

# CITY COUNCIL MINUTES

City Council Chambers  
March 19, 1996

The meeting was called to order at 5:10 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 Crowley.

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## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of February 6, 13, and 20, 1996.

### RESOLUTIONS:

#### Resolution No. 33326

Setting Monday, April 8, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on L.I.D. No. 8597 for the placement of permanent pavement with storm drainage on the alley between North 28th and North 29th Streets from North McCarver to North Carr Streets.

#### Resolution No. 33327

Setting Tuesday, April 23, 1996, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the alley west of South Fife Street north of South Tacoma Way adjacent to 2705 South Tacoma Way to allow freight trucks to use the alley to access a new building. (Performance Radiator; File No. 124.1031)

#### Resolution No. 33328

Approving the final plat for COURTNEY PLACE, located in the vicinity of South 94th Street and South Ainsworth Avenue, for the development of a five-lot subdivision. (Parthenon Construction; File No. PLT96-00001)

APPEALS:

Patricia S. Lowry appealing the recommendation of the Hearing Examiner relative to the formation of L.I.D. No. 8589 and the boundaries thereof.

Setting Tuesday, April 23, 1996, at approximately 6:00 p.m., as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Appointments Committee, February 26, 1996.
- b. Minutes of the meeting of the Tacoma Arts Commission, February 12, 1996.
- c. Minutes of the meeting of the Landmarks Preservation Commission, February 28, 1996.
- d. Minutes of the meeting of February 7, 1996, and study sessions of February 1 and 9, 1996, of the Tacoma-Pierce County Board of Health.
- e. Minutes of the meeting of the Commission on Children, Youth and Families, February 15, 1996.
- f. Total Services Delivery Reports for the Tacoma-Pierce County Humane Society, November and December 1995.
- g. Citizens' petition in support of the Tacoma Police Department's Personally-Assigned Vehicle Program.
- h. Hearing Examiner report of workload for 1995.
- i. Washington State Auditor's Report for the Law Enforcement Support Agency, January 1, 1993, through December 31, 1994.

Council Member Evans moved that the Consent Agenda, including Resolution Nos. 33326 through 33328, be approved. Seconded by Deputy Mayor Silas.

Council Member De Forrest amended page 4 of the February 6, 1996, minutes under Resolution No. 33296 to reflect that he was absent.

Voice vote was taken and carried on the Consent Agenda, including Resolution Nos. 33326 through 33328 and amending the February 6, 1996, minutes. The Consent Agenda, including Resolution Nos. 33326 through 33328, and the amended February 6, 1996, minutes was declared approved.

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**REGULAR AGENDA**

**FINAL READING OF ORDINANCES:**

**Ordinance No. 25869**

Repealing Ordinance Nos. 25542 and 24153 and enacting a new ordinance for the use of the Employee Benefits Funds.

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. 25870**

Appropriating \$303,110.08 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau for underwriting losses for the fourth quarter of 1995.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Silas.

Nays: 0

Abstaining: 1 - Mayor Ebersole

The Ordinance was declared passed.

Ordinance No. 25871

Amending the Pay and Compensation Plan relative to the public transportation subsidy program and to implement rates of pay and compensation for represented and unrepresented employees.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 1 - Crowley.

The Ordinance was declared passed.

Ordinance No. 25872

Accepting a grant award from the United States Department of Justice, Office of Community Oriented Policing Services, in the amount of \$825,000; depositing said sum in the Miscellaneous Grants Summary Fund; transferring up to \$1,387,463 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$2,212,463 from the Miscellaneous Grants Summary Fund; and authorizing the execution of agreements with the Department of Justice to implement the Community Oriented Police (COPS) Universal Hiring Grant to support the Community Oriented Policing Program.

Mayor Ebersole moved to amend Ordinance No. 25872 by adding Section 4 stating "That a majority of the 11 full-time police officers shall be formed into a gang unit and their efforts dedicated to combating gang activity in the City of Tacoma." Seconded by Council Member McGavick.

After discussion of the amendment, Mayor Ebersole withdrew the motion to amend Ordinance No. 25872.

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.

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FIRST READING OF ORDINANCES:

Ordinance No. 25873

Vacating that portion of South 54th Street abutting the I-5 turnback to consolidate properties and allow for future commercial development. (Mrs. Vien Floyd; File No. 124.1028)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Baarsma. 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. 25874

Accepting a donation of \$3,538.54 plus interest from the Tacoma Area Task Force on Disabilities; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund to support the activities of the Tacoma Area Task Force on Disabilities.

Speaking before the Council was:

<u>Name</u>	<u>Address</u>
Louise Batchelor	5314 North 46th Street

The Ordinance was set over for final reading next week.

Ordinance No. 25875

Authorizing the execution of a grant award agreement with the U.S. Equal Employment Opportunity Commission in the amount of \$50,600; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for processing 99 cases involving discrimination.

The Ordinance was set over for final reading next week.

Ordinance No. 25876

Authorizing the execution of a grant agreement with the Washington State Department of Ecology; accepting and depositing \$833,060 for recycling and hazardous waste programs.

The Ordinance was set over for final reading next week.

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**RESOLUTIONS:**

**Purchase Resolution No. 33329**

Awarding contracts to:

1. Smith Tractor and Equipment Company, in the amount of \$123,021.11, for one (1) bucket loader - Yakima County Bid No. C-95-0W;
2. San Diego Police Equipment Company, on their bid of \$58,076.92, and Farwest Sports, dba Sports Service, on their bid of \$1,877.46, for ammunition - Specification No. G-018-96;
3. VWR Scientific Products, on their bid of ~~\$94,418.73~~, \$91,118.73 for laboratory chemicals and supplies - Specification No. G-063-95; and
4. Emmett Koelsch Coaches, Inc., on their bid of \$94,190.59, for two (2) 16-passenger 14,000 GVW mini-buses - Specification No. G-006-96.

Council Member Miller moved to suspend the rules to consider Substitute Exhibit A and amend the title to the Resolution to reflect the correction of a typographical error. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved that the Purchase Resolution, including Substitute Exhibit A, be adopted. Seconded by Deputy Mayor Silas.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including Substitute Exhibit A, was declared adopted.

**Resolution No. 33330**

Authorizing the execution of a Real Estate Purchase and Sale Agreement with CITIFOR, Inc., in the amount of \$635,000, for the purchase of 1,440 acres of forest land located in the Green River Watershed to enlarge the controlled area and enhance the quality of the water supply.

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

Speaking before the Council was:

<b>Name</b>	<b>Address</b>
Louise Batchelor	5314 North 46th Street

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

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**Resolution No. 33331**

Authorizing the execution of an agreement with Mr. K. Michael Jennings of McGavick Graves, in the amount of \$60,000, for outside legal services relating to the appeal of Bass v. City of Tacoma.

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. 33332**

Directing the City Manager to commence the pilot project study of the Police Assigned Vehicle Pilot Program.

Council Member Evans moved to suspend the rules to consider Substitute Resolution No. 33332. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before the Council were:

<b>Name</b>	<b>Address</b>
Louise Batchelor	5314 North 46th Street
Phyllis Barrett	912 South Cushman
Skip Vaughn	7634 South Fife
Mozzella Pooley	8041 East Sherwood

Roll call vote was taken, resulting as follows:

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

Nays: 2 - Miller and Silas.

The Substitute Resolution was declared adopted.

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**PUBLIC HEARINGS AND APPEALS:** (Began at 6:35 p.m.)

**AMA Holdings** appealing the decision of the Hearing Examiner on the request to reclassify the property located at the southwest corner of Sprague Avenue and South 15th Street from a "C-1" Commercial District to a "C-2" Commercial District to allow for the construction of a commercial/retail drive-through facility. (James A. Knight; File No. 120.1399)

Mr. Rod Kerslake, Hearing Examiner, spoke regarding his decision relative to the reclassification.

Mr. Loren Combs, Attorney representing AMA Holdings, presented reasons for the appeal.

Council Member Miller moved to continue the appeal to the meeting of March 26, 1996. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The Appeal will be considered at the March 26, 1996, meeting.

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**Resolution No. 33333**

Supporting the passage of Pierce County's Proposition One at the special election to be held on March 26, 1996, entitled:

"Shall Pierce County be authorized to fix and impose a sales and use tax at a rate equal to one-tenth of one percent, with the proceeds of the tax to be used exclusively for jail and juvenile detention facility acquisition, design, construction, operation and maintenance?"

Council Member Evans moved to adopt Resolution No. 33333. Seconded by Council Member Baarsma.

Speaking before the Council were:

<b>Name</b>	<b>Address</b>
Louise Batchelor	5314 North 46th Street
Skip Vaughn	Chair, South Tacoma Neighborhood Council
Will Baker	809 South I Street
Phyllis Barrett	912 South Cushman



Roll call vote was taken, resulting as follows:

Ayes: 6 – Baarsma, Crowley, Kirby, McGavick, Miller and Mayor Ebersole.

Nays: 3 - De Forrest, Evans and Silas.

The Resolution was declared adopted.

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UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. reported that each year the City presents the Annual City of Destiny Awards to recognize the importance of volunteer service and outstanding contributions by individuals and groups. Mr. Corpuz stated that applications are now being accepted through April 19, 1996, and encouraged citizens and groups to participate. He then stated that for more information, citizens and groups may contact Mary Morrison of the Community Relations Division at 591-5066. Mr. Corpuz reported that several meetings have been scheduled with the community, the Police Department, the Police Union and Community Leaders regarding the recruitment of the Police Chief. He stated that individuals interested in expressing their thoughts regarding the Police Chief's appointment can do so at the meetings on Monday, March 25, at 7:00 p.m., at Jason Lee Middle School and on Tuesday, March 26, at 7:00 p.m., at the Lighthouse Senior Center. Mr. Corpuz then requested an Executive Session, to consider the sale of real estate, not to exceed 45 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Silas moved to excuse Council Member Miller from the meeting of March 12, 1996. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest clarified that the Lighthouse Senior Center was located on South 50th and A Streets. Council Member De Forrest stated that East Tacoma lost one of its finest citizens, Mr. Bill Factory. Council Member De Forrest then reminisce stating that he first met Mr. Factory over 20 years ago at Tacoma Community College. He indicated that Mr. Factory had retired from the military and settled in Tacoma. He then stated that Mr. Factory loved this city, fought hard to make our

neighborhoods safer and was involved in many organizations making life better for all citizens of Tacoma. He stated that when Mr. Factory spoke before the Council he always had a good reason and spoke very clearly. Council Member De Forrest continued by describing Mr. Factory as a good listener and having a contagious smile. He then stated that he knows all of Tacoma is going to miss Mr. Factory. Council Member De Forrest stated that the funeral is Saturday and hoped all would have the opportunity to pay their respects to his family. He then expressed his deepest sympathies to Mr. Bill Factory's entire family and thanked him for being a Tacoman.

Mayor Ebersole stated that Council Member De Forrest would be at the funeral services as the official City representative.

Council Member Baarsma agreed that Mr. Factory was a true Tacoma citizen, dedicated to his home town and stated that Council Member De Forrest's comments were very eloquent and reflected the sentiments of all of the City Council Members. Council Member Baarsma then commented on an article that appeared in the newspapers regarding the relationship that Tacoma Community College has entered into with the University of Washington, Tacoma Branch Campus. He stated that this new relationship will guarantee admission for the traditional community college students pursuing an Associate of Arts degree to the University of Washington, Tacoma Branch Campus, to continue their college work for a baccalaureate degree in liberal studies. Council Member Baarsma then stated that a representative from the University of Washington indicated to him that, as we approach the year 2000, we may see as many as 70 percent of the students at the University of Washington, Tacoma Branch Campus, as day-time students. He commented that if you think about that for a moment you can begin to see the true impact for our downtown and our community. Council Member Baarsma then thanked Mayor Ebersole for being one of the key players in making the University of Washington, Tacoma Branch Campus, a reality for Tacoma.

Mayor Ebersole reported that Tacoma Community College has moved into the Sprague Building which is just 250 yards from the University of Washington, Tacoma Branch Campus.

Deputy Mayor Silas commented on an article in the newspaper regarding the finalist for the Superintendent of Schools for the Tacoma School District. Deputy Mayor Silas encouraged all who received notices to come out and ask the questions to make sure that we have the type of educator that will take our boys and girls into the 21st Century. Deputy Mayor Silas gave her condolences to the family of Bill Factory. She stated that she had known him for over 20 years and described him as a very nice and fair person.

Mayor Ebersole noted that there are 3,000 employees that work for the Tacoma Public School District and not a single finalist among the six was chosen from within the

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school district. He encouraged the Tacoma School Board to reconsider and look at candidates, particularly Dan Barley, who are in their midst.

Council Member Evans stated that there had been some discussion in the past about a Municipal Jail. He requested information as to whether that will be pursued. Council Member Evans then requested more information regarding the Chinese Reconciliation site located on the edge of the bay just short of Old Town and Burlington Northern trying to lease 19,000 square feet of that area.

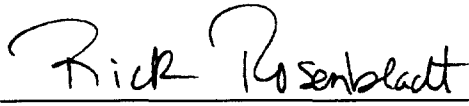
Council Member Miller moved to convene to Executive Session, to consider the sale of real estate, not to exceed 45 minutes. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Council recessed to Executive Session at 8:20 p.m. At 9:05 p.m., Mayor Ebersole announced that Executive Session would be extended an additional 25 minutes. The Council reconvened at 9:15 p.m.

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On proper motion, the meeting was adjourned at 9:15 p.m.

  
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BRIAN EBERSOLE, MAYOR

ATTEST:   
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RICK ROSENBLADT, CITY CLERK