

CITY COUNCIL MINUTES

City Council Chambers
September 3, 1996

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

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

RESOLUTIONS

Resolution No. 33493

Setting Monday, September 23, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on LID No. 2629 for the placement of a two-inch asphalt surface treatment with storm drainage on North Warner Street between North 35th and North 36th Streets.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner agenda for September 3, 1996.
- b. Minutes of the meeting of the Appointments Committee, August 5, 1996.
- c. Minutes of the meeting of the Environmental Commission, August 12, 1996.
- d. Minutes of the meetings of the Human Rights Commission, June 20 and July 18, 1996.
- e. Minutes of the meeting of the Landmarks Preservation Commission, August 14, 1996.
- f. Minutes of the special meetings of the Tacoma Public Library Board of Trustees, July 10 and August 12, 1996, and of the regular meeting, July 17, 1996.
- g. Minutes of the meeting of the Urban Policy Committee, July 11, 1996.

Council Member Miller moved that the Consent Agenda, including Resolution No. 33493, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 33493, was declared approved.

Council Member Miller requested that the City of Tacoma flag be moved to its proper position.

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 25943

Amending Title 6 of the Municipal Code by repealing and reenacting Chapter 6.39 to update provisions relative to public garages and parking lots.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25944

Accepting, depositing and appropriating \$6,774 from the General Fund for costs relative to the Human Rights Housing Conference.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25945

Amending Chapter 13.06 of the Municipal Code relative to regulations for designation of mixed-use zoning districts and reaffirming, ratifying and readopting provisions pertaining to the number of allowable screens for movie theaters.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, Evans, McGavick, Miller, Silas, and Mayor Ebersole.

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Nays: 2 – De Forrest and Kirby.

The Ordinance was declared passed.

Ordinance No. 25946

Appropriating \$15,000 from the unreserved fund balance of the South End Neighborhood Trust Fund for South End Neighborhood Center activities; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25947

Transferring \$56,744 from the Capital Improvements Summary Fund to the Tacoma Eastern Railroad Acquisition and Operating Fund; accepting \$1,346,279 from the Federal Emergency Management Agency and \$224,379 from the Washington State Military Department, Emergency Management Division; and appropriating \$1,627,402 from the Tacoma Eastern Railroad Acquisition and Operating Fund for the repair of storm damage to the Tacoma Eastern Railroad.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25948

Amending Chapter 6.66 of the Municipal Code by adding Section 6.66.045 to be known as "Internet Access Providers" and providing for suspension of taxation of Internet access provider activity.

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: 1 – De Forrest.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 25949

Accepting \$163,677 from the United States Department of Justice; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; authorizing the creation of a TV Tacoma Subfund of the Central Services Summary Fund; appropriating \$157,500 from the Central Services Summary Fund; and authorizing a temporary loan in the amount of \$163,677 from the General Fund to the Miscellaneous Grants Summary Fund to support domestic violence training and education efforts to police and victims.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 33494

Awarding a contract to:

1. Colacurcio Bros. Gravel & Excavation, Inc., on its bid of \$3,793,809.92, for Tacoma Eastern Railroad Storm Damage Repair - Phase II - Work Order No. RR0108 - Specification No. G-233-96.

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

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 removed from the agenda per the request of staff. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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Resolution No. 33495 was removed from the agenda of September 3, 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 removed from the agenda per the request of staff. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33496 was removed from the agenda of September 3, 1996.

Resolution No. 33497

Authorizing the Tacoma Community Redevelopment Authority to submit a loan application to the Washington State Housing Trust Fund, in the amount of \$1,000,000, for the continued operation of the Neighborhood Preservation Program.

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. 33498

Endorsing the grant application of the Housing Authority to the U.S. Department of Housing and Urban Development for a HOPE VI Program Grant; and finding that the scope of work identified for the Salishan and Hillside Terrace housing developments is consistent with and supportive of the City's Strategic Plan.

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.

CITIZENS' FORUM (BEGAN AT 5:55 P.M.)

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>	<u>Topic</u>
Robert Farmer	720 E. 34th St.	<ul style="list-style-type: none"> ◆ Welcome to the new Police Chief ◆ Clean up the alleys
Pat McElligot	1109 S. 50th St.	<ul style="list-style-type: none"> ◆ Rule of 5 - Management Discretion

Matthew Sutich	2405½ Pacific Ave., #7	◆ \$3,000,000 law suit against Tacoma Bicycle Patrol
Jay Peterson	8224 E. D St.	◆ 8th & I Streets drug dealing problem
Phyllis Barrett	912 S. Cushman	◆ Community based policing--what is it all about?
Wil Baker	809 S. I St.	◆ Drug dealing in the Hilltop Community

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., stated that TV Tacoma will be carrying information regarding the primary election of the Governor's race from September 3-8, 1996; the primary election race of the Superintendent of Public Instruction, the Insurance Commissioner and the Supreme Court Justice during the week of September 9-15, 1996, and would also be replaying the hearing of the issue related to the public health clinics. Mr. Corpuz congratulated the Public Works Department, Utility Operations Division, and also the City Council for a national award received from the Environmental Protection Agency for outstanding public acceptance of our efforts to promote the beneficial use of biosolvents. He stated that the City will be officially notified at the 69th Annual Water Environmental Federation Conference, to be held in Dallas, Texas, in October 1996.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member De Forrest stated that he received information regarding an ordinance on the Friday following the Council meeting upon which the ordinance was voted, which was too late.

Mayor Ebersole stated that the Washington State Department of Transportation commissioned a new ferry, which is named Tacoma. He assured all that the boat is named after the City of Tacoma and not after the "Indian Tribe."

Council Member Miller stated that he heard the State had made a determination in regards to the HOV closure of the Jackson Street on-ramp. For three months, effective October 1, 1996, the Jackson Street on-ramp will be used for HOV access, two or more only, during the peak afternoon rush hours. He requested that the Council be informed if this was in fact the determination made.

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On proper motion, the meeting was adjourned at 6:44 p.m.



BRIAN EBERSOLE, MAYOR

ATTEST:



RICK ROSENBLADT, CITY CLERK