



# City Council Minutes

<http://www.cityoftacoma.org>

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

May 20, 2003

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

Council Members Present: 7 ~ Evans, Ladenburg, Lonergan, Miller, Moss, Phelps,  
and Mayor Baarsma

Council Members Absent: 2 ~ McGavick and Talbert

The Flag Salute was led by Council Member Evans.

## ITEMS FILED IN THE OFFICE OF THE CITY CLERK

- a. Minutes of the Landmarks Preservation Commission, April 23, 2003.
- b. Minutes of the Tacoma Arts Commission, April 14, 2003.
- c. Minutes of the Tacoma-Pierce County Board of Health, April 2, 2003 and special meeting of April 9, 2003.

## CONSENT AGENDA

Approval of the minutes of the City Council study session of March 18, 2003, and Committee of the Whole, April 29, and May 6, 2003.

Deputy Mayor Moss moved that the Consent Agenda be approved. Seconded by Council Member Phelps. Voice vote was taken and carried. The Consent Agenda was declared approved.

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## PROCLAMATIONS

Mayor Baarsma proclaimed May 21, 2003, as "Kinship Caregiver Day" and presented the proclamation to Ms. Edith Owen, Coordinator, Pierce County Relatives Raising Children.

Mayor Baarsma then proclaimed May 18-24, 2003, as "National EMS Week" and presented the proclamation to Assistant Fire Chief Jon Lendosky.

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**PRESENTATION**

Mayor Baarsma called on Mr. Wally Endicott, East Side Branch Director, and Ms. Kate Gigler, an Americorps volunteer at the Boys and Girls Club East Side Branch. Isaiah Bradshaw, Ford Middle School, and Sara Smith, Stewart Middle School, made a presentation regarding tobacco and alcohol sign advertisement displayed in windows at local establishments, which are not in compliance with the Municipal Code.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS**

Deputy Mayor Moss moved to suspend the rules to consider additional Resolution No. 35862. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 35862**

Creating a Citizens Panel for the Washington Association of Sheriffs and Police Chiefs (“WASPC”) investigation, consisting of 21 representatives from various community organizations, for facilitating input from the community on the findings from the WASPC investigation of the late David Brame.

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

Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Phyllis Barrett	912 South Cushman
Allen Douglass	507 South J Street, 1A
David Thompson	Resident
Will Baker	Piercecountyinsider.com
Alton McDonald	Resident
Reverend Eric Flynn	Resident
Bob Snider	408 East 52 <sup>nd</sup> Street

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

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## **FINAL READING OF ORDINANCES**

### **Ordinance No. 27083**

Accepting up to \$40,000 from Pierce County Aging and Long Term Care; and authorizing the execution of an agreement with said agency for the Medicaid Administrative Claim for various services to low-income senior citizens.

Roll call vote was taken, resulting as follows:

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

Nays: 0

Absent: 2 – McGavick and Talbert

The Ordinance was declared passed.

## **FIRST READING OF ORDINANCES**

### **Ordinance No. 27084**

Amending Chapter 13.06 of the Municipal Code to reclassify the property located between South Orchard Street and South Huson Street, south of South 30<sup>th</sup> Street from an "R-2" One-Family Dwelling District to a "R-4L" Low Density Multiple Family Dwelling District for the development of seven, 4-plex buildings and one, 3-plex building with off-street parking. (Cherry Orchard LLC; REZ2002-00007)

Council Member Phelps moved to concur in the Facts, 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 on June 3, 2003.

## **RESOLUTIONS**

### **Resolution No. 35851** (Continued from the meeting of May 13, 2003)

Authorizing the execution of amendments to the agreements with Stoel Rives, LLP, in the amount of \$175,000 and Hawkins, Delafield & Wood, in the amount of \$175,000, for specialized legal services for the Central Wastewater Treatment Plant Upgrade Project.

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

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Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Alton McDonald	Resident
Allen Douglass	507 South J Street, 1A

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

**Purchase Resolution No. 35854**

Awarding contracts to:

1. Commercial Structures, Inc., on its bid of \$5,469,300.00, for remodeling and renovation of the Police/Fleet Warehouse and Maintenance Facility – Specification No. G-208-03;
2. The Hunting Shack, Inc. & Design, on its bid of \$82,827.39;  
Advanced Ballistic Technologies, Inc., on its bid of \$128,824.85;  
San Diego Police Equipment Company, Inc., on its bid of \$202,942.86;  
Territorial Supplies, Inc., on its bid of \$256,146.36, for police ammunition – Specification No. G-010-03;
3. Pioneer Masonry Restoration Co., Inc., on its bid of \$84,020.00, for cleaning the roof of the Tacoma Dome – Emergency Contract;
4. Perma-Liner Industries, Inc., in the amount of \$134,000.00, for an Air-Inversion Lateral Pipe Lining System – Sole Source;
5. Papé Machinery, Inc., in the amount of \$110,000.00, for a used 1998 Caterpillar Crawler Dozer – Sole Source;
6. Emergency Medical Products, in the amount of \$64,418.91, to renew its contract for emergency medical supplies and equipment, for the Fire Department – Specification No. G-031-01;
7. Western Peterbilt, Inc., in the amount of \$350,894.00, to increase its contract for two automated side-loader refuse collection trucks – Specification No. FLT-202-00;
8. Western Peterbilt, Inc., in the amount of \$195,302.58, to increase its contract for two long-haul tractors – Specification No. FLT-205-00;
9. Hisey Construction, Inc., in the amount of \$175,000.00, for a cumulative total of \$3,083,852.00, to increase its contract, for the emergency repair of the underground discharge piping at pump station #4104 located at Lincoln Avenue and Port of Tacoma Road – Specification No. G-218-00; and
10. Authorizing the execution of three interlocal agreements with the City of Walla Walla and the Lake Washington and Bellevue School Districts, for cooperative purchasing.

Council Member Phelps moved to waive further reading based on information provided. Seconded by Council Member Miller. Voice vote was taken and carried.

Deputy Mayor Moss moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 3, 4, and 5, be adopted. Seconded by Council Member Miller.

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Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Alton McDonald	Resident
Allen Douglass	507 South J Street, 1A
Reverend Eric Flynn	Resident

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item Nos. 3, 4, and 5, was declared adopted.

**Resolution No. 35855**

Identifying and designating the following projects as “Special Projects of Limited Duration:”

- Alaska Street – from South 38<sup>th</sup> to South 56<sup>th</sup> Streets - \$4.19 million;
- D Street Bridge – from Puyallup Avenue to East 23rd Street - \$28.20 million;
- East L Street Bridge Replacement - \$2.60 million;
- Narrows Drive on North 26th Street – from North 17th to Pearl Streets - \$2.06 million;
- Norpoint Way – from 29th Street NE to 49th Avenue NE - \$4.00 million;
- South Tyler Street – from South 56th to South 74th Streets - \$1.83 million;
- Hazardous Sidewalk Replacement Program - \$.59 million;
- 34th Street East Bridge Rehabilitation - \$2.00 million;
- Lincoln Avenue – from Portland to Marc Avenues - \$.78 million;
- Pacific Avenue – from South 7th to South 28th Streets - \$1.24 million;
- Proctor Street Bridge - \$3.70 million;
- Puyallup River Bridge Rehabilitation - \$7.10 million;
- Local Improvement District Participation Projects - Locations to be determined - \$2.95 million;
- Dock Street Construction – from 11th to 15th Streets - \$2.31 million;
- Downtown Redevelopment Streetscape Improvement - \$1.64 million;
- Thea Foss Waterway Esplanade Albers Mill Site - \$2.83 million; and
- Thea Foss and Wheeler-Osgood Waterways Remediation - \$54.68 million.

Council Member Phelps moved to waive further reading based on information provided. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

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Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Allen Douglass	507 South J Street, 1A
Bob Snider	408 East 52 <sup>nd</sup> Street

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

**Resolution No. 35856**

Authorizing the execution of a Letter of Intent to negotiate purchase and development agreements with Catapult Community Developers, LLC, and Community Housing Assistance Program, Inc., for purchase and redevelopment of the Marcourt Building at 744 Market Street.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Mark Huppert	Principal, Catapult Community Developers, LLC
Alton McDonald	Resident
Allen Douglass	507 South J Street, 1A

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

**Resolution No. 35857**

Authorizing the execution of an Interagency Agreement with the Department of Natural Resources and the Department of Ecology to define roles, responsibilities and obligations, for funding the Middle Waterway Area cleanup and authorizing execution of a Remedial Action Grant Agreement with the Department of Ecology, in the amount of \$500,000, for this project.

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

**Resolution No. 35858**

Authorizing the execution of a Professional Services Agreement with Mayes Testing Engineers, Inc., in the amount of \$302,100, for special inspection and testing services for the new Greater Tacoma Convention and Trade Center.

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

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**Resolution No. 35859**

Authorizing the execution of a supplemental agreement with Geoengineers, Inc., for a total amount of \$75,240, for geotechnical services during the construction site preparation phase of the new Greater Tacoma Convention and Trade Center.

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

Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Alton McDonald	Resident
Allen Douglass	507 South J Street, 1A

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

**Resolution No. 35860**

Supporting and encouraging “The Regional Partnership,” a coalition of community leaders and organizations dedicated to developing an economic development agenda for the region.

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

Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
David Graybill	President and CEO, Tacoma-Pierce County Chamber of Commerce
Bruce Kendall	President and CEO, Economic Development Board for Tacoma-Pierce County
Bob Snider	408 East 52 <sup>nd</sup> Street
Alton McDonald	Resident
Allen Douglass	507 South J Street, 1A

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

**Resolution No. 35861**

Releasing the City Attorney and the Assistant City Attorneys from privilege and confidentiality as it relates to the allegations about the conduct of David Brame and Ray Corpuz, Jr. that were made known to the City Attorney and Assistant City Attorneys in conjunction with their handling of the Joseph Kirby lawsuit.

Council Member Lonergan moved as a substitute, Substitute Resolution No. 35861. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

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Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Phyllis Barrett	912 South Cushman
Allen Douglass	507 South J Street, 1A
Will Baker	Piercecountyinsider.com
Bob Snider	408 East 52 <sup>nd</sup> Street
Alton McDonald	Resident
Reverend Eric Flynn	Resident

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

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

Nays: 0

Absent: 2 – McGavick and Talbert

The Substitute Resolution was declared adopted.

**UNFINISHED BUSINESS**

None.

**REPORTS BY CITY MANAGER**

Acting City Manager James Walton recognized the Division of Emergency Medical Services and the Public Works Department for their outstanding performance. He stated that Emergency Medical Services and the Public Works Department provide very important services, which make the lives of Tacoma citizens more livable. He stated that this week the Nation is celebrating "Public Works Week." He stated that our Public Works employees pick up our garbage, pave the roadways, sweep the streets, fix traffic lights, treat sewers, manage construction of new public works buildings, clean the Thea Foss Waterway, and much more. He stated that while some of their work is very visible, much of it is not, but it continues 24 hours a day, each and every day, all year long. He stated that just tonight ten of the Resolutions on the agenda were represented by employees of the Public Works Department. Mr. Walton stated that he appreciates the good work performed by over 700 employees of the Public Works Department.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

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

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Council Member Ladenburg commented on an event held last Saturday, sponsored by a program at Safe Streets called "Youth Leading Change." She stated that the youth planned and organized a march against drugs and violence and that it was very



successful. She thanked the South Tacoma Business District, the 300 people that participated in the event, and the Deputy Mayor for her inspirational speech.

Council Member Phelps inquired about and asked for a response, regarding the tremendous amount of garbage around the El Toro Mexican restaurant, which recently had a fire; the broken windows, garbage and other activities going on at the property at 612 Tacoma Avenue South. He asked to review the records on file regarding the round-about at North 11<sup>th</sup> and Cedar Streets and inquired about a speed study in that area.

Council Member Evans thanked the citizens for their e-mails and letters relative to recent events. He also thanked city staff for holding this city government together in a very admiral way. He stated that the Relay for Life was held in Stadium Bowl this last weekend and thanked all those that participated. Council Member Evans stated that he took a small group of people from St. Charles County, Missouri, around parts of our city and discussed economic development. He stated that these officials picked the City of Tacoma to tour because of Click! Network and the innovative economic development initiatives. He stated that it was wonderful to hear the praise for our city.

Mayor Baarsma thanked the Deputy Mayor for standing in for him at a number of events that happened over the weekend. He also thanked Council Member Phelps for his advice to bring in some outside attorneys.

Mayor Baarsma stated that he was in Chicago over the weekend and that Mayor Daley, of Chicago, is trying to convince the legislature that the City of Chicago should open its own gambling casino as a means of generating revenue to balance the budget.

Mayor Baarsma stated that he was actually in Chicago to celebrate his son's graduation from Northwestern University Law School. He stated that, out of a class of 200, his son was the only City of Tacoma person. He then stated that on the flight home, the flight attendant announced they were coming into the Seattle airport. He reminded the chief flight attendant that it is the Seattle-Tacoma airport.

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On proper motion, the meeting was adjourned at 8:02 p.m.

  
WILLIAM BAARSMA, MAYOR

ATTEST:   
DORIS SORUM, CITY CLERK

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