

CITY COUNCIL MINUTES

City Council Chambers
October 1, 1996

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.

The Flag Salute was led by Council Member Miller.

CONSENT AGENDA

APPEALS

Jan Bejarano appealing the decision of the Hearing Examiner relative to the recommendation to approve a modification to a previously-approved reclassification for the property located at the northwest corner of Tyler and Center Streets to allow development of a 2,656-square-foot retail store for uses allowed in a "C-1" Commercial District. (Trimark Development Corporation; File No. REZ96-00008)

Setting Tuesday, October 22, 1996, at approximately 6:00 p.m., as the date for a hearing by the City Council.

ASSESSMENT ROLL

The Director of Public Works presents the Assessment Roll for the following:

L.I.D. No. 8580 for the placement of permanent pavement with storm drainage on Prospect Street from South 8th to South 10th Streets.

SCF 94-1 for the replacement of hazardous sidewalks on 1421 North 10th Street, 3735 South Fawcett Avenue, 7201 South Fawcett Avenue, and 6011 South Hawthorne Street.

Setting Monday, October 28, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner agenda for October 1, 1996.
- b. Minutes of the meeting of the Tacoma Area Task Force on Disabilities, August 22, 1996.
- c. Minutes of the meeting of the Urban Policy Committee, August 7, 1996.
- d. General Purpose Financial Statements, Law Enforcement Support Agency, December 31, 1995.

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

PROCLAMATION

Mayor Ebersole proclaimed October 6-12, 1996, as "Public Power Week" and presented the proclamation to Mr. Skip Vaughn.

Mayor Ebersole proclaimed October 1996 as "Domestic Violence Awareness Month".

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Presentation of the Fire Department citizens' awards.

Deputy Chief Eileen Lewis presented the Fire Department Citizens' Awards to Meg Rasmussen, Jennifer Doyle, Joe Woods, and Tom Tainer.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 25958

Transferring \$306,777 from the Capital Improvement Summary Fund to the Tacoma Eastern Railroad Acquisition and Operating Fund; appropriating said sum from the Tacoma Eastern Railroad Acquisition and Operating Fund for continuation of railroad operations for the remainder of 1996; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

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Nays: 0

Absent: 1 – De Forrest.

The Ordinance was declared passed.

Ordinance No. 25959

Approving and confirming the Assessment Roll for L.I.D. No. 8576 for the installation of permanent pavement with storm drainage on South 45th Street from Cedar to Alder Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – De Forrest.

The Ordinance was declared passed.

Ordinance No. 25960

Providing for the formation of L.I.D. No. 2628 for the placement of two-inch asphalt surface treatment and storm drainage on South L Street from South 94th to South 96th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – De Forrest.

The Ordinance was declared passed.

Ordinance No. 25961

Authorizing the issuance and sale of Local Improvement District Bond Issue No. 55.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 – De Forrest.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 25962

Vacating the north 43 feet of the SR-16 "turnback area" of South 19th Street west of Mullen Street to combine the vacated area with the abutting commercial site to accommodate landscaping and amenities. (John D. West; File No. 124.1035)

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

Ordinance No. 25963

Vacating the alley right-of-way between 5818 and 5902 East B Street to provide additional yard space for the abutting properties. (Edley Lautermilch; File No. 124.1034)

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

Ordinance No. 25964

Vacating South 28th Street between Orchard and Mullen Streets to combine the vacated area with abutting properties. (Eagle Hardware; File No. 124.1036)

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

Ordinance No. 25965

Authorizing the execution of a Letter Agreement with Pierce County and the Law Enforcement Support Agency to allow the City of Tacoma to receive the United States Department of Justice COPS MORE equipment and technology grant, in the amount of \$1,031,250; accepting, depositing and appropriating said sum from the Miscellaneous Grants Summary Fund to expand the implementation of community policing.

The Ordinance was set over for final reading next week.

Ordinance No. 25966

Amending Chapter 1.45 of the Municipal Code relative to the administrative responsibilities of the Neighborhood Council Program.

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Speaking before the Council was:

<u>Name</u>	<u>Address</u>
Skip Vaughn	7634 South Fife

The Ordinance was set over for final reading next week.

RESOLUTIONS

Resolution No. 33507 (Continued from the meeting of September 17, 1996.)
Amending the term of Dick W. Judy to the Library Board of Trustees to include an interim term, expiring September 30, 1996, and commending his service to this Board.

Council Member Baarsma moved that the Resolution be removed from the agenda. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33507 was removed from the agenda of October 1, 1996.

Resolution No. 33495

Authorizing the execution of a Definitive Agreement with the Metropolitan Park District, Town of Ruston, and ASARCO Inc., to facilitate cleanup and development of the ASARCO Smelter site.

Council Member Miller moved that the Resolution be continued to the meeting of October 15, 1996, at his request. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33495 was continued to the meeting of October 15, 1996.

Resolution No. 33496

Authorizing the execution of an amendment to the agreement with Perkins Coie, in the amount of \$20,000, for analysis and negotiations relative to the ASARCO Superfund cleanup.

Council Member Miller moved that the Resolution be continued to the meeting of October 15, 1996, at his request. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33496 was continued to the meeting of October 15, 1996.

Purchase Resolution No. 33511

Awarding contracts to:

1. Gary Budd Construction, on its bid of \$47,985, for boring for streetlight conduit crossings - Specification No. G-247-96; and
2. D.L. Asahara Co., Inc., on its bid of \$98,673.42, for Pacific Avenue street tree planting - Specification No. G-250-96.

Council Member Crowley 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. 33512

Approving the final plat for HUNTER'S PRAIRIE, located in the vicinity of South 76th and Pine Streets, for a 32-lot subdivision. (Apex Engineering; File No. PLT96-00012)

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

Resolution No. 33513

Authorizing the execution of the First Operating Agreement with the Foss Waterway Development Authority for redevelopment activities along the Thea Foss Waterway.

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

Resolution No. 33514

Appointing individuals to the Foss Waterway Public Development Authority.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33514. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 33515

Authorizing the execution of an amendment to the agreement with the Proud African American Youth Society, in the amount of \$28,447, for the continued operation of a domestic violence education and treatment program for youth and young adults.

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

Resolution No. 33516

Authorizing the submittal of a grant application to the State of Washington, Community, Trade and Economic Development Department, in the amount of \$254,651, for the distribution of Motor Vehicle Excise Tax revenues to fund certain criminal justice programs.

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

CITIZENS' FORUM (BEGAN AT 6:15 P.M.)

Speaking before the Council were:

Name	Address	Topic
Robin Culpepper	732 S. Monroe St.	◆ Boiler Inspection & Licensing (Budget cut)
Tom Cornwall	1119 S. 35th St.	◆ Boiler Inspection & Licensing (Budget cut)
Jan Saeger	744 Fawcett Ave.	◆ Boiler Inspection & Licensing (Budget cut)
Jan Pelroy	744 Fawcett Ave.	◆ Boiler Inspection & Licensing (Budget cut)
David King	3563 E. J St.	◆ Neighborhood Council "Across the Fence" Program
Mike Baum	15012 128th St., Gig Harbor	◆ Narrows Airport Management
Chris Foreman	2110 N. Mason	◆ Neighborhood Council Program/Grants
Gary Foremen	2110 N. Mason	◆ Neighborhood Council Program/Grants
Carl Brady	12209 S. A St.	◆ Boiler Inspection & Licensing (Budget cut)
Wil Baker	809 S. I St.	◆ Drugs in the Neighborhood
Marie Dudley	520 N. L St.	◆ Neighborhood Council Program/Grants

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RESOLUTIONS

Resolution No. 33517

Approving the 1996-1997 Small Innovative Grant Projects of the Neighborhood Councils Program.

Speaking before the Council were:

<u>Name</u>	<u>Affiliation</u>
Marion Weed	Community Council
Rita Wexler	Oakland/Madrona Neighborhood Group
Skip Vaughn	South Tacoma Neighborhood Council
Keith Stone	New Tacoma Neighborhood Council

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

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., stated that during the month of October we will be celebrating "Quality Month." The City is participating through its Cityline, a teleconference, a special presentation to a sister city to the south, and by celebrating some of the key players among City employees who have helped with our Total Quality effort. Mr. Corpuz then introduced Gary Steinhoff as the new Special Assistant to the City Manager's Office and congratulated Paul Mielbrecht for an excellent job as the Special Assistant to the City Manager's Office for the past three months. Mr. Corpuz then respectfully requested an executive session to consider pending litigation as well as labor negotiations for at least 60 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Miller moved to excuse Council Member De Forrest from the meeting tonight. Seconded by Council Member Kirby. Voice vote was taken and carried. Council Member De Forrest was excused from the City Council meeting of October 1, 1996.

Council Member McGavick thanked Mozella Pooley for the blackberry jam.

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Deputy Mayor Silas stated her appreciation for the many thanks received tonight for the Neighborhood Councils program and thanked the members of the neighborhood councils for making it work.

Council Member Evans commended the neighborhood council members for the tree plantings. He then stated that there is some positive news from the Wright Park area. There have been some evictions and the problems are being dealt with as rapidly as possible. Council Member Evans stated that the Wright Park Association called him with a compliment and expressed appreciation regarding the painting of the Tacoma Avenue South fire house. It is now painted much like it was when it was first built.

Council Member Baarsma thanked Deputy Mayor Silas for her comments regarding the neighborhood councils program. He stated that the neighborhood council program is a tremendous success and thanked all those who were involved in making the program a success, particularly Elton Gatewood, who spend many hours of his time making the program work. Council Member Baarsma also thanked Paul Mielbrecht for a great job as Special Assistant and commented that he responded immediately to citizen's requests.

Council Member Kirby thanked Mozella Pooley for the blackberry jam. He stated that CityScape will be airing a special interview at 8:00 p.m. tonight and will replay it at various times throughout the week.

Mayor Ebersole reported on the Tacoma Co-Location Project. Last Friday the State of Washington signed the final documents with the University of Puget Sound to purchase the Law School building in downtown Tacoma. This will bring 400-500 state workers into downtown Tacoma, which will help in bringing back the core of downtown.

Council Member Miller moved to convene to Executive Session for a period not to exceed 90 minutes to discuss pending litigation and labor contract negotiations. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The Council convened to Executive Session at 7:28 p.m.; Mayor Ebersole extended the Executive Session for an additional 90 minutes at 8:58 p.m.; and the Council reconvened at 10:05 p.m.

Deputy Mayor Silas moved that the City Council approve the mediation settlement amount of \$950,000 in full and final settlement by the City of the matter of Scarberry, et. al. v. City of Tacoma, et. al. Seconded by Council Member McGavick. Voice vote was taken and carried with Council Member Miller voting in opposition. The motion was declared adopted.

On proper motion, the meeting was adjourned at 10:06 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST: 

RICK ROSENBLADT, CITY CLERK

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