



City Council Minutes

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

July 17, 2001

The meeting was called to order at 5:08 p.m.

Present on roll call: 7 – Dahl, Evans, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley. Absent: 1 – McGavick.

The Flag Salute was led by Deputy Mayor Phelps.

Mayor Crowley paid tribute to Council Member Dave De Forrest who passed away July 11, 2001.

The City Council recessed at 5:32 p.m. and reconvened at 5:45 p.m.

CONSENT AGENDA

Approval of the minutes of the City Council study session of July 10, 2001.

RESOLUTIONS

Resolution No. 35209

Setting Tuesday, August 14, 2001, at 9:00 a.m., as the date for a hearing by the Hearing Examiner, on the request to vacate a portion of South 18th Street, between Martin Luther King, Jr. Way and South L Streets; and South 18th Street, between South L and South M Streets, for new home construction. (Homeownership Center of Tacoma; File No. 124.1148)

Resolution No. 35210

Approving the final plat for TRUMAN HEIGHTS, an 18-lot subdivision, located west of North Shirley Street between North 35th and North 37th Streets. (Lark Development; File No. PLT2001-00006)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Art Commission, June 11, 2001.
- b. Minutes of the Committee of the Whole, July 10, 2001.
- c. Minutes of the Redistricting Committee, June 19, 2001.
- d. Minutes of the Rainier Communications Commission, May 16, 2001.
- e. Amended 2001 and 2002-2007 Six-Year Comprehensive Transportation Program, adopted June 19, 2001.

Deputy Mayor Phelps moved that the Consent Agenda, including Resolution Nos. 35209 and 35210, be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 35209 and 35210, was declared approved.

R E G U L A R A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS

Resolution No. 35211

Appointing individuals to the Tacoma Community Redevelopment Authority and the Planning Commission/Development Community designation.

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

FINAL READING OF ORDINANCES

Ordinance No. 26811

Vacating the south four feet of South Ninth Street west of South Stevens Street to allow an existing storage building and fence to be located within the petitioner's property. (John Schiller; File No. 124.1142.)

Roll call vote was taken, resulting as follows:

Ayes: 6 – Dahl, Evans, Miller, Moss, Scarbrough, and Mayor Crowley

Nays: 1 – Phelps (in honor of Council Member De Forrest)

Absent: 1 – McGavick

The Ordinance was declared passed.

10

Ordinance No. 26829

Granting a non-exclusive Franchise to the Pierce Transit Authority to construct, install, operate, own, control, repair, and maintain bus shelters within the City of Tacoma.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Dahl, Evans, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 1 - McGavick

The Ordinance was declared passed.

Ordinance No. 26831

Amending Chapter 12.09 of the Municipal Code, to remove the \$2 per-month service charge for semi-automated yard waste containers and provide the service at no additional cost.

Ayes: 7 – Dahl, Evans, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 1 - McGavick

The Ordinance was declared passed.

Ordinance No. 26832

Authorizing the execution of an interlocal agreement with the Washington State Department of Social and Health Services, Division of Child Care and Early Learning; accepting, depositing in and appropriating \$351,452 from the Miscellaneous Grants Summary Fund to support child care resource and referral services.

Ayes: 7 – Dahl, Evans, Miller, Moss, Phelps, Scarbrough, and Mayor Crowley

Nays: 0

Absent: 1 - McGavick

The Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 26834

Amending Chapter 13.06 of the Municipal Code to reclassify the property located between South 56th and South 64th Streets, bound on the east by Tacoma Mall Boulevard and on the west by South Wapato Street, from an "R-3-PRD" Two-Family Planned Residential Development District and "C-P-C" Planned Community Shopping Center District to an "R-2" One-Family Dwelling District to allow the zoning to be consistent with the low-intensity comprehensive plan designation of the site. (City of Tacoma; File No. REZ2001-00003)

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

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

Ordinance No. 26835

Vacating the east 20 feet of West Union Avenue between South 17th and South 18th Streets (High Five, L.L.C.; File No. 124.1122) and West Union Avenue between South 18th and South 17th Streets (Chaffey Homes, Inc.; File No. 124.1143) for commercial development.

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

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

Ordinance No. 26836

Authorizing the City Clerk to participate with the Pierce County Auditor in the preparation of the local voters' pamphlet prepared by Pierce County for the primary election of September 18, 2001, and in the preparation of local voters' pamphlets for any future primaries, special elections, and general elections.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35212

Awarding a contract to:

Harlow Construction Co., Inc., on its bid of \$173,765.55, for two-inch asphalt surface treatment and sanitary sewer replacement – Specification No. G-219-01.

Deputy Mayor 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.

12

Resolution No. 35213

Authorizing the execution of a two-year agreement with the Tacoma-Pierce County Convention and Visitors Bureau to provide assistance in furthering the City's convention and tourism industry.

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

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Ruthie Reinert	Tacoma-Pierce County Sports Commission
Brad Moyer	Tacoma-Pierce County Sports Commission

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

Resolution No. 35214

Authorizing the execution of an interlocal agreement with the City of Fife and David Evans and Associates, Inc., in the amount of \$10,000, to improve the entrance at the intersection of Highway 99 and Milwaukee Way.

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

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Peter Evans	David Evans and Associates, Inc.

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

Resolution No. 35215

Authorizing the execution of the proposed amendment to the Agreed Order No. DE 93TC-S166 to split the Coal Tar Gasification site into two separate and distinct sites on the Thea Foss Waterway as requested by the Washington State Attorney's Office and Washington State Department of Ecology.

Deputy Mayor 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. 35216

Authorizing the execution of a Quitclaim Deed and Easement to B.C. Bremmeyer Inc. for realignment of a section of the Second Supply Pipeline.

Deputy Mayor 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. 35217

Authorizing the execution of Amendment No. 210 to the Tacoma Community Redevelopment Authority (TCRA) Agreement, authorizing TCRA to loan \$727,408 of 27th Year Community Development Block Grant Funds and \$1,350,205 of 2001 HOME Investment Partnership funds to housing development organizations that provide shelter, transitional housing, and permanent rental and homeownership.

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

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Jack Pleasant	2540 South I Street
Donna Bankston	2500 Block of South J Street

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

Resolution No. 35218

Amending the Asarco Tacoma Smelter Redevelopment Definitive Agreement, dated September 25, 1996, to add residential use as an appropriate additional element of post-remediation site development; revise the Definitive Agreement, the Master Development Plan, and the Environmental Impact Statement; create a Site Development Authority (SDA) to carry out the amended Master Development Plan; amend Section 8.6 of the Definitive Agreement to permit use of Public Development Authority funds to be used by the SDA for activities, improvements, costs, and expenses associated with development of the site; and appoint Council Member Doug Miller as the City's representative to the Site Development Authority.

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

Resolution No. 35219

Authorizing the execution of an agreement with Augustus Barnett Advertising Design, in the amount of \$150,000, to create and implement an advertising campaign for the City.

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

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Jack Pleasant	2540 South I Street

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

14

Resolution No. 35220

Directing the City Manager to evaluate traffic operations of the Tacoma Police Department and report to the City Council on possible enhancement and prioritization of traffic enforcement; to explore distribution of traffic fines for the improvement of pedestrian and vehicular traffic conditions, and to review the schedule of traffic fines for traffic infractions to encourage compliance with traffic laws and ordinances.

Deputy Mayor Phelps moved to amend Resolution No. 35220 by changing the name of the task force from “Walkable Community Task Force” to the “Tacoma Mobility Task Force.” Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Phelps moved that the Resolution, as amended, be adopted. Seconded by Council Member Miller.

Speaking before Council were:

<u>Name</u>	<u>Address/Affiliation</u>
John Trueman	Old Town Business and Professional Association
Carol Sloman, Chair	Northend Neighborhood Council
Skip Vaughn, Chair	South Tacoma Neighborhood Council
Phyllis Barrett	912 South Cushman Avenue

Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

UNFINISHED BUSINESS

None.

REPORTS BY CITY MANAGER

City Manager Ray E. Corpuz, Jr. introduced Nancy Johnson, TV Tacoma, as the current Special Assistant in the City Manager’s Office.

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

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

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

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

The City Council convened to Executive Session at 6:52 p.m. and reconvened at 7:01 p.m.

15

Deputy Mayor Phelps moved to authorize final settlement in the case of *Whitmer, et al. v. Yuk and City of Tacoma, et al.* for the sum of \$850,000. Seconded by Council Member Dahl. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Phelps moved to authorize appeal of the Summary Judgment Orders in the matter of *City of Port Orchard, City of Tacoma, et al. v. Department of Retirement Systems, State of Washington, et al.* Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:12 p.m.



MIKE CROWLEY, MAYOR

ATTEST: 

DORIS SORUM, CITY CLERK

11e