



City Council Minutes

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

March 25, 2003

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

Council Members Present: 9 ~ Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Phelps, Talbert, and Mayor Baarsma.

The Flag Salute was led by Council Member Talbert.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Joint Municipal Action Committee, January 17, 2003.
- b. Minutes of the Public Utility Board study session and meeting, February 26, 2003.
- c. Minutes of the Tacoma Area Task Force on Disabilities, February 27, 2003.
- d. Minutes of the Tacoma Community Redevelopment Authority, December 5, 2002 and February 13, 2003.
- e. Minutes of the Planning Commission, March 5, 2003.

C O N S E N T A G E N D A

Approval of the minutes of the City Council meetings of February 18 and February 25, 2003.

ASSESSMENT ROLLS

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

- Local Improvement District No. 2632 for the placement of two-inch asphalt surface treatment and necessary facilities for storm drainage on 27th Street NE from 55th to 56th Avenues NE and 27th Street NE from 56th to 57th Avenues NE;
- Local Improvement District No. 2633 for the placement of two-inch asphalt surface treatment and facilities for storm drainage on Wilkerson Street from South 42nd to South 43rd Streets, Hosmer Street from South 45th to South 46th Streets, and North 33rd Street from Verde to Cheyenne Streets;

- Local Improvement District No. 2634 for the placement of two-inch asphalt surface treatment and facilities for storm drainage on North Whitman Street from North 50th Street north approximately 225 feet; and
- Local Improvement District No. 8624 for the placement of permanent pavement with storm drainage on East N Street from East 55th to East 56th Streets and on Harrison Street from East J to East K Streets.

Setting Monday April 14, 2003, at 5:00 p. m. as the date for a hearing by the Hearing Examiner.

RESOLUTIONS

Resolution No. 35790

Setting Tuesday, April 8, 2003, at approximately 5:30 p.m., as the date for a public hearing by the City Council regarding the sale of 90 square feet of the Elk Plain Substation located at 46th Avenue East in Pierce County, to Pierce County for \$1,000.

Resolution No. 35791

Setting Monday, April 14, 2003, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on Local Improvement District No. 3963, for placement of sanitary sewers in the greenbelt approximately 625 feet west of Alaska Street between South 92nd and South 93rd Streets and east on 93rd Street approximately 380 feet.

Resolution No. 35792

Setting Tuesday, April 29, 2003, at 9:30 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the west 12.5 feet of Lot 14 near South 74th and South J Streets, in the plat of "Gray's Tacoma Avenue Addition," to increase landscaping areas abutting a residence. (Clarence Walden; File No. 124.1187)

Resolution No. 35793

Setting Tuesday, April 29, 2003, at 9:30 a.m., as the date for a hearing before the Hearing Examiner on the request to vacate a portion of the alleyway lying between South J and South I Streets; from South 21st Street north approximately 312.1 feet for future expansion of existing church facilities. (St. John's Baptist Church; File No. 124.1186)

Resolution No. 35794

Setting Tuesday, April 29, 2003, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of North Park Avenue and the alleyway for future expansion by Franke Tobey Jones Retirement Campus (Franke Tobey Jones; File No. 124.1188)

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Deputy Mayor Moss moved that the Consent Agenda, including Resolution Nos. 35790 through 35794, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 35790 through 35794, was declared approved.

RECOGNITION

Mayor Baarsma recognized Mr. Glen Whaley, president of the Daffodil Festival. Mr. Whaley introduced Angie Voiles, Daffodil Festival Queen, Sumner High School, who then presented each of the Daffodil Princesses.

PROCLAMATIONS

Mayor Baarsma presented the following proclamations to Mr. Chuck Cook, Board Member of the Highland Games Board of Directors and National Tartan Day Association:

June 25-29, 2003, as "Clan Graham Days" and June 28, 2003, as "Scottish Heritage Day.

RECOGNITION

Mayor Baarsma presented Certificates of Achievement in Leadership from the National League of Cities to Deputy Mayor Moss and Council Member Miller.

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

FINAL READING OF ORDINANCES

Ordinance No. 27030

Amending Chapter 13.06 of the Municipal Code to reclassify the property located at the southeast corner of the intersection of Norpoint Way NE and 31st Street NE at 2921 Norpoint Way, from an "R-2" One-Family Dwelling District to a "T" Transitional District for the construction of three duplex units. (Landmark Homes, Inc.; File No. REZ2002-00001)

Roll call vote was taken, resulting as follows:

Ayes: 7 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, and Mayor Baarsma

Nays: 0

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Absent: 2 – Phelps and Talbert

The Ordinance was declared passed.

Ordinance No. 27035

Amending Chapter 13.06 of the Municipal Code to reclassify 62 parcels in the vicinity of St. Joseph's Hospital, from multiple zoning districts ("R-3" Two-Family Dwelling District, "R-4" Multiple-Family Dwelling District, "R-5" Multiple-Family Dwelling District, "C-1" and "C-2" Commercial Districts and "T" Transitional District) to the "HM" Hospital-Medical District to bring the zoning into compliance with the existing use of the properties for medical center purposes. (Franciscan Health System; File No. REZ2002-00003)

Deputy Mayor Moss moved as a substitute, Substitute Ordinance No. 27035. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Evans, Ladenburg, Lonergan, McGavick, Miller, Moss, Talbert, and Mayor Baarsma

Nays: 0

Absent: 1 – Phelps

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES

Ordinance No. 27068

Vacating a portion of South 41st Street east of South Prospect Street and west of East Houghton Way for the construction of an apartment complex. (T.M. Apex Enterprises Joint Venture; File No. 124.1181)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 27069

Vacating a portion of East Q Street south of East 66th Street for the construction of four single-family homes. (Kevin Griffin; File No. 124.1180)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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.

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Ordinance No. 27070

Vacating a portion of North Highland Street from Ruby Street north to the Tacoma/Ruston city limits, for construction of a single-family residence. (Harold Smith; File No. 124.1172)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 27071

Vacating a portion of East N Street located north of East 63rd Street and south of the alley between East 63rd and East 62nd Streets for an additional building site. (Gordon Eklund; File No. 124.1176)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 27072

Vacating a portion of Thurston Place, located east of Oregon Avenue, to expand the storage area for business activities. (Titus Will Enterprises; File No. 124.1177)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 27073

Vacating a portion of South Alder Street between South 47th and South 45th Streets to remodel and update 80 existing apartment units and construct an additional 45 apartment units. (Dobler Management Co., Inc.; File No. 124.1173)

Deputy Mayor Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member McGavick. 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. 27074

Providing for the issuance and sale of Conservation System Project Revenue Bonds 2003 for Bonneville Power Administration conservation projects, in an amount not to exceed \$20,000,000, to realize debt service savings of approximately \$1,500,000 over the 1994 debts.

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street, Apt. 1A

The Ordinance was set over for final reading next week.

Ordinance No. 27075

Amending Chapter 1.12 of the Municipal Code to implement provisions negotiated with the International Brotherhood of Electrical Workers, Local 483; and the Tacoma Fire Fighters Union, Local 31, and clarifying language within said Chapter.

The Ordinance was set over for final reading next week.

RESOLUTIONS

Purchase Resolution No. 35795

Awarding contracts to:

1. Nichols Truck Tire Center, on its bid of \$222,317.00, for recapped tires and tire services – Specification No. G-003-03;
2. American Neon, Inc., on its bid of \$74,541.00, for four electronic reader boards for the Fire Department at Fire Stations No. 3, located at 306 Browns Point Blvd; No. 8, located at 4911 South Alaska; No. 13, located at 3925 North 25th Street; and No. 16 located at 7217 6th Avenue – Specification No. G-001-03;
3. DEVCO General Contracting Inc., on its bid of \$75,920.50, for the construction of the Parcel 3 Esplanade - Intertidal Grading and Planting – Phase III – Specification No. G-202-03; and
4. PRC Public Sector, Inc., in the amount of \$91,939.96, for hardware and software maintenance services for the Fire Department's Computer Aided Dispatch System.

Deputy Mayor Moss moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 4, be adopted. Seconded by Council Member McGavick.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 4, was declared adopted.

Resolution No. 35796

Authorizing the execution of amendments to the professional services agreements with:

- Methodologie, Inc, in the amount of \$5,000, for a total of \$55,000; for graphics services; and
- W.J. Brown Consulting, in the amount of \$20,000, for a total of \$70,000, for multimedia services for sales and marketing the new Tacoma Convention and Trade Center.

Deputy Mayor Moss moved that the Resolution be adopted. Seconded by Council Member McGavick.

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Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street, Apt. 1A

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

Resolution No. 35797

Declaring surplus a certain easement for the Second Supply Pipeline Project located between Thomas Road and 188th Avenue, Kent, King County, WA and releasing said easement to James Hagen for \$6,648.90.

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

Resolution No. 35798

Approving the sale of surplus property located near 176th Avenue SE, Kent, King County, WA, to Dan Loholt, for \$7,000.

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

Resolution No. 35799

Authorizing the execution of Amendment No. 2 to the Agreement for Legal Services with Stafford Frey Cooper, in the amount of \$50,000, for a total amount of \$162,750 for the case of Lowry, et al. v. City of Auburn, City of Tacoma, et al.

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

Resolution No. 35800

Authorizing the release of a recreational trail easement on City of Tacoma railroad property purchased for the “Train to the Mountain” project in Thurston County and granting a new relocated trail easement on the same property for the proposed 42-mile Chehalis Western Trail.

Deputy Mayor Moss moved that the Resolution be adopted. Seconded by Council Member McGavick.

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Michael Welter	Thurston County Parks Director

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

Resolution No. 35801

Authorizing the execution of an interlocal agreement with Pierce County for sharing low-income housing funds provided by Substitute House Bill 2060, which authorized a \$10 surcharge on certain recorded documents for said purpose.

Deputy Mayor Moss moved that the Resolution be adopted.

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Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Alton McDonald	Resident

Seconded by Council Member McGavick. Council Member Talbert recused himself. Voice vote was taken and carried, with Council Member Talbert recused. The Resolution was declared adopted.

Resolution No. 35802

Authorizing the execution of an interlocal agreement with the City of Lakewood for sharing low-income housing funds provided by Substitute House Bill 2060, which authorized a \$10 surcharge on certain recorded documents for said purpose.

Deputy Mayor Moss moved that the Resolution be adopted.

Speaking before Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Alton McDonald	Resident

Seconded by Council Member McGavick. 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 this is the last meeting for Special Assistant Christina Nelson and that Janis Pipal will be the next special assistant beginning April 1, 2003.

Mr. Corpuz attended the International City Managers' Association Symposium on Best Practices.

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

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL

Council Member Evans stated the Sister Cities International Film and Food Festival was a tremendous success at the Blue Mouse Theatre. He stated this week food and a movie will be presented by the Filipino community.

Council Member Lonergan stated on Sunday he and Council Member Evans attended the dedication of the new Nativity House facility at South 23rd and Jefferson Streets. He then congratulated the following retirees: Dave Hufford, Teresa Jackson, Robin Meyer, and Duston Jensen.

Deputy Mayor Moss represented Mayor Baarsma at the reopening of the restored Al Davies Boys and Girls Club.

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Mayor Baarsma stated he and Council Members Ladenburg and Lonergan attended the Puget Sound Regional Council where the City of Tacoma was presented the Puget Sound Regional Council's distinguished Vision 20/20 award for the Chihuly Bridge of Glass.

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

Council convened to Executive Session at 6:45 p.m. Mayor Baarsma returned to the Council Chambers at 7:10 p.m. to extend the Execution Session an additional 15 minutes. The Council meeting reconvened at 7:22 p.m.

Deputy Mayor Moss moved to authorize final settlement in the claim of Diana Samsonova for the sum of \$140,000. Seconded by Council Member McGavick.

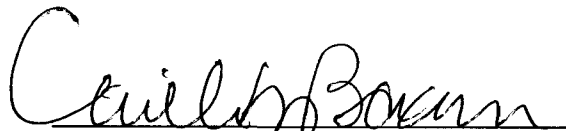
Roll call vote was requested and taken, resulting as follows:

Ayes: 4 – Lonergan, McGavick, Moss, and Mayor Baarsma

Nays: 5 – Evans, Ladenburg, Miller, Phelps, and Talbert

The motion was declared failed.

On proper motion, the meeting was adjourned at 7:23 p.m.


BILL BAARSMA, MAYOR

ATTEST: 
DORIS SORUM, CITY CLERK

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