

CITY COUNCIL MINUTES

City Council Chambers
May 27, 1997

The meeting was called to order at 5:11 p.m.

Present on roll call: 6 - Baarsma, De Forrest, Evans, Kirby, Silas, and Mayor Ebersole. Absent: 3 - Crowley, McGavick and Miller.

The Flag Salute was led by Deputy Mayor Baarsma.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of May 6, 1997.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner's Agenda, May 27, 1997.
- b. Agenda of a special meeting of the Foss Waterway Development Authority, May 19, 1997.
- c. Minutes of the Human Rights Commission, April 17, 1997.
- d. Minutes of the Planning Commission, May 7, 1997.
- e. Minutes of the Public Utility Board meeting and study session, April 23, 1997.
- f. Minutes of the Tacoma Area Task Force on Disabilities, April 24, 1997.
- g. Minutes of the Tacoma-Pierce County Board of Health, April 2, 1997.
- h. Monthly Financial Reports for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund, Conservation Project Fund, and Geographic Information System Fund, March 1997.

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

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Presentation by the Washington State Fire Marshal to the City of Tacoma Fire Department.

Ms. Karen Johns, Public Education Manager, Washington State Fire Marshal's Office, and Mr. Mike Sturgeon, Chief Deputy, Washington State Fire Marshal's Office, presented an award to Charlie Hansen, Deputy Fire Marshal, and Gene Williams, Fire Inspector, for the Fire Department's public education program "Home Fire Survival."

COMMUNICATIONS

Hearing Examiner recommending denial of the request to remove conditions imposed upon Comfort-Vest, Inc., and the associated Concomitant Zoning Agreement for a warehouse/office development located on the easterly side of Pine Street between South 78th and 80th Streets, and further recommending modification of Condition 2.c regarding roadway improvements on Pine Street between South 80th and 84th Streets. (James R. Vest; File No. REZ-96-00026)

Council Member Crowley arrived at 5:17 p.m.

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

FINAL READING OF ORDINANCES

Ordinance No. 26047

Amending Chapter 13.06 of the Municipal Code to reclassify the property, located at 6408 Sixth Avenue, from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to repair, remodel and enlarge the existing building for the development of a pawn shop. (ABC - Pacific Corp.; File No. REZ96-00023)

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – McGavick and Miller

The Ordinance was declared passed.

Ordinance No. 26071

Amending Section 1.24.450 of the Municipal Code relative to residency requirements.

Deputy Mayor Baarsma moved to suspend the rules to consider Substitute Ordinance No. 26071. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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Speaking before the Council were:

Name	Address/Affiliation
Tom Hilyard	4964 Scenic View Lane
Rick Hite	Business Manager, IBEW Local 483
Will Baker	809 South I Street
Pastor C. S. Price	931 Ridgewood Avenue South
Reverend Arthur Banks	2033 East Sherman
Thomas Dixon	President, Tacoma Urban League, and Member of the Tacoma Pierce County Black Collective
David Price	6506 109th Street
John Meister	16914 90th Avenue East, Puyallup
David Dye	Business Representative, IBEW Local 483
Jess Moultry	Tacoma-Pierce County Black Collective and the NAACP
Phyllis Barrett	912 South Cushman
Vicki Shea	City of Tacoma employee
I. V. Reeves	7829 Pacific Avenue
Mozella Pooley	8041 East Sherwood
Pat McElligott	Chair, Joint Labor Committee

Roll call vote was taken on Substitute Ordinance No. 26071, resulting as follows:

Ayes: 3 – Crowley, De Forrest, and Silas

Nays: 4 – Baarsma, Evans, Kirby and Mayor Ebersole

Absent: 2 – McGavick and Miller

The Substitute Ordinance was declared failed.

Deputy Mayor Baarsma moved to remove Ordinance No. 26071 from the agenda. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Ordinance No. 26071 was removed from the agenda.

Ordinance No. 26072

Amending Chapter 12.09 of the Municipal Code to rename the Refuse Utility Division to the Solid Waste Utility Division and establishing new solid waste collection and disposal rates, effective July 1, 1997.

Roll call vote was taken, resulting as follows:

Ayes: 6 – Baarsma, Crowley, Evans, Kirby, Silas, and Mayor Ebersole

Nays: 1 – De Forrest

Absent: 2 – McGavick and Miller

The Ordinance was declared passed.

Ordinance No. 26073

Amending Chapter 8.105 of the Municipal Code by adding a new section, to be known as Section 8.105.085, "Interfering with the reporting of domestic violence."

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – McGavick and Miller

The Ordinance was declared passed.

Ordinance No. 26074

Approving and confirming the Assessment Roll for the reconstruction of sidewalks at 1421 North 10th Street, 3735 South Fawcett Avenue, 7201 South Fawcett Avenue, and 611 South Hawthorne Street. (File No. SCF94-1)

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – McGavick and Miller

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26075

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the northeast corner of East 72nd Street and McKinley Avenue from an "R-2" One-Family Dwelling District and a "C-1" Commercial District to a "C-2" Commercial District for the construction of an automobile service station with a convenience store and car-wash facility. (Nabil Morcos; File No. REZ97-00002)

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

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

Ordinance No. 26076

Amending Chapter 12.01 of the Municipal Code to amend customer charges and fees for various utility services for the Light and Water Divisions, effective June 16, 1997.

Speaking before the Council was:

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

The Ordinance was set over for final reading next week.

Ordinance No. 26077

Amending Chapter 1.12 of the Municipal Code to implement 1997 rates of pay and compensation for employees of the International Brotherhood of Electrical Workers, Light Division Unit.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 33708

Awarding contracts to:

1. Burns International Security, on its bid of \$103,031.28, for bridge tending service - Specification No. G-010-97;
2. Hyster Sales Company, in the amount of \$68,255.36, to renew their contract for front loader wheels with ITL solid rubber tires for the Solid Waste Utility Division - Specification No. G-017-96;
3. Federal Way Police Department, in the amount of \$1,000, for the surplus sale of one 1991 Kawasaki motorcycle - Vehicle No. O 0205;
4. Washington State Office of the Administrator of the Courts (OAC), in the amount of \$1,984, for the upgrade of the City's Judicial Information System (JIS) equipment - Interlocal Agreement; and
5. Herk Edwards, Inc., on its bid of \$592,700, for hockey seating improvements at the Tacoma Dome - Specification No. G-223-97.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

Resolution No. 33583

Authorizing the execution of an agreement with the Metropolitan Park District for the operations of the South End Neighborhood Center.

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

Deputy Mayor Baarsma moved to suspend the rules to consider Substitute Resolution No. 33583. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before the Council was:

Name	Address/Affiliation
Dave Flaherty	Recreation Director, Metropolitan Park District
Will Baker	809 South I Street

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

Resolution No. 33709

Authorizing the execution of a collective bargaining agreement with the International Brotherhood of Electrical Workers, Local 483, Light Division Unit, effective April 1, 1997 through March 31, 2000.

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

Speaking before the Council was:

Name	Address/Affiliation
Rick Hite	Business Manager, IBEW Local 483

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

Resolution No. 33710

Authorizing the City to proceed with Alternative 5A as the preferred remedial option for cleanup of the Thea Foss Waterway and the Wheeler-Osgood Waterway.

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

Speaking before the Council were:

Name	Address/Affiliation
Phyllis Barrett	912 South Cushman
Mike Reynolds	8002 McKinley Avenue
Dave Goughnour	5603 North Waterfront Drive
Will Baker	809 South I Street
Stephanie Lund	Citizens for a Healthy Bay
Heather Halabisky	1822 Copalis Street NE
Hank Hibbard	Commodore, Sea Explorers
Bart Madison	4611 North 25th Street
Claire Petrich	1118 East D Street

Roll call vote was taken, resulting as follows:

Ayes: 5 – Baarsma, Crowley, Kirby, Silas, and Mayor Ebersole

Nays: 2 De Forrest and Evans

Absent: 2 – McGavick and Miller

The Resolution was declared adopted.

Resolution No. 33711

Authorizing the execution of an interim agreement with Comarco, Inc., in the amount of \$50,000, to manage the Tacoma Narrows Airport through July 31, 1997.

Council Member Silas moved that the Resolution be adopted. Seconded by Deputy Mayor Baarsma. Voice vote was taken and failed with Council Member De Forrest voting in opposition and Council Members Evans, McGavick, Miller and Silas absent.

Deputy Mayor Baarsma stated that he would change his vote from "Aye" to "Nay" for reconsideration purposes next week.

The Resolution was declared failed.

Resolution No. 33711 was reconsidered later in the meeting.

Resolution No. 33713

Authorizing the execution of an amendment to the agreement with the Tacoma Housing Authority, in the amount of \$40,145, to continue implementation of the Rental Assistance Program.

Mayor Ebersole moved for a short recess.

The City Council recessed at 9:03 p.m. and reconvened at 9:12 p.m.

Deputy Mayor Baarsma moved to suspend the rules to reconsider Resolution No. 33711. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33711

Authorizing the execution of an interim agreement with Comarco, Inc., in the amount of \$50,000, to manage the Tacoma Narrows Airport through July 31, 1997.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – McGavick and Miller

The Resolution was declared adopted.

Resolution No. 33713

Authorizing the execution of an amendment to the agreement with the Tacoma Housing Authority, in the amount of \$40,145, to continue implementation of the Rental Assistance Program.

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

Resolution No. 33714

Authorizing the execution of Amendment No. 146 to the Neighborhood Preservation Program agreement with the Tacoma Community Redevelopment Authority (TCRA), allocating \$101,300 in HOME Partnership Funds and authorizing TCRA to loan funds to the Proud African American Youth Society for acquisition and improvements to the property located at 1211 South Cushman.

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

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UNFINISHED BUSINESS

Deputy Mayor Baarsma moved to authorize satisfaction of judgments of \$100,000 and \$25,000, as partial settlement in the case of Schrag et al. v. Tacoma Police Department et al. United States District Court Cause No. C95-5099 FDB. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr., stated that the City of Tacoma's Sister City of Davao sent a delegation of 35 people to Tacoma on a trade mission. He stated that in that group were people from the private sector and five city council persons. Mr. Corpuz stated that the delegation signed an agreement with Bates Vocational Technical College to provide training directly to the City of Davao via teleconferencing. He stated that they were still working on other opportunities and would be visiting six other cities. Mr. Corpuz then stated that the Mayor had suggested that March 1998 would be a good time to visit the City of Davao and consummate some additional trade opportunities and investments. He stated that the City of Davao has its annual celebration of sisterhood in the second week of March.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Silas stated she was deeply saddened by recent incidents especially the death from a drive by shooting of Cory Pittman. She expressed her sympathy to the Pittman family. She also mentioned the incidents of the rape of a nine-year-old girl and the allegation of police harassment, which the City of Tacoma is investigating. She stated that as we try to make Tacoma a livable city, there are some areas that we need to take a look at as far as the betterment of our city.

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

Council Member Kirby requested a complete report regarding the allegations of police harassment.

Council Member De Forrest stated that last Saturday he had attended the "1st year Celebration" of the Samoan American Community Services that was held at the East Side Community Center. He stated the guest speaker was Congressman Eni F. H. Faleomavaega from America-Samoa. He stated that the Salishan community should be very proud of their outstanding youth and their organizations in our community.

Deputy Mayor Baarsma extended his sympathies to the family of Cory Pittman. He stated that he hoped the Police Department can apprehend the individuals who perpetrated this tragedy.

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Deputy Mayor Baarsma stated that he had received several letters and telephone calls regarding the closure of the Point Defiance Senior Center. He requested staff to respond to the letters and report back to the City Council as to what is being done regarding this issue.

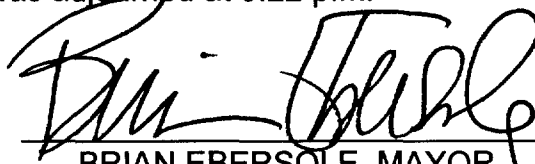
Council Member Evans said he would add his letters to the same file and would also like responses to his letter and phone calls.

Mayor Ebersole stated that he and Council Member De Forrest had represented the Council at a meeting on the Eastside, in which discussions were held on how the community can encourage more economic activity on the Eastside. He stated the meeting was well attended and he believed good things would come from it.

Mayor Ebersole stated that he had welcomed delegations from the Philippines and Vietnam this week. He stated that the City of Tacoma is receiving visitors from throughout the world on a weekly basis.

Mayor Ebersole then extended his sympathy to the Pittman family and to the other family on the Eastside who had experienced the tragedy of homicide over the weekend, as well.

On proper motion, the meeting was adjourned at 9:22 p.m.


BRIAN EBERSOLE, MAYOR

ATTEST: 
RICK ROSENBLADT, CITY CLERK