

CITY COUNCIL MINUTES

City Council Chambers
June 6, 1995

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

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Deputy Mayor Evans.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of May 16, 1995.

ORDINANCES:

Ordinance No. 25712

Accepting a donation of surplus plywood from The Boeing Company for practice target backing use at the Harrison Shooting Range.

RESOLUTIONS:

Resolution No. 33034

Setting Tuesday, August 1, 1995, at 9:00 a.m. as the date for hearing by the Hearing Examiner the request to vacate a portion of the easterly ten feet of Sprague Avenue, south of South 58th Street. (Mitchell Development; File No. 124.1018)

APPEAL:

Steven P. and Jennifer A. DeWitt appealing the decision of the Hearing Examiner to reclassify the property located at 1621 Marine View Drive from a "M-1" Light Industrial District to a "M-2" Heavy Industrial District.

Setting, Tuesday, July 18, 1995, 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. Hearing Examiner agenda for June 6, 1995.
- b. Minutes of the meetings of the Tacoma Public Library Board of Trustees, April 19, 1995 and special meeting of May 5, 1995.
- c. Minutes of the meeting of the Tacoma Narrows Airport Advisory Committee, May 3, 1995.
- d. Minutes of the meeting of the Fire Safety Education Advisory Committee, May 4, 1995 and amended minutes of March 2, 1995.
- e. Minutes of the meeting of the Environmental Commission, May 8, 1995.
- f. Minutes of the meeting of the Landmarks Preservation Commission, May 10, 1995.

Council Member Miller moved that the Consent Agenda, including Ordinance No. 25712 and Resolution No. 33034, be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda, including Ordinance No. 25712 and Resolution No. 33034, was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 33035

Appointing individuals to the Planning Commission and the Urban Policy Committee.

Council Member Miller moved to suspend the rules to consider Substitute Exhibit 'A' of Resolution No. 33035. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

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

FINAL READING OF ORDINANCES:

Ordinance No. 24667

Vacating the portion of the alley between Defiance and Visscher Streets, northerly of Westgate Boulevard to incorporate the vacated right-of-way into the commercial development abutting the east side of the alley. (Collins Condominium Corporation; File No. 124.908)

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 24667. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 25713

Approving and confirming the assessment roll for L.I.D. No. 5702 for the installation of water mains and fire hydrants in South 86th and South 85th Streets from Alaska Street to Ainsworth Avenue and in Asotin Street from South 86th Street to approximately 400 feet south, and in Alaska Street from South 86th Street to 100 feet north of South 85th Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25714

Approving and confirming the assessment roll for L.I.D. No. 3949 for the construction of sanitary sewers in South 94th Street from Alaska Street east 700 feet, more or less and in Sweet Street from Portland Avenue to East Q Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25715

Approving and confirming the assessment roll for L.I.D. No. 8558 for the construction of permanent pavement in East G Street from South 74th to South 75th Streets and from South 94th Street from Alaska Street east 760 feet, more or less.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25716

Accepting donations in the amount of \$68,991.01, depositing said sum in the Miscellaneous Trust Summary Fund and transferring \$81,543.94 from the Miscellaneous Trust Summary Fund for the D.A.R.E. program.

The Ordinance was set over for final reading next week.

Ordinance No. 25717

Accepting a grant award in the amount of \$113,900 from the Washington State Department of Natural Resources, depositing said sum in the Right-of-Way Enhancement Fund and appropriating \$328,900 for the Eastside Neighborhood Street-Tree Plantings, the Tacoma Dome and Lincoln Business District Street Tree Planting Projects.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32987 (Continued from the meeting of May 9, 1995.)

Dissolving the Affirmative Action Advisory Committee and authorizing the Human Rights Commission to assume the duties and functions of affirmative action activities.

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

Purchase Resolution No. 33036

Awarding contracts to:

1. Lincoln Construction, Inc., on their bid of \$109,810.21 for the Municipal Dock Building fire sprinkler system - Specification No. G-213-95;
2. Downey Fire Equipment to increase their contract in the amount of \$58,500 for firefighter turnout gear - Washington State Contract No. 124-91.
3. Reinhard Petroleum on their bid of \$50,000 for diesel fuel - Washington State Contract No. 01595; and
4. Professional Services Unified, Inc., to increase their contract in the amount of \$50,000 for security services at the Tacoma Landfill - Specification No. G-001-94.

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

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution was declared adopted.

Resolution No. 32953

Encouraging officers of the City of Tacoma to seek funds for the design and construction of SR-509 on-off ramps to Portland Avenue.

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

Council Member Baarsma moved to amend the last paragraph of Resolution No. 32953, to read as follows:

"BE IT FURTHER RESOLVED that the officers of the City of Tacoma are directed to review all funding options for the design and construction of SR-509 on-off ramps to Portland Avenue and report back to the City Council with specific recommendations concerning funding strategies." Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Amended Resolution. The Amended Resolution was declared adopted.

Resolution No. 33037

Approving the preliminary plat for SOPHIE'S PLACE located in the vicinity of 56th Avenue N.E. and 31st Street N.E. for 20 residential building lots. (Anderson/Kellis Construction; File No. 125.356)

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

Resolution No. 33038

Authorizing the execution of an agreement with Tacoma-Pierce County Sports Commission in an amount not to exceed \$30,000 for the marketing and soliciting of amateur sporting events.

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.

Resolution No. 33039

Authorizing the execution of an agreement with Pacific Groundwater Group in the amount of \$673,728 to conduct a study for groundwater monitoring and remedial design services of the Tacoma Landfill.

Council Member Miller moved to continue Resolution No. 33039 to the meeting of June 13, 1995. Seconded Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of June 13, 1995.

Resolution No. 33040

Authorizing the execution of an agreement with Northwest Enterprises in the amount of \$180,000 for storm sewers in the vicinity of North Shore Golf Course to serve Harbor Ridge.

Council Member Miller moved to continue Resolution No. 33040 to the meeting of June 13, 1995. Seconded Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of June 13, 1995.

Resolution No. 33041

Approving the issuance of Industrial Development Revenue Bonds in an amount not to exceed \$11,500,000 for Simpson Tacoma Kraft Company.

Council Member Crowley disclosed that he is a board member of the Tacoma-Pierce County Economic Development Board. He excused himself and left the Council Chambers.

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

Speaking before the Council were:

Jack Creighton	Economic Development Board
Catherine Roach	Bond Counsel
Don Johnson	Resident

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

Resolution No. 33042

Authorizing the execution of an amendment to the agreement with One Pacific Associates for restructuring the loan for the One Pacific Building.

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

CITIZENS' FORUM: (Began at 6:15 p.m.)

Speaking before Council were:

<u>Name</u>	<u>Address</u>	<u>Topics</u>
Martin Sutherland	2032 E. Morton	Streets and Sidewalks
Adrien Query	102 E. 40th St.	Neighborhood Council Contract

(Interviews of candidates for the vacant Planning Commission position representing the environmental community will be conducted at approximately 6:30 p.m.)

Council interviewed candidates Cheryl Miller, Steven Salter, Martin Sutherland and Christopher Thompson for the position of Planning Commission member representing the environmental community. Mayor Moss thanked the candidates for their interest in the Planning Commission position. He indicated that the Council will evaluate the qualifications of the candidates in Executive Session following the conclusion of the regular Council agenda. The Council would then make their appointment in open session.

Resolution No. 33043

Adopting the Six-Year Comprehensive Transportation Program for the years 1996 through 2001 and the Amended 1995 Street Program.

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

Resolution No. 33044

Directing the City Manager to undertake plans to participate in CityVote and include presidential preference balloting in the November 7, 1995 municipal election.

Council Member Kirby moved that the Resolution be adopted. Seconded by Council Member Silas.

Speaking before Council was:

Jim Sawatzki

CityVote Organization

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

Resolution No. 33045

Authorizing the execution of an amendment to the agreement with Shapiro and Associates, Inc., in the amount of \$6,838 for detailed traffic analysis of key intersections along the Thea Foss Waterway.

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

Resolution No. 33046

Authorizing the execution of agreements with the Local Initiatives Support Corporation in the amount of \$111,954 and the Washington Community Development Loan Fund in the amount of \$50,000 for technical assistance and predevelopment financing to nonprofit developers.

Council Member Miller disclosed that he would excuse himself from considering Resolution No. 33046 and left the Council Chambers.

Deputy Mayor Evans moved that the Resolution be adopted. Seconded by Council Member Silas.

Speaking before Council was:

Steven Salter

Resident

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

Resolution No. 33047

Authorizing the submittal of an application to charter the Foss Waterway Development Authority, a public corporation, to facilitate the development of the Thea Foss Waterway.

Mayor Moss moved to suspend the rules to consider Substitute Resolution No. 33047. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before Council were:

Gerry Johnson
Martin Sutherland
Adrien Query

Preston, Gates & Ellis
Resident
Resident

Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 33048

Declaring the City of Tacoma as a "Nuclear-Free Zone" and opposing the introduction, storage, or transshipment of any nuclear waste or any nuclear materials in or through the City of Tacoma.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 33048. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

Speaking before Council were:

Steven Salter
Hal Peterson

Resident
Resident

Council Member Kirby moved to delete lines 12-14 on page 4 of Substitute Resolution No. 33048 as follows: "BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA: That the City of Tacoma is hereby declared a "Nuclear Free Zone" as to spent nuclear fuel." Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the Amended Substitute Resolution No. 33048. The Amended Substitute Resolution No. 33048 was declared adopted.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. acknowledged the contributions of Steve Downing who served as the Civil Service Board representative appointed by the City Manager and Public Utilities Director. Mr. Corpuz indicated that a new appointment to the position vacated by Mr. Downing will be made in July 1995.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Miller presented each Council Member with a gift of wooden bookmarks he obtained while on vacation.

Deputy Mayor Evans commented on House Bill 1317 which places new conditions on private-public transportation projects. He stressed the need to address the transportation problems on the Tacoma Narrows Bridge project. He referred to a communication from Randy Lewis on the recommendation to request that the Governor veto portions of Section 2 of the Bill relatively soon. Council Member Miller moved to recommend to the Governor to strike Subsections 10 and 11 of Section 2 of House Bill 1317 that require the gathering of 5,000 signatures to form a public involvement committee. Seconded by Deputy Mayor Evans. Council Member De Forrest declared that because he was a State employee, he would excuse himself from voting on the motion, and left the Council Chambers. Voice vote was taken and carried with Council Member Kirby abstaining and Council Member De Forrest absent. The motion was declared adopted.

Council Member Baarsma acknowledged the appointment of John Croley as Director of the Tacoma Dome. He commented that it was unfortunate that the Tacoma's hockey team may be leaving Tacoma, but pointed out that the Tacoma Dome is the only facility in the Puget Sound area that is capable of meeting the national criteria for accommodating a major hockey league franchise. Council Member Baarsma indicated that with the new Rose arena in Portland and the Key Coliseum are state of the art facilities that are now competing with facilities that were built in the late 1970s and 1980s such as the Dome. He indicated there are a series of proposals to address some of the defects of the Dome that the City needs to consider to keep the Dome competitive.

Council Member Kirby noted that for another year, the City of Tacoma can be declared a fireworks free zone.

Council Member De Forrest commented that in the recent Governing Magazine's issue, it reported that there were 40 states that have legalized fireworks and 10 states that have banned fireworks. Last year, according to the Consumer Products Safety Commission, there were 12,600 people that were hospitalized from fireworks injuries, 50 percent of them came from the 10 states that have banned fireworks. Council Member De Forrest expressed frustration regarding a letter from Lewis Law requesting that property owners apply Roundup to kill the grass growing in the sidewalks on 35th and McKinley Avenue. Council Member De Forrest indicated that the inspector should

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be carrying Roundup when they do their inspections. He noted that in the Rivot versus Tacoma State Supreme Court ruling, the Court ruled that cities are legally responsible for the physical condition of public sidewalks and that abutting property owners are not legally responsible for the physical condition of public sidewalks unless the property owner contributes to that condition. Council Member De Forrest indicated under the Open Meetings Act the Council may recess to Executive Sessions to evaluate the qualifications of applicants for public employment. Council Member De Forrest questioned whether Planning Commission members are considered applicants for "public employment." City Attorney Jenkins, indicated that a State Attorney General's opinion provided that members such as Planning Commission members are treated as officers and officers can be categorized under "public employment." Council Member De Forrest expressed concern about making decisions in Executive Session and then taking formal action in the public forum..

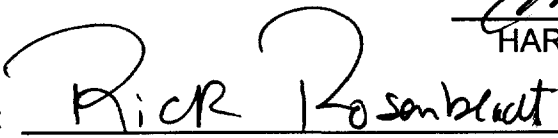
Council Member Miller moved to recess to Executive Session not to exceed 30 minutes to evaluate the qualifications of candidates for uncompensated public employment. Seconded Council Member Baarsma. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

The Council recessed to Executive Session at 10:00 p.m. and reconvened at 10:30 p.m.

Mayor Moss moved to direct staff to prepare a resolution for the Council meeting of June 13, 1995 appointing Christopher Thompson to the Planning Commission position representing the environmental community. Seconded by Council Member Miller. Voice vote was taken and carried with Deputy Mayor Evans voting in opposition. The motion was declared adopted.

On proper motion, the meeting was adjourned at 10:32 p.m.


HAROLD G. MOSS, MAYOR

ATTEST: 
RICK ROSENBLADT, ACTING CITY CLERK

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