

CITY COUNCIL MINUTES

City Council Chambers
May 16, 1995

The meeting was called to order at 5:10 p.m.

Present on roll call: 6 - Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick. Absent: 3 - Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Crowley.

Approval of the minutes of the Tacoma City Council meeting of May 2, 1995.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for May 16, 1995.
- b. Minutes of the meeting of the Davao Sister City Committee, April 4, 1995.
- c. Minutes of the meeting of the Tacoma-Pierce County Board of Health, April 5, 1995.
- d. Minutes of the meeting of the Transportation Committee, April 13, 1995.
- e. Minutes of the meeting of the Civil Service Board, April 17, 1995.
- f. Minutes of the meeting of the Environmental Commission, April 24, 1995.
- g. Minutes of the meeting of the Kitakyushu Sister City Committee, April 12, 1995.

Council Member Baarsma moved that the Consent Agenda be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25469

Vacating a portion of South Lawrence Street north of South 14th Street and two adjacent alleys for expansion of the new Franklin Elementary School. (Tacoma School District No. 10; File No. 124.992)

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25590

Vacating a portion of East 11th Street at the southeasterly corner of its intersection with relocated Marine View Drive. (John and Doris King and Donald McGoldrick; File No. 124.998)

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25705

Approving and confirming the assessment roll for L.I.D. No. 2618 for the construction of a two-inch asphalt surface treatment on South 67th Street from Monroe to Tyler Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25706

Approving and confirming the assessment roll for L.I.D. No. 2621 for the construction of a two-inch asphalt surface treatment on Monroe Street from South 67th to South 69th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25707

Approving and confirming the assessment roll for L.I.D. No. 2622 for the construction of a two-inch asphalt surface treatment on Monroe Street from South 66th to South 67th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25708

Approving and confirming the assessment roll for L.I.D. No. 2623 for the construction of a two-inch asphalt surface treatment on South 67th Street from Madison to Monroe Streets.

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25709

Approving and confirming the assessment roll for L.I.D. No. 2624 for the construction of a two-inch asphalt surface treatment on Tacoma Avenue South from South 92nd Street south to the dead end.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

Ordinance No. 25710

Approving and confirming the assessment roll for L.I.D. No. 8567 for the construction of permanent pavement with storm drainage on the alley between North Gove and North Mullen Streets from North 36th to North 37th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, Crowley, De Forrest, Evans, Kirby, and McGavick.

Nays: 0.

Absent: 3 - Miller, Silas, and Mayor Moss.

The Ordinance was declared passed.

RESOLUTIONS:

Purchase Resolution No. 33010

Awarding contracts to:

1. Sahlberg Equipment Company on their bid of \$49,852.07 for one self-propelled, 4-wheel drive, hydraulically-driven highway mower - Specification No. G-014-95;
2. Motorola, Inc., on their bid of \$76,491.66 for twenty-five spectra mobile radios - Washington State Contract No. 205-88;

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3. S-N-R Construction, Inc., on their bid of \$38,110 for Union Station sidewalk repair - Specification No. G-218-95; and
4. Motorola, Inc., on their bid of \$179,591.03 for thirty police mobile data terminals - Kitsap County Bid No. 095-83.

Deputy Mayor Evans moved to continue Item No. 1 of Purchase Resolution No. 33010 to a date to be determined. Seconded Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Item No. 1 of Purchase Resolution No. 33010 will be considered at a date to be determined.

Council Member Baarsma moved that Items No. 2, 3, and 4 of Purchase Resolution No. 33010 be adopted. Seconded by Council Member Crowley. Voice vote was taken and carried on Items No. 2, 3, and 4 of Purchase Resolution No. 33010. The amended Purchase Resolution was declared adopted.

Resolution No. 33011

Authorizing the lease of approximately 2,400 square feet of Public Utilities Water Division property located in Lester, Washington to U.S. West Communications for a telecommunications site.

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

Resolution No. 33012

Authorizing the execution of agreements with the Tacoma-Pierce County Health Department in the amount of \$25,500 and with Proud African American Youth Society in the amount of \$47,930 for domestic violence prevention, education and treatment programs.

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

Resolution No. 33013

Amending the operations agreement with the Broadway Center for the Performing Arts to implement the 1995-1997 Rental Rate Schedule for the Pantages Theater, Rialto Theater, Theatre on the Square and the rehearsal hall.

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

Resolution No. 33014

Authorizing the purchase of 1995 Sewer Revenue Series B Bonds in the amount of \$27,905,000 and 1995 Sewer Revenue Series A Bonds in an amount not to exceed \$3,000,000 and fixing certain terms for improvements to the sewer system.

Council Member Baarsma moved to suspend the rules to consider Substitute Resolution No. 33014. Seconded by Council Member McGavick. 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 Crowley. Voice vote was taken and carried. The Substitute Resolution was declared adopted.

Resolution No. 33015

Authorizing the execution of a five-year Marina Operator Agreement with City View Management for the operation of the Marina at 1811 Dock Street.

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

Resolution No. 33016

Authorizing the execution of an amendment to the agreement with Pinnacle Realty Management Company in the amount of \$414,200 for the management of the Olympic Ridge, Overlook Rim, Nob Hill and Forest Hill Village apartments from September 30, 1994 through December 1, 1997.

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

Resolution No. 33017

Providing that no person shall be eligible for appointment to a position in the unclassified service of the City of Tacoma who does not reside in the city limits of Tacoma at the time of appointment.

Council Member Crowley moved that the Resolution be adopted. Seconded by Council Member Council Member De Forrest. Council Members Crowley and De Forrest withdrew their motion.

Speaking before the Council was:

| <u>Name</u> | <u>Address</u> |
|-------------------|----------------|
| Martin Sutherland | Resident |

Council Member De Forrest moved to remove Resolution No. 33017 from the agenda. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted. Resolution No. 33017 was removed from the agenda.

Resolution No. 33018

Endorsing the National League of Cities efforts to support the assault weapons ban.

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

Speaking before the Council were:

| <u>Name</u> | <u>Address</u> |
|---------------|------------------|
| Robert Skanes | A Street |
| Adrien Query | East 40th Street |
| Al Pearn | East B Street |

Council Member Baarsma moved to remove Resolution No. 33018 from the agenda. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33018 was removed from the agenda.

Deputy Mayor Evans moved to suspend the rules to consider an additional Resolution No. 33019. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 33019

Joining the Port of Tacoma's request to the United States Department of Energy that a public hearing on the Draft Environmental Impact Study on the transport of spent fuel be held in the City of Tacoma.

Council Member De Forrest moved that Resolution No. 33019 be adopted. Seconded by Council Member Baarsma. Voice vote as taken and carried. The Resolution was declared adopted.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr., indicated the 1995-1996 Final Budget is available. Mr. Corpuz announced that at noon on May 19, 1995, there will be a Police memorial ceremony at the Tacoma Mall Police Substation to pay tribute to those City Police officers and State Patrol officers who lost their lives in line of duty. Mr. Corpuz also announced that the month of May is Asian Pacific Islanders' month. He indicated that the Employee Heritage Council and the Human Rights Department will be hosting several festivities at Public Utilities and the Municipal Building. Mr. Corpuz requested an Executive Session to discuss potential and pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma reported that he and Council Member Crowley had the pleasure of joining Senators Wojahn and Winsley, Representative Mitchell and Randy Lewis as Governor Lowry signed Senate Bill 5387. Council Member Baarsma explained that Senate Bill 5387 was a culmination of ten years of effort on the part of Senator Wojahn. He expressed his appreciation to Senators Wojahn and Winsley, Representative Mitchell and Randy Lewis. He explained that the Bill provides a ten year property tax deferral on enhanced value that would accrue to the value of buildings converted to housing in downtown areas or areas designated for high intensity growth. It would not defer the tax on the land or that portion of the building that was used for commercial purposes. It is an incentive to encourage developers to work toward building high density housing out of the single-family residential neighborhoods and into such places as downtown. Council Member Baarsma reported that the opening of the Eastside Section 4 Police substation was a grand and happy event. He asked the City Manager to explore ways to recognize the efforts of a former Council Member and the citizen who contributed \$250,000 for making the police substation a reality.

Council Member McGavick thanked Deputy Mayor Evans for the attention given to her during tonight's proceedings. She also thanked Council Member De Forrest for remembering to excuse her absence from last week's Council meeting. Council Member McGavick indicated that she had some questions about the report provided her by Chief Fjetland.

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Council Member De Forrest reported that the Section 4 Police substation was a great event. He thanked Captain Copeland who was the master of ceremonies and for coordinating the program with McKinley Boosters and other associations. Council Member De Forrest thanked staff and Deputy Mayor Evans for the good job they did at the Town Hall meeting in the Eastside. He also thanked those citizens who participated at the Town Hall meeting. Council Member De Forrest requested staff to provide information on the enforcement of the "three strikes you're in" ordinance since it passed almost a year ago. On the research on residency for City employees, Council Member De Forrest asked the City Attorney to review the action taken by the Civil Service Board in 1981 to allow classified employees to live in Pierce County. He indicated that the reason for the 1988-1989 resolution to allow the unclassified employees to live in Pierce County was that it could be unconstitutional for treating a certain group of employees differently. He asked if there were any other reasons for the 1988-1989 resolution.

Council Member Crowley complimented Deputy Mayor Evans for presiding over tonight's Council meeting. Council Member Crowley thanked Representative Ebersole for his work in the House on Senate Bill 5387. He also thanked City staff members Ray Corpuz, Joe Quilici and Randy Lewis who worked on this bill.

Council Member Kirby asked staff to prepare a resolution that allows the City to participate in the national city vote election for Council's consideration before June 1, 1995.

Deputy Mayor Evans moved to excuse the absences of Council Members Miller and Silas and Mayor Moss. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

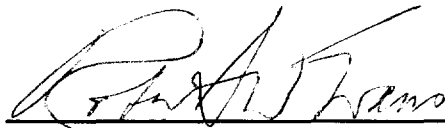
Deputy Mayor Evans moved to recess to Executive Session to discuss potential and pending litigation not to exceed 45 minutes. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:50 p.m and recovered at 7:40 p.m.

Deputy Mayor Evans moved to amend the fee agreement with Gordon, Thomas firm in the case of City of Tacoma vs. Great American, to increase the amount by \$300,000 to a total of \$500,000. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Member De Forrest abstaining. The motion was declared adopted.

Deputy Mayor Evans moved to amend the fee agreement with the Gordon, Thomas firm in the case of Crippen vs. City of Tacoma, to increase the amount by \$180,000 to a total of \$480,000. Seconded by Council Member Baarsma. Voice vote was taken and carried with Council Member De Forrest abstaining. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:42 p.m.



ROBERT W. EVANS, DEPUTY MAYOR



ATTEST:

RICK ROSENBLADT, ACTING CITY CLERK

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