



City Council Minutes

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

October 29, 2002

The meeting was called to order at 5:07 p.m.

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

Council Members Absent: 1 ~ Deputy Mayor McGavick.

The Flag Salute was led by Council Member Moss.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Landmarks Preservation Commission, October 9, 2002.
- b. Minutes of the LESA Executive Board, September 18, 2002.
- c. Amended minutes of the Planning Commission, October 2, 2002.
- d. Minutes of the Tacoma Area Task Force on Disabilities, September 26, 2002.

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

Approval of the minutes of the City Council meeting of October 15, 2002; the study session of October 1, 2002; and the Joint City Council/Public Utility Board study session of October 15, 2002.

Council Member Phelps moved that the Consent Agenda be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda was declared approved.

PROCLAMATIONS

Mayor Baarsma proclaimed November 2002 to be "Native American Heritage Month" and presented the proclamation to Human Rights Commissioner Solomon Uwadiale. He then proclaimed November 2002, to be "Tacoma Artists' Month" and presented the proclamation to Ms. Beverly Kratchovil, Chair of the Tacoma Arts Commission.

21

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 26983

Vacating South George Street west of A Street and the alley rights-of-way north of South 38th Street and west of A Street to combine the vacated property with the abutting property for construction of a large grocery store and general retail commercial building, along with associated off-street parking and landscaping. (Independent Development Company; File No. 124.1166)

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – McGavick

The Ordinance was declared passed.

Ordinance No. 26997

Amending the 2001-2002 Biennial Budget by appropriating funds for additional contractual obligations, transfers, and other budget adjustments; accepting donations; appropriating additional estimated revenues; creating the Public Facility District Fund; eliminating certain specified funds in the Treasury of the City; and transferring the assets and functions of said eliminated funds to other existing funds in the City, and declaring an emergency making necessary the passage of this Ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – McGavick

The Ordinance was declared passed.

22

FIRST READING OF ORDINANCES

Ordinance No. 26998

Authorizing the execution of a grant award agreement with the Washington State Office of Archaeology and Historic Preservation, Certified Local Government Program, in the amount of \$10,000; accepting, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for historic preservation expenses.

Speaking before the Council was:

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

The Ordinance was set over for final reading next week.

Ordinance No. 26999

Creating and establishing a new fund, to be designated as the “Waterway Trust Fund,” to receive payments from parties participating in the remedial design and remedial action work and payments from others settling their liability in the Thea Foss and Wheeler-Osgood Waterways; appropriating \$20,000,000 from said fund; amending the 2001-2002 Biennial Budget for remedial design and action work in said waterways; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Council Member Phelps moved to amend the title of Ordinance No. 26999 at page 1, line 9, by deleting the words “and its taking effect immediately upon publication,” and further deleting these same words where they appear in Section 6, on page 3, line 4. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 27000

Establishing the Lincoln Heights Assessment Reimbursement Area; approving the reimbursement assessments and agreement associated with said area for the construction of South Steele Street from Idaho Street to South 35th Street.

Council Member Phelps moved to continue Ordinance No. 27000 to the meeting of November 12, 2002. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 27000 will be considered at the regular City Council meeting of November 12, 2002.

23

Ordinance No. 27001

Authorizing the issuance and sale of the City’s Regional Water Supply System Revenue Bonds, 2002, in the principal amount not to exceed \$100,000,000, to complete construction of the Second Supply Project and establish a Regional Water Supply System; and transferring facilities from the Water System to the Regional Water Supply System.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Nancy Neraas	Preston Gates & Ellis
Bob Yeasting	Yeasting & Associates

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35672

Awarding contracts to:

1. David L. Sack Construction Company, Inc., on its bid of \$280,873.00, for installation of an odor control system at the South Tacoma Pump Station – Specification No. G-221-02; and
2. Matco, Inc., on its bid of \$67,673.60, for a video server automation system – Specification No. G-035-02.

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

Resolution No. 35673

Authorizing the execution of Supplement No. 1 to the agreement with the Washington State Department of Transportation to reroute and extend the fiber optic cable system, which provides real-time images of traffic conditions on the Tacoma Narrows Bridge.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglas	612 South 18 th Street, #5

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

24

Resolution No. 35674

Authorizing the execution of Amendment No. 4 to the disposal site agreement with Brown Reavis & Manning, in the amount of \$100,000, and Amendment No. 3 to the Consent Decree agreement with Brown Reavis & Manning, in the amount of \$200,000, for settlement negotiation and cleanup costs relative to the Foss Waterway.

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. 35676

Approving the exchange of surplus property and property rights to Mr. David Smith for the easement located near the Nisqually Hydroelectric Project.

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. 35677

Declaring surplus 1.32 acres of vacant land, located adjacent to and east of 6727 East Side Drive NE, in the Browns Point area.

Council Member Phelps moved to continue Resolution No. 35677 to a date to be determined. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 35678

Declaring surplus .30 acres of vacant land, located at 51st Street NE and Caledonia Avenue, in the Browns Point area.

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. 35679

Declaring surplus 2.15 acres of vacant land, located at 80th Street East and 9th Avenue on the south side of 80th Street East and west of Golden Given Road East.

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.

25

Resolution No. 35680

Declaring surplus 8.1 acres of vacant land, located at 11622 - 24th Avenue East.

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.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. gave an overview of the 2003-2004 Preliminary Budget that he and Diane Supler, Director of the Office of Budget, Management, and Analysis, presented at today's study session. He stated there would be a public hearing on November 5, 2002.

Mr. Corpuz requested an Executive Session to discuss pending litigation, not to exceed 20 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Lonergan thanked the City Manager and staff for addressing the public's concern to preserve direct services such as police, fire, libraries, streets, and parks relative to the budget; and that he hoped the City would be able to restore some of the funding back to the parks. He stated he would be willing to forego his cost-of-living increase if that would help to reduce employee layoffs. He challenged organized labor and the general public to become a part of the budget process. He then appealed to the public to think about volunteering in their communities.

Council Member Lonergan congratulated Police Officer Pat Franz, of Sector 4, who was named police officer of the year for the state of Washington by the Washington State Grange.

Mayor Baarsma announced that Pierce County Auditor Cathy Pearsall-Stipek, National President of the Organization of Elected Officials, is in Washington D.C. today with the President of the United States for the signing of the Voter Reform Act.

Mayor Baarsma commended the police and fire chiefs and staff for their efforts in assisting federal officials in conducting an investigation of the property at 3310 South Proctor to secure evidence relative to the sniper shootings. He also congratulated the people of that neighborhood for working with officials and sharing information regarding that property.

24

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

Council Member Miller moved to convene to Executive Session to discuss pending litigation, the session not to exceed 20 minutes. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council convened to Executive Session at 6:20 p.m. Mayor Baarsma returned to the Council Chambers at 6:40 p.m. to extend the session an additional five minutes. Mayor Baarsma returned to the Council Chambers at 6:45 p.m. to extend the session another five minutes. The Council reconvened at 6:50 p.m.

Council Member Miller moved to authorize the City's full and final settlement in the case of Marcellino and Dora Trujillo v. City of Tacoma, et al., United States District Court Cause No. C01-5483, for the amount of \$330,000. Seconded by Council Member Moss. Voice vote was taken and carried with Council Members Ladenburg and Talbert voting in opposition. The motion was declared adopted.

On proper motion, the meeting was adjourned at 6:52 p.m.


WILLIAM H. BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

27