

CITY COUNCIL MINUTES

City Council Chambers
November 21, 1995

The meeting was called to order at 5:05 p.m.

Present on roll call: 7 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Silas, and Mayor Moss. Absent: 2 -- McGavick and Miller.

The Flag Salute was led by Council Member Crowley.

CONSENT AGENDA

Approval of the minutes of the City Council meeting of November 7, 1995.

RESOLUTIONS:

Resolution No. 33212

Setting Monday, December 11, 1995, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on L.I.D. 8589 for the placement of permanent pavement with storm drainage on the alley between East F and East G Streets from East 40th to East 43rd Streets.

Resolution No. 33213

Setting Tuesday, January 2, 1996, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate the alley between 28th and 29th Streets N.E. east of 62nd Avenue N.E. to combine the abutting properties to allow construction of an addition to the existing building. (Thunderchief Smoke Shop; File No. 124.1026)

Resolution No. 33214

Setting Monday, February 12, 1996, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on L.I.D. 5724 for the installation of water mains and hydrants located at approximately 23rd Street N.E. and 63rd Avenue N.E.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for November 21, 1995.
- b. Minutes of the meeting of the Civil Service Board, October 16, 1995.

- c. Minutes of the meeting of the Commission on Children, Youth and Families, October 12, 1995.
- d. Minutes of the meeting of the Fire Safety Education Advisory Committee, November 2, 1995.
- e. Minutes of the meeting of the Tacoma Arts Commission, October 9, 1995.
- f. Minutes of the meeting of the Fuzhou Sister City Committee, October 18, 1995.
- g. Statements by City employees disclosing remote interests pursuant to Tacoma Municipal Code 1.46.030(O) as follows:

<u>Name</u>	<u>Affiliation</u>
Alisa M. O'Hanlon	Child Abuse Prevention Resources
Carol H. Parvey	Black and Veatch

Mayor Moss moved to continue Resolution No. 33213 to the meeting of January 9, 1996, and that the Consent Agenda, as amended, including Resolutions No. 33212 and No. 33214, be approved. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The Consent Agenda, as amended, including Resolutions No. 33212 and No. 33214, was declared adopted.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Mayor Moss presented a certificate and a check to Mr. Ronald Denning for his suggestion to relocate the recertification stamp on air bottles.

COMMUNICATION:

City Clerk advising that the Civil Service Board has filed a proposed amendment to Sections 1.24.480 and 1.24.810 of the Civil Service and Personnel Rules providing for annual reports to the Civil Service Board regarding how examinations and training support the City's affirmative action goals and changing the training rule to allow required attendance at mandatory training provided by the City.

Mayor Moss advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 25789

Amending Chapter 1.23 and Title 13 of the Municipal Code relative to the development of multi-family housing in designated residential target areas.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, Evans, Kirby, Silas, and Mayor Moss.

Nays: 1 -- De Forrest.

Absent: 2 -- McGavick and Miller.

The Ordinance was declared passed.

Mayor Moss moved to suspend the rules to consider Resolution No. 33219. Seconded by Deputy Mayor Evans. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Resolution No. 33219

Authorizing the execution of an interlocal agreement with Pierce County regarding the site of a temporary jail facility to be located in the County-City Building parking lot and further expressing the support of Pierce County's effort to secure financing for a permanent jail facility.

Speaking before the Council were:

- | | |
|-----------------|-------------------------------------|
| Doug Sutherland | Pierce County Executive |
| Alberta Canada | Resident |
| Bob Gallucci | Resident, Central Tacoma |
| Nicko Coella | Resident |
| Darlana Gray | Director, Hilltop Action Coalition |
| Tommy Seaborn | Resident, Hilltop Area |
| Maurice Wright | Chair, Central Neighborhood Council |
| Keith Stone | Community Councils of Tacoma |

Roll call vote was taken, resulting as follows:

Ayes: 4 -- Baarsma, Crowley, Kirby, and Mayor Moss.

Nays: 3 -- De Forrest, Evans, and Silas.

Absent: 2 -- McGavick and Miller.

The Resolution was declared failed. Council Member Kirby changed his vote from an "aye" to a "nay" in order to be on the prevailing side for reconsideration of Resolution No. 33219 at the next Council meeting. The amended vote is as follows:

Ayes: 3 -- Baarsma, Crowley, and Mayor Moss.

Nays: 4 -- De Forrest, Evans, Kirby, and Silas.

Absent: 2 -- McGavick and Miller.

Ordinance No. 25792

Establishing a "B" Business District interim zoning classification for certain properties within the City of Tacoma to allow for expansion of the Pierce County Corrections and Detention Center and declaring an emergency, making necessary the immediate passage of this ordinance.

Council Member De Forrest moved to continue Ordinance No. 25792 to the meeting of November 28, 1995. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25792 will be considered at the regular City Council meeting of November 28, 1995.

Council Member De Forrest moved to recess not to exceed ten minutes. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 7:03 p.m. and reconvened at 7:16 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 7:17 p.m.)

- a. This is the date set for a public hearing by the City Council on redevelopment of the ASARCO Smelter Site.

Speaking before the Council were:

Tom Aldridge
Jim Merritt

ASARCO Site Manager
Merritt+Pardini

Stephanie Lund
Michael Petry
Barbara English

Citizens for a Healthy Bay
Marketing Concepts by Design
Marketing Concepts by Design

- b. This is the date set for a hearing on the sale of 17.63 acres of Light Division surplus property located approximately one mile south of Eatonville on the Eatonville-Elbe Cut Off Road.

Mayor Moss called for public testimony. There being no public testimony, the hearing was declared closed at approximately 8:07 p.m.

FIRST READING OF ORDINANCES:

Ordinance No. 25793

Accepting \$1,785 of private donations from the Educational Employees Credit Union, Gottfrieds Mary Fuchs Foundation, Forest Foundation, Key Bank and Puget Sound Bank and depositing said sum in and appropriating \$1,935.34 from the Miscellaneous Grants Summary Fund; and depositing in and appropriating \$9,380 from the General Fund for expenses associated with Senior Citizens Awareness Day.

The Ordinance was set over for final reading next week.

Ordinance No. 25794

Amending the Pay and Compensation Plan to implement rates of pay for the Washington State Council of County and City Employees AFSCME Pierce County and Tacoma City Employees Local 120.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 33207 (Continued from the meeting of November 14, 1995.)

Authorizing the execution of an amendment to the agreements with other Potentially Liable Parties and with Black and Veatch, in the amount of \$150,835, for additional investigation on the Coal Tar Gasification Site on the Thea Foss Waterway.

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

Resolution No. 33215

Authorizing the execution of a collective bargaining agreement with the Washington State Council of County and City Employees AFSCME Pierce County and Tacoma City Employees Local 120 from January 1, 1995, through December 31, 1997.

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

Resolution No. 33216

Authorizing the execution of an agreement with the Boys and Girls Club of Tacoma and Pierce County, in an amount not to exceed \$101,604, for the renovation of the South End Boys and Girls Club.

Council Member 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. 33217

Authorizing the execution of a Gas Lease and Easement agreement and an Operation and Maintenance agreement with NEO Tacoma, L.L.C., to develop a project to produce electrical energy from landfill gas at the Tacoma Landfill.

Deputy Mayor 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. 33218

Authorizing the submittal of a grant application with Pierce County and the Tacoma-Pierce County Health Department, in the amount of \$1,940,804, to the Washington State Department of Ecology, for operating recycling and hazardous waste programs.

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

UNFINISHED BUSINESS:

Mayor Moss moved that the City Manager be authorized to enter into a settlement agreement with Central National & Highland Insurance Company and that the City Attorney be authorized to dismiss them from the pending federal court lawsuit of City of Tacoma v. Great American, in accordance with the terms of a confidential memo to the City Manager dated November 14, 1995, on file in the Office of the City Attorney. Seconded by Deputy Mayor Evans.

Roll call vote was taken, resulting as follows:

Ayes: 7 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Silas, and Mayor Moss.

Nays: 0.

Absent: 2 -- McGavick and Miller.

The motion was declared adopted.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. requested that the City Council recess to Executive Session to discuss pending litigation, not to exceed 15 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member De Forrest expressed concern regarding enforcement of an Ordinance passed last year commonly known as "Three Strikes and You're In". He stated that enforcement of the Ordinance may have prevented the recent deaths, apparently due to domestic violence, of East Tacoma residents. Council Member De Forrest requested information regarding why the Ordinance was not enforced and what could have been done to prevent these deaths.

Council Member Kirby requested information regarding staffing levels in the City Prosecutor's office.

Council Member Baarsma extended his condolences to Council Member Miller and his family in the passing away of Council Member Miller's mother. Council Member Baarsma commented on the public safety issue regarding the City and County of Spokane by reading a section of an article in the Seattle Post Intelligencer regarding comments, made by the County Sheriff and the Commissioners, that some Spokane County services, including deputies, may have to be eliminated due to budget shortfall.

He noted that areas other than Tacoma and Pierce County were experiencing serious crime problems.

Deputy Mayor Evans stated that he and Randy Lewis, Government Relations Officer, attended a meeting along with representatives of the Puyallup Tribe regarding problems experienced by residents who live near a particular smoke shop in Northeast Tacoma. Deputy Mayor Evans reported that he will be meeting again with Puyallup Tribe representatives, including an individual recently hired to review the Puyallup Nation's land plan. Deputy Mayor Evans also reported that he attended a meeting with representatives from Randy Tate's office regarding a proposed FAA study of flight plan revisions.

Council Member Silas expressed her sympathy to Council Member Miller and his family in the loss of Council Member Miller's mother.

Mayor Moss also extended his condolences to Council Member Miller.

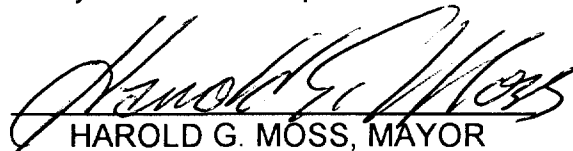
Mayor Moss moved to excuse Council Member Miller and Council Member McGavick. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

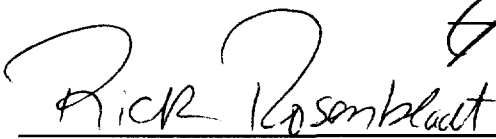
Mayor Moss moved to cancel the City Council meetings of December 19 and 26, 1995, and January 2, 1996. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss moved to recess to Executive Session to discuss pending litigation, not to exceed 15 minutes. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 8:40 p.m. At 9:02 p.m., Mayor Moss stated the Council would be in Executive Session for an additional 15 minutes. Council reconvened at 9:12 p.m.

On proper motion, the meeting was adjourned at 9:12 p.m.


HAROLD G. MOSS, MAYOR

ATTEST: 
RICK ROSENBLADT, ACTING CITY CLERK