolved to avoid any complications.

Council Member Evans then requested a response regarding the painting of the SR509 Bridge.

Council Member Evans requested that the issue regarding the conversion of single-family houses into dormitories be addressed by the end of the year.

7

Council Member Silas requested a status report on the recently appointed Housing Task Force as to whether or not they are meeting and how they are doing.

Council Member McGavick requested information regarding the process for naming the SR509 Bridge.

Mayor Ebersole stated that the City Council has the authority to make recommendations to Washington State by way of a formal process. He stated that Washington State will name the bridge, but they are interested in what the Tacoma community and government have to suggest.

Council Member McGavick stated that she would like to recommend naming the bridge after Congressman Norm Dicks because he was one of the key people involved in establishing that bridge. She stated that it would be a nice gesture to make that recommendation.

Mayor Ebersole stated that he would let Council Member McGavick know how to become involved in the process. He then recognized the involvement of Congressman Norm Dicks in the bridge and in the spur coming into Tacoma. He stated that the Tacoma spur was the last mile of federal interstate highway built in America. He stated that Congressman Dicks, working with Senator Magnusson at the time, was instrumental in taking the last mile of federal interstate out of Delaware's hands at the last moment to build the Tacoma spur.

Council Member McGavick stated that last Saturday she had participated, as president of Clover Park Technical College, in a parade for the City of Lakewood. She stated that Mike Kelly, from the Daffodil Festival, told her that he had met with Eli Ashley, Planning and Development Services, and other staff members and has begun to develop a partnership. Council Member McGavick then stated that she would like to see the City of Tacoma get a group together to talk about how we can financially support the Daffodil Festival. She stated that the Daffodil Festival Committee have some great ideas to expand participation in the City of Tacoma.

Council Member Kirby requested information from the Public Works Department regarding whether or not the City of Tacoma has engineering standards for intersections in which tractor-trailer vehicles would be prohibited from using three lanes of traffic to negotiate a corner.

Mayor Ebersole announced that the Mayor and a Council Member of Ensenada, Mexico, will be visiting Tacoma for a few days this week, including the Port of Tacoma. Mayor Ebersole stated that they are interested in agricultural imports and exports. He then stated that he hoped the City Council would have a chance to meet them.


Mayor Ebersole, on behalf of the City Council, wished Juli Wilkerson, Director of the Planning and Development Services Department well and explained that she had a very serious health concern a couple of weeks ago.

Council Member Crowley moved to convene to Executive Session to discuss pending litigation, the session not to exceed 30 minutes. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 6:41 p.m. and reconvened at 7:10 p.m.

On proper motion, the meeting was adjourned at 7:10 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK

9