

CITY COUNCIL MINUTES

City Council Chambers
November 28, 1995

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

Present on roll call: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss. Absent: : 1 - McGavick.

The Flag Salute was led by Council Member De Forrest.

CONSENT AGENDA

Approval of the minutes of the City Council meeting of November 14, 1995.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the assessment rolls for the following:

L.I.D. 5715 for the installation of water mains and fire hydrants in South 94th Street from Alaska Street to approximately 600 feet west of Alaska Street.

L.I.D. 5717 for the installation of a water main and fire hydrants for East G Street from East 72nd to East 75th Street.

L.I.D. 5718 for the installation of water mains and a fire hydrant for East 49th Street from East C Street to East D Street.

Setting Monday, December 11, 1995, at 5:00 p.m., as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for November 28, 1995.
- b. Minutes of the meeting of the Landmarks Preservation Committee, November 8, 1995.
- c. Minutes of the meeting of the Task Force on Disabilities, October 26, 1995.
- d. Minutes of the meeting of the Tacoma Public Library Board of Trustees, October 18, 1995.
- e. Minutes of the meeting of the Public Utility Board, October 25, 1995, and study sessions, October 19 and October 25, 1995.
- f. Minutes of the meeting of the Human Rights Commission, October 19, 1995.

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

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Council Member Kirby moved to suspend the rules to reconsider Resolution No. 33219. Seconded by Council Member Miller. Voice vote was taken and carried. 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.

Council Member Kirby moved to reconsider Resolution No. 33219. Seconded by Council Member Miller. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Council Member Silas moved to amend the interlocal agreement for Resolution No. 33219 by adding the following sections:

“3.8 The County agrees to immediately establish a Citizen Advisory Committee on Corrections to look for creative alternatives to incarceration for certain misdemeanor offenses, and to expand and support the current effective correction programs and services that are working. The Committee should consist of at least seven, but no more than eleven, residents from the Third and First Councilmanic Districts of the City of Tacoma as recommended by the Tacoma City Council. It is further agreed that the County will provide the necessary staff support and other resources as needed to facilitate the work of the Advisory Committee.

3.9 The County agrees to set Minority and Women's Business Enterprise goals of 14% for Minority Business Enterprises and 8% for Women's Business Enterprises on the permanent jail facility constructed by the County.

3.10 The County agrees to establish a local employment program similar to the program adopted by the City of Tacoma to ensure that qualified and available residents from the City of Tacoma's Empowerment/Enterprise Zones are hired

and receive apprenticeship training as part of any and all constructed correction facilities authorized by the County.

To facilitate the participation of the City of Tacoma's Zone residents in Joint Apprenticeship and Training Council approved apprenticeship programs offered by Bates Technical College, the County agrees to establish an apprenticeship scholarship fund to pay the tuition cost of those residents who qualify for education assistance. The Citizen Advisory Committee on Corrections will provide advice, assistance, and oversight for the scholarship program.

Seconded by Council Member De Forrest.

Council Member De Forrest moved a friendly amendment to the proposed amendments to the interlocal agreement for Resolution No. 33219 by changing the Councilmanic District identified in Section 3.8 as follows:

"...residents from the Third and ~~First~~Second Councilmanic Districts of the City of Tacoma...

Council Member Silas concurred with the friendly amendment.

Speaking before the Council were:

- | | |
|---------------------|--|
| Alberta Canada | Resident, Hilltop Area |
| Mary Canada Harper | Resident |
| Daniel Steuber | Resident, Hilltop Area |
| Marge Sutherland | Resident, Hilltop Area |
| Judy Quackenbush | Resident, Hilltop Area |
| Carol Epstein | PO Box 6832 |
| Steve Jablonski | Resident, Hilltop Area; representing St. Leo's Church |
| Desiree Carter | Hilltop Action Coalition |
| Thomas Dixon | Tacoma Urban League |
| Rob Hignell | Resident |
| Skip Vaughn | 7634 South Fife; representing South Tacoma
Neighborhood Council |
| Larry Else | Wrights Park Neighborhood Association |
| Bruce Triggs | Tacoma Catholic Worker Community |
| Christopher Petrich | Resident, North End |

Deputy Mayor Evans moved to continue the reconsideration of Resolution No. 33219 until next week. Seconded by Council Member Crowley. Roll call vote was taken, resulting as follows:

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

Nays: 1. Kirby.

Absent: : 1 McGavick.

Resolution No. 33219 was continued to the meeting of December 5, 1995.

Ordinance No. 25792 (Continued from the meeting of November 21, 1995.)

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.

Mayor Moss moved to continue Ordinance No. 25792 to the meeting of December 5, 1995. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss moved to recess for no longer than five minutes. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 6:36 p.m. and reconvened at 6:40 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 6:42 p.m.)

- a. City of Federal Way appealing the recommendation of the Hearing Examiner on the request to subdivide a parcel of land located on the west side of 43rd Avenue N.E. and south of 33rd Street N.E. into 17 lots. (T. J. Kornell Charitable Trust; File No. 125.347).

Speaking before the Council were:

James McNamara	Attorney representing City of Federal Way
Stephanie Arend	Attorney representing T. J. Kornell Charitable Trust

Mayor Moss excused Deputy Mayor Evans and Council Member Baarsma at 6:55 p.m. to attend the signing of an agreement.

Council Member Miller moved to concur in the findings, conclusions and recommendations of the Hearing Examiner and deny the appeal. Voice vote was taken and carried. The motion was declared adopted.

Public Hearings began at approximately 7:15 p.m.

- b. This is the date set for a public hearing by the City Council on the proposed amendments to the Municipal Code to establish transit-supportive land use.

Council Member De Forrest moved to consider testimony on both public hearings scheduled for this meeting at the same time. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

- c. This is the date set for a public hearing by the City Council on the proposed amendments to the zoning map to establish transit-supportive land use, transportation and development standards in mixed-use centers.

Speaking before the Council were:

Paul Cyr	4102 55th St. Ct. NW, Gig Harbor; representing Sun Outdoor Advertising
Joe Scorcio	2207 North Washington
Bruce Severeid	4042 South Pine; representing Burton and Ardis Severeid
Fred Peterson	3706 North 28th
Bill Kaufmann	3312 North Union; representing Merchants Association
John Hickman	2705 North Union
Mark Dietzler	25th & Union
Doug Hopper	Resident, Proctor District
Bob Wolpert	2710 North Washington
Keith Stone	Resident

Deputy Mayor Evans and Council Member Baarsma returned to the Council meeting at 8:58 p.m.

Mayor Moss moved to remand these two issues back to the Planning Commission for reconsideration. Seconded by Council Member Silas. Voice vote was taken and carried with Council Member De Forrest voting in opposition. Motion was declared adopted.

The public hearings were declared closed at 9:00 p.m.

Mayor Moss moved to recess for five minutes. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 9:02 p.m. and reconvened at 9:16 p.m.

Substitute 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 ES 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.

Roll call vote was taken, resulting as follows:

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

Nays: 12 -- ~~McGavick and Miller.~~

Absent: 1-- McGavick.

The Substitute Ordinance was declared passed.

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.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, Miller, Silas, and Mayor Moss.

Nays: 01 -- ~~McGavick.~~

Absent: 1-- McGavick.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25780 (Continued from the meeting of October 31, 1995.)

Amending Titles 6 and 9 of the Municipal Code relative to sidewalk vending.

Deputy Mayor Evans moved to suspend the rules to consider Substitute Ordinance No. 25780. Seconded by Silas.

Speaking before the Council were:

Michael Lee	Business owner, 10th & Pacific
Jerry Vaughn	Vendor, hot dog cart
Dan Mulholland	Metropolitan Park Commission
Ingeborg Taylor	Caffé Amorini
Skip Vaughn	7634 South Fife
Keith Stone	Resident

Council Member Miller moved to table Ordinance No. 25780. Seconded by Council Member Kirby. Roll call vote was taken, resulting as follows:

Ayes: 3 -- Baarsma, Kirby, and Miller.

Nays: 5 -- Crowley, De Forrest, Evans, Silas, and Mayor Moss.

Absent: 1-- McGavick.

The motion to table Ordinance No. 25780 was declared failed.

Council Member Miller moved to amend Substitute Ordinance No. 25780 by removing the strikes from Section 9.40.090 F. as follows:

“A mobile vending unit may not be placed within 200 feet of a like business, unless the applicant owns the establishment or has written consent of the proprietor. For purposes of this chapter, a vendor with an approved location shall have his or her rights to that location vested for the remainder of the permit year should a like business locate within 200 feet thereof.”

and insert this language following 6.81.090 F. as a new section 6.81.090 G. Seconded by Council Member Kirby. Council Member Miller withdrew his motion.

The Ordinance was set over for final reading next week.

Ordinance No. 25795

Authorizing the execution of a Memorandum of Understanding with the Tacoma Housing Authority, in the amount of \$76,500, depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for an Elderly Services Coordination Program.

The Ordinance was set over for final reading next week.

Ordinance No. 25796

Appropriating \$187,999.21 from the Labor-Management Health Care Trust to pay Pierce County Medical Bureau, Inc., for underwriting losses for the third quarter of 1995.

The Ordinance was set over for final reading next week.

Ordinance No. 25797

Amending Chapter 13.10 of the Municipal Code, relative to the Master Program for Shoreline Development to be consistent with the Thea Foss Waterway Design and Development Plan and the Thea Foss Waterway Environmental Impact Statement.

Speaking before the Council were:

Keith Stone	Resident
Carol Murray	Tacoma Tideflats Association

The Ordinance was set over for final reading next week.

Ordinance No. 25798

Amending the Land Use Management Plan, the comprehensive plan, including portions of the Master Program for Shoreline Development, Capital Facilities Program, Central Plan, Economic Development Plan and Program, Generalized Land Use Plan, Housing Program, Transportation Program, Tacoma Dome Area Plan and the Thea Foss Waterway Design and Development Plan.

Council Member De Forrest moved to amend Ordinance No. 25798 by deleting the steep slope area which extends generally along East "N" Street from East 28th Street to the alley north of Fairbanks Street from the proposed land use intensity, mixed use center designation and zoning changes as recommended in the Portland Avenue Study and as included in the draft Generalized Land Use Plan. Council Member De Forrest also moved that these areas retain their current land use intensity and zoning classification. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 25799

Accepting grant awards with the U. S. Department of Justice, in the amount of \$779,043, for the Community Oriented Policing Services programs, depositing said sum in the Miscellaneous Grants Summary Fund, transferring \$820,315 from the

General Fund to the Miscellaneous Grants Summary Fund, and appropriating \$827,153 from the Miscellaneous Summary Grants Fund for said programs.

The Ordinance was set over for final reading next week.

Ordinance No. 25800

Amending the Pay and Compensation Plan to implement 1996 rates of pay for the Warehouse, Automotive, Food, Public Employees, Driver Sales and Special Services Union, Local 599 (Tacoma Dome Unit).

The Ordinance was set over for final reading next week.

Ordinance No. 25801

Amending the Pay and Compensation Plan to implement 1996 rates of pay for represented and unrepresented employees and changes in classification to reflect the organizational structure.

The Ordinance was set over for final reading next week.

Ordinance No. 25802

Amending Chapter 12.08 of the Municipal Code to increase the rates and charges for sanitary sewer services, storm drainage services, biosolids sales and septic fees.

Speaking before the Council were:

Gary Smith	Owner, Engine House Pub
Chris Guzick	Owner, Victory Building
Skip Vaughn	7634 South Fife
Keith Stone	Resident

The Ordinance was set over for final reading next week.

Ordinance No. 25803

Modifying the Biennial Budget of the City of Tacoma for the fiscal years 1995-1996; increasing the petty cash account in the General Fund by \$5,000 to a cumulative total of \$25,000; establishing a petty cash account of up to \$1,000 within the Total Quality Fund; and transferring \$200,000 from the EMS Fund to the EMS Levy Fund and closure of the EMS Fund.

Council Member Crowley moved to amend Ordinance No. 25803 by appropriating an additional \$5,000, for a total of \$30,000 in the Visitor and Convention Promotion Fund for the purpose of providing increased support in 1996 for the Tacoma-

Pierce County Sports Commission. Seconded by Mayor Moss. Voice vote was taken and carried with Council Member Silas voting in opposition. The motion was declared adopted.

Speaking before the Council were:

Evan McCord 6707 South Bell
Skip Vaughn 7634 South Fife

Council Member De Forrest moved to suspend the rules to notify the public that they will have an opportunity to speak on Ordinance No. 25803 with any additional amendments at the Council meeting of December 5, 1995. Seconded by Mayor Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 33220

Awarding a contract to:

Controlled Rain, on their bid of \$73,808.05, for street tree planting in Puyallup Avenue, Tacoma Dome Business District Core and Lincoln International Business District - Specification No. G-254-95.

Council Member Miller moved that Purchase Resolution No. 33220 be adopted. Seconded by Council Member Crowley.

Speaking before the Council was:

Keith Stone Resident

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

Resolution No. 33221

Authorizing the execution of a contract with Robert E. Mack (Smith Alling Lane, P.S.), in the amount of \$65,000, for legislative liaison services from January 1, 1996, through December 31, 1996.

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. 33222

Authorizing the execution of a Purchase and Sale agreement by the Light Division with the Weyerhaeuser Company, in the amount of approximately \$5,000,000, to acquire fee-title of approximately 868 acres of river corridor lands located adjacent to the Nisqually River in Pierce and Thurston counties, near Eatonville, for the purpose of wildlife habitat enhancement.

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

Resolution No. 33223

Authorizing the execution of a Quit Claim Deed to Mr. and Mrs. David F. Smith, for a boundary line adjustment between the Smith property and Light Division property in Pierce County north of LaGrande.

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. 33224

Authorizing 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 to Mr. and Mrs. Charles K. McTee for \$90,000.

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.

Resolution No. 33225

Authorizing the execution of a collective bargaining agreement with the Warehouse, Automotive, Food, Public Employees, Driver Sales and Special Services Union, Local 599 (Tacoma Dome Unit) from January 1, 1996, through December 31, 1998.

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

Resolution No. 33226

Authorizing the execution of an amendment to the agreement with Simon and Company, in the amount of \$25,000, for congressional liaison services from January 1, 1996, through December 31, 1996.

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.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Miller moved to excuse the absence of Council Member McGavick. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller extended his thanks to his colleagues and staff for all of the heart felt condolences expressed over the past week. Council Member Miller commented that citizens concerned regarding public safety issues might like to attend the next Council meeting in support of the jail issues.

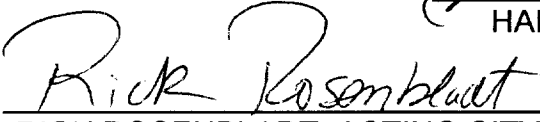
Deputy Mayor Evans reported on the signing ceremony for the interlocal agreement with the City of Federal Way and its Sister City Hachinohe, Japan. Deputy Mayor Evans also expressed concern regarding the increase in graffiti, particularly in the North End of Tacoma. He requested that the Police Department give that issue special attention. Deputy Mayor Evans asked staff to look into making it illegal to sell spray cans to anyone under the age of 18.

Council Member Baarsma concurred with the positive comments made by Deputy Mayor Evans regarding the signing ceremony with Hachinohe, Japan. Council Member Baarsma also expressed his concern regarding the decision by TCI to remove Channel 6, a Canadian broadcasting channel, from its programming.

Council Member Kirby asked the City Manager to look into what other jurisdictions are doing to address the issue of graffiti by dealing with point of sale purchases.

On proper motion, the meeting was adjourned at 12:04 a.m., November 29, 1995.


HAROLD G. MOSS, MAYOR

ATTEST: 
RICK ROSENBLADT, ACTING CITY CLERK