

CITY COUNCIL MINUTES

City Council Chambers
October 15, 1996

The meeting was called to order at 5:11 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 Baarsma.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of August 13, and 27, September 3, and 24, October 1, and 8, 1996 and study session minutes of May 14, 1996 through September 17, 1996, and October 8, 1996.

RESOLUTIONS

Resolution No. 33521

Setting Tuesday, November 19, 1996, at approximately 6:00 p.m., as the date for a public hearing by the City Council on the proposed amendments to the comprehensive plan and areawide zoning reclassifications.

Resolution No. 33522

Setting Tuesday, November 19, 1996, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of surplus right-of-way on the westerly side of Cedar Street abutting the residence at 3108 South 9th Street. (Troy A. Wagner; File No. 124.1043)

Resolution No. 33523

Setting Tuesday, November 19, 1996, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of surplus right-of-way on the westerly side of Cedar Street abutting the residence at 3115 South 9th Street. (Joel J. Klippert; File No. 124.1044)

Resolution No. 33524

Setting Tuesday, November 12, 1996, at approximately 6:00 p.m., and Wednesday, November 13, 1996, at 5:00 p.m., as the dates for public hearings by the City Council to consider the Biennial Budget of the City of Tacoma for 1997-1998.

ASSESSMENT ROLL:

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

L.I.D. No. 8581 for the placement of permanent pavement with storm drainage on the alley between Trafton and Steele Streets from South 8th to South 10th Streets.

Setting Monday, November 25, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Hearing Examiner agenda for October 15, 1996.
- b. Minutes of the meeting of the Landmarks Preservation Commission, September 25, 1996.
- c. Minutes of the meeting of the Planning Commission, September 16, 1996.
- d. Minutes of the meetings of the study session and of the Public Utility Board, September 11, 1996.
- e. Minutes of the meeting of the Tacoma-Pierce County Board of Health, September 4, 1996.
- f. Minutes of the public meeting of the Tacoma-Pierce County Board of Health, August 29, 1996.
- g. Minutes of the meeting of the Transportation Committee, September 12, 1996.
- h. Report of the Director of Finance, June 1996.

Council Member Evans moved that the Consent Agenda, including Resolution Nos. 33521, 33522, 33523, and 33524, be approved. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33521, 33522, 33523, and 33524, was declared approved.

Council Member Evans moved to suspend the rules to hear from a group of citizens from the neighborhood at 8th and I Streets. Seconded by Council Member Baarsma.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Judy Quackenbush	Representative for the 8th and I Streets neighborhood
Wil Baker	809 South I Street

10

REGULAR AGENDA

FINAL READING OF ORDINANCES

Ordinance No. 25938

Vacating the east 20 feet of Sheridan Avenue between South 39th and South 40th Streets to combine the vacated area with the abutting property and incorporating it into an existing lumber storage yard. (Gray Lumber Company, Inc.; File No. 124.1033)

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. 25952

Amending Chapter 13.06 of the Municipal Code to reclassify the property located on the northwest corner of Sixth Avenue and Proctor Street from a "C-1" Commercial District to a "C-2" Commercial District to allow a print shop business to continue operation. (Jeffrey W. Page (Pronto Printing); File No. REZ96-00010)

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. 25964

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

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.

Council Member Evans moved to suspend the rules to consider Resolution No. 33507 at this time. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33507

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 De Forrest moved to consider Substitute Resolution No. 33507. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to adopt Substitute Resolution No. 33507. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Substitute Resolution was declared adopted.

Council Member Miller moved to suspend the rules to consider an additional Resolution No. 33532. Seconded by Council Member Baarsma. Voice vote is taken and carried. The motion was declared adopted.

Resolution No. 33532

Appointing Lillian Warnick to the Tacoma Public Library Board of Directors for a term commencing October 26, 1996 for the remaining unexpired five-year term to expire on August 3, 2001 and until her successor is appointed.

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.

Mayor Ebersole, pursuant to the authority of RCW 35.82.040, designated and appointed Willie Stewart as a Commissioner of the Tacoma Housing Authority for a term terminating on August 31, 2001.

12

Council Member Crowley moved to suspend the rules to allow Larry Else, Wrights Park Association, to address the City Council. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Larry Else	Wrights Park Association

FIRST READING OF ORDINANCES

Ordinance No. 25967

Amending Chapter 1.30 of the Municipal Code relative to retirement and pensions to provide benefit improvements to plan participants; reduce contributions by employees, the City and member Public Agencies; and to update the Retirement Board composition.

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Joe Cockrell	Retired City Employee
Karen Place	Business Representative, Local 17
William Smith	131 East 70th Street

The Ordinance was set over for final reading next week.

Ordinance No. 25968

Accepting a conveyance deed to the former "National Guard Real Property" on Ruston Way at 3009 North Starr Street and authorizing the proper recording of the quitclaim deed.

The Ordinance was set over for final reading next week.

Ordinance No. 25969

Authorizing the sale and issuance of Electric System Revenue Refunding Bonds, in the amount of \$110,000,000, for the advance refunding of all or a portion of the City's Electric System Revenue Bonds, Series 1991A, 1991B and 1991C.

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Nancy Neraas	Bond Counsel for Preston, Gates and

Ellis

The Ordinance was set over for final reading next week.

RESOLUTIONS

Resolution No. 33495 (Continued from the meeting of October 1, 1996.)

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

Speaking before the Council was:

Name	Address/Affiliation
Tom Aldrich	Site Manager, ASARCO Inc.
Michael Transue	Mayor, Town of Ruston

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

Resolution No. 33496 (Continued from the meeting of October 1, 1996.)

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.

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

Resolution No. 33520 (Continued from the meeting of October 8, 1996.)

Approving the revised General Government Fee Schedule for Special and Miscellaneous Services.

Council Member Miller moved to continue Resolution No. 33520 to the meeting of October 22, 1996, per the request of staff. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33520 will be considered at the regular City Council meeting of October 22, 1996.

14

Purchase Resolution No. 33525

Awarding contracts to:

1. GMT, Inc., on its bid of \$100,460, for citywide hazardous sidewalk replacement - State Aid No. SA2492, Federal Aid No. STPE-EN94(005), Specification No. G-246-96; and
2. Hyster Sales, in the amount of \$73,852.30, to increase the contract for solid rubber tires for front loader vehicles - Specification No. G-017-96.

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

Resolution No. 33507

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.

This Resolution was considered earlier in the meeting.

Resolution No. 33526

Authorizing the execution of agreements with the following firms for investment counseling services and/or custodial services: Davis Wright Tremaine in the amount of \$25,000 through December 31, 1996; Denver Investment Advisors, Inc., in the amount of \$50,000 through December 31, 1996; Bankers Trust Company, in the amount of \$161,000 for the period of January 1, 1997 through December 31, 1997; Denver Investment Advisors, LLC, in the amount of \$460,000 for the period of January 1, 1997 through December 31, 1997; Edinburgh Fund Managers plc, in the amount of \$315,000 for the period of January 1, 1997 through December 31, 1997; Frank Russell Trust Company, in the amount of \$250,000 for the period of January 1, 1997 through December 31, 1997; Frank Russell Company, in the amount of \$48,000 for the period of January 1, 1997 through December 31, 1998; Scudder, Stevens & Clark, Inc., in the amount of \$250,000 for the period of January 1, 1997 through December 31, 1997; The Northern Trust Company, in the amount of \$104,405 for the period of January 1, 1997 through December 31, 1997; and Milliman & Robertson, Inc., in the amount of \$75,000 for the period of January 1, 1997 through December 31, 1997.

Council Member Crowley moved to waive further reading of the title and that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 33527

Authorizing the execution of interlocal cooperative purchasing agreements with the cities of Bremerton, Everett, Fife, Lynnwood, Mercer Island, Mount Vernon, Puyallup, Richland, SeaTac, Seattle, Shelton, Snohomish, and Yakima, Washington; the counties of Grant, King, Kitsap, Pierce, Thurston, and Yakima, Washington; and the Metropolitan Park District of Tacoma; Pacific County P.U.D. No. 2, Pierce Transit, Tacoma-Pierce County Health Department, Tacoma School District No. 10, State of Washington Department of Information Services, and State of Washington Department of General Administration; relative to the purchase of items following competitive bidding procedures.

Council Member Crowley moved to waive further reading of the title. Seconded by Deputy Mayor Silas. Voice vote was taken and carried. The motion was declared adopted.

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. 33528

Authorizing the execution of an agreement with the Tacoma Housing Authority, in the amount of \$224,541, for the implementation of a Rental Assistance Program in accordance with the 1996 HOME Program.

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

Resolution No. 33529

Authorizing the execution of a purchase and sale agreement with PQ Corporation, in the amount of \$100,000, for the property located between Alexander Avenue and Taylor Way, south of 11th Street, for the purpose of mitigating environmental impacts to the Commencement Bay Region.

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

Resolution No. 33530

Authorizing the execution of a note in the amount of \$20,000, accepting legal title to the Haire property located in the Swan Creek drainage basin; and executing documents necessary to facilitate the transfer of the property to the City for open space.

16

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

Resolution No. 33531

Approving the issuance of a Port Facility Revenue Refunding Bond, in the amount of \$17,245,000, for the refunding of bonds issued in 1984 to Sea-Land Service, Inc.

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

Speaking before the Council was:

Name	Address/Affiliation
Susan Suess	Tacoma-Pierce County Economic Development Board

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 the Mayor, a number of Federal Trustees, and the State of Washington did an excellent job of hosting the celebration last week relative to the Natural Resource Damage Assessment and recognizing the people that were involved in that project. He then thanked the City Council and Mayor, as well as Karen Larkin, Public Works Department, Bob Betcone, Legal Department, Greg Zentner, Utility Services, and others, who spent 3-1/2 years negotiating the settlement. He then stated that this adds to the leading edge that Tacoma has produced over the last few years in addressing this environmental stewardship along with balancing economic growth. City Manager Corpuz stated this is changing the image of Tacoma in a very positive way and that the City is getting many national and state recognitions.

City Manager Ray E. Corpuz, Jr., then stated that last month the City had secured the Deming proposal. He stated that the training involved is scheduled for either November 13 and 14 or November 14 and 15, for up to 100 community leaders along with the City Council in some of the Deming philosophy that would help develop leadership and skills in how to solve some of the more pressing social problems. He

then stated that Council Members Evans and Baarsma had expressed interest and that he hoped the rest of the Council would be able to take part in that training.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Kirby reminded his colleagues and City Council that the practice of suspending the rules in order to allow certain community groups to address the Council is kind of a "slippery slope." He stated that although he had no problem with what and why things were said, the rule that they had talked about was one in which citizens are to request to be heard in writing to the Mayor by the Friday before the Council meeting. He stated that he believed that, should the Mayor feel that a citizen has a legitimate purpose, the Mayor would then have it put on the agenda. Council Member Kirby believed that what took place tonight was a very substantial deviation from the rules and the way the City Council operates. He then stated that the Council received a little taste of why it is that we do not just arbitrarily suspend the rules. He stated that he wanted to point out that the rules are in place for a very good reason and that they should be tightened up in the future. Council Member Kirby also stated that he wished to welcome back Mr. Bill Pugh, Public Works Director.

Council Member Evans stated that the people who addressed the Council tonight were advised, and chose not to, make their requests in writing. Council Member Evans stated that, since they have Roberts Rules of Order which allows for such a privilege on occasion, he thought it was time well spent and the corrective action was effective.

Deputy Mayor Silas moved to cancel the City Council meetings of December 24 and December 31, 1996. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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



BRIAN EBERSOLE, MAYOR



RICK ROSENBLADT, CITY CLERK

ATTEST:

18