

CITY COUNCIL MINUTES

City Council Chambers
August 30, 1994

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

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

The Flag Salute was led by Council Member McGavick.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of August 16, 1994.

ORDINANCES:

Ordinance No. 25577

Accepting a donation of 13,000 feet of cable strand and pole hardware from TCI of Tacoma, Inc. for Neighborhood Impact on Drugs projects.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, August 30, 1994.
- b. Minutes of the meeting of the Landmarks Preservation Commission, August 10, 1994.
- c. Minutes of the meeting of the LESA Executive Board, May 10, 1994.
- d. Minutes of the meetings of the Human Rights Commission, June 16, 21 and 28 and July 21, 1994.
- e. Minutes of the meeting of the Civil Service Board, July 18, 1994.
- f. Minutes of the meeting of the Environmental Commission, July 11, 1994.
- g. Minutes of the Public Utility Board study session and meeting, July 27, 1994.
- h. Minutes of the meeting of the Tacoma Community Redevelopment Authority, July 27, 1994.
- i. Tacoma Public Utilities Performance Report, Second Quarter 1994.

Council Member Baarsma moved that the Consent Agenda, including First Reading of Ordinance No. 25577, be approved. Seconded by Council Member McGavick. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

Hearing Examiner recommending dismissal of the petition to vacate a portion of South 48th Street easterly of Wilkeson Street. (Jeffrey P. Christensen; File No. 124.900)

Council Member Baarsma moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25564

Amending Chapter 5.04 of the Official Code relative to infectious waste management and adding Section 5.04.045 relative to residential sharps waste.

Council Member Baarsma moved to continue Ordinance No. 25564 to the meeting of September 20, 1994. Seconded Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25564 will be considered at the regular City Council meeting of September 20, 1994.

Ordinance No. 25565

Authorizing the execution of a grant agreement with the Washington State Department of Community, Trade and Economic Development in the amount of \$250,000; depositing in and appropriating said sum from the Capital Improvement Program Summary Fund for the Thea Foss Waterway Environmental Impact Statement Project.

Roll call vote was taken, resulting as follows:

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

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Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25566

Repealing Sections 6.38.090 and 6.38.100 of the Official Code relative to public dance halls.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25567

Repealing Chapter 6.31 of the Official Code relative to motion picture machine operators.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25568

Repealing Section 6.35.030 of the Official Code relative to censorship and the prohibition of immoral pictures.

Roll call vote was taken, resulting as follows:

Ayes: 5 -- Baarsma, Crowley, De Forrest, McGavick, and Acting Mayor Evans.

Nays: 1 -- Kirby.

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

The Ordinance was declared passed.

Ordinance No. 25569

Repealing Sections 6.25.050 and 6.25.060 of the Official Code relative to hotels and lodging.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25570

Repealing Sections 6.15.050(G), 6.15.054 and 6.15.057 of the Official Code relative to limitations for the cost of solicitation and promotions.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25571

Repealing Chapter 5.44 of the Official Code relative to wheat dust.

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Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25572

Repealing Chapter 5.40 of the Official Code relative to restrooms.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25573

Amending Section 3.04.020 and repealing Sections 3.04.050, 3.04.080, 3.04.090, 3.04.110, 3.04.120 and 3.04.170 of the Official Code relative to updating regulations of the Tacoma Fire Department.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25574

Repealing Chapter 1.38 of the Official Code relative to the Model Cities Land Use Review Board.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25575

Repealing Chapter 1.26 of the Official Code relative to the Neighborhood Youth Corps.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

Ordinance No. 25576

Repealing Chapter 6.57 of the Official Code relative to endless chain sales.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25578

Authorizing the execution of a Fair Housing Initiative Grant Agreement with the U.S. Department of Housing and Urban Development in the amount of \$122,592; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for educational and outreach activities on fair housing and landlord-tenant rights.

The Ordinance was set over for final reading to the meeting of September 13, 1994.

RESOLUTIONS:

Purchase Resolution No. 32735

Awarding contracts to:

1. Valley Freightliner, Inc., on their bid of \$58,859.45 for one 28,000 GVW five-yard dump truck - Specification No. G-029-94;
2. Westar Contracting, Inc., on their bid of \$112,686.10 to reroof Cheney Stadium - Specification No. G-226-94;
3. Western Paper Company, in the amount of \$53,000 to increase their contract for multipurpose papers - Specification No. G-051-92;
4. Hydraulics Northwest, Inc., in the amount of \$50,000 to increase their contract for truck parts and repair services - Open Purchase Order No. 2641;
5. Allied Colloids, Inc., in the amount of \$100,000 to extend and increase their contract for dry polymers - Specification No. G-120-90;
6. Randles Sand & Gravel, on their bid of \$240,185.40 for aggregates for the asphalt plant - Specification No. G-035-94; and
7. Randles Sand & Gravel, on their bid of \$55,029 for asphalt paving sand - Specification No. G-033-94.

Council Member Baarsma moved to suspend the rules to consider Substitute Exhibit 'A' of Resolution No. 32735. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma moved that the Purchase Resolution, including Substitute Exhibit 'A' and waiving formal bidding procedures on Item No. 4, be adopted. Seconded by Council Member McGavick.

Speaking before Council was:

Don King

Truck Center Corporation

Council Member De Forrest moved to remove Item No. 1 from Substitute Exhibit 'A' of Purchase Resolution No. 32735. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest moved that a resolution be prepared, including Item No. 1, for the Council's consideration on September 13, 1994. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

Council Member Crowley moved to adopt the Amended Purchase Resolution, including waiving formal bidding procedures on Item No. 4. Seconded by Council Member McGavick. Voice vote was taken and carried. The Amended Purchase Resolution was declared adopted.

Resolution No. 32736

Authorizing the execution of an Interlocal Agreement with Pierce County and the cities of Pierce County for backup law enforcement services.

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

Resolution No. 32737

Authorizing the execution of a lease agreement with Tosch Aircraft Properties, Inc. for property at the Tacoma Narrows Airport.

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

Resolution No. 32738

Authorizing the execution of an Intergovernmental Construction Agreement with the Bureau of Indian Affairs for the construction of East 29th Street from Portland Avenue to Cley OQ Street to connect to the reservation system.

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

Resolution No. 32739

Authorizing the execution of an agreement with Shapiro and Associates, Inc. in the amount of \$256,328 for the preparation of an environmental impact statement and incorporating the public participation process for the development of the western side of the Thea Foss Waterway.

Council Member Kirby moved to continue Resolution Nos. 32739 and 32740 to the meeting of September 13, 1994. Seconded Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution Nos. 32739 and 32740 will be considered at the regular City Council meeting of September 13, 1994.

Resolution No. 32740

Authorizing the execution of an agreement with Merritt+Pardini in the amount of \$220,872 for the preparation of an environmental impact statement, leading the public participation process and designing alternative proposals for the development of the western side of the Thea Foss Waterway.

Resolution Nos. 32739 and 32740 will be considered at the regular City Council meeting of September 13, 1994.

Resolution No. 32741

Authorizing the execution of an agreement with Tacoma School District No. 10 in an amount not to exceed \$20,000 for moving a building on Roosevelt Avenue across from Roosevelt Elementary School.

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

Speaking before Council were:

Doug Delin
Kelly Halligan
Charles Potter

3565 East T Street
Urban Policy Committee
Safe Streets

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

Resolution No. 32742

Authorizing the execution of an agreement with the National Council for Community Development, Inc. and the Grow American Fund, Inc. in the amount of \$900,000 for the Neighborhood Small Business Loan Program.

Acting Mayor Evans moved to continue Resolution No. 32742 to the meeting of September 13, 1994. Seconded Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32742 will be considered at the regular City Council meeting of September 13, 1994.

Acting Mayor Evans moved to suspend the rules to consider an additional Resolution No. 32743. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32743

Authorizing the inclusion of Paine Field in the Phase 2 section of the Major Supplemental Airport Feasibility Study.

Speaking before Council were:

Skip Vaughn	7634 South Fife Street
Gary Brackett	Chamber of Commerce

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

PUBLIC HEARINGS AND APPEALS: (Began at 7:02 p.m.)

- a. This is the date set for a public hearing regarding the Tacoma Master Program for Shoreline Development.

Speaking before the Council were:

Kathy Minsch	Puget Sound Water Quality Authority
Cheryl Miller	3303 North 36th Street
Leslie Ryan	Broadway, Tacoma
Karen Pickett	533 North Commercial
Jack McCullough	Seattle

Dick Gilmur	Port of Tacoma
Joe Martinac	Thea Foss Waterway
Frank Jacobs	625 McCarver Street
Loren Cones	Resident
Skip Vaughn	7634 South Fife Street

The hearing was declared closed.

- b. This is the date set for a public hearing regarding proposed amendments to the Land Use Management Plan.

Speaking before Council were:

Jan Bejarano	3023 South Durango
Dan Mulholland	4605 American Lake Blvd.
Skip Vaughn	7634 South Fife Street
Cheryl Miller	3303 North 36th Street

The hearing was declared closed.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager announced that a Town Hall meeting will be held on September 15, 1994, at 7:00 p.m., at the Northeast Tacoma Elementary School, 5412 29th Street NE.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma indicated that at today's noon Council Study Session the Tacoma-Pierce County Small Business Incubator presented a proposal concerning the T Street Gulch cleanup project. He asked that staff evaluate and provide a report back to the Council on the environmental cleanup and assessment proposal that was put forth by the environmental services network relating to the T Street Gulch, between East 34th and Fairbanks. Council Member Baarsma encouraged small businesses to participate in this project if they can.

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Council Member Baarsma stated he was very pleased to see the U. S. Senate pass the crime bill. He said that according to Mr. Len Simon, the City's representative in Washington, D.C., is in the process of preparing a benefit analysis of the impacts this crime bill will have on the City of Tacoma. Council Member Baarsma indicated that through the local partnership act alone, the City of Tacoma may receive somewhere between \$2-\$3 million of assistance. He said there is also an array of other crime prevention block grant programs that the City can apply for. He indicated that he will be sending a thank you letter to Senator Murray and Congressmen Kriedler and Dicks for their support of the crime bill.

Council Member Baarsma reported that he had talked with Judge Sullivan and Police Chief Fjetland who are very supportive of the idea of restoring the home rule authority as noted in City Charter Section 4.4.

Council Member Kirby announced that he and Assistant City Attorney Heidi Horst will be taking part in a debate on Municipal Channel 12 with an ACLU lawyer on the merits of the City's proposed curfew law.

Council Member Kirby indicated that Mayor Moss had requested his assistance to review the Council's proposed biennial budget. Council Member Kirby requested staff to provide an explanation on the line item budget for photocopy, quick copy, printing, etc., as well as a historical explanation for the funds that were appropriated for line items 53120, expert services; 53160 publicity and public relations; 54210 association dues; 54270 other contractual services; 55280 administrative costs; and 53948 space rent.

Council Member McGavick thanked Mr. Dan Mulholland and Mr. Skip Vaughn for their presentation about the Wapato Hill park proposal. Council Member McGavick expressed concerns about legislating new laws to keep children inside. She supported having positive activities and prevention programs for children to be involved in, such as the parks.

Council Member De Forrest asked if staff could identify funding sources for the T-Street Gulch cleanup project. Council Member De Forrest noted that when the Council accepted \$34,000 from a Community Development Block Grant house that was sold a few months ago, it was his understanding that those funds would remain in the CDBG program for other projects. He indicated that when he inquired on the status of those funds, he was told that those funds had been spent and was not aware that Council took action to spend those funds. Council Member De Forrest indicated that he voted in the affirmative on Resolution 32741 (Tacoma School District agreement regarding Roosevelt Elementary School) and indicated that if he desired, he may move to reconsider this resolution at the next Council meeting. Council Member De Forrest requested that if there are substantial changes made to the Tacoma School District agreement that it be brought before the Council for consideration.

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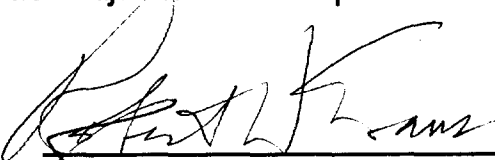
Acting Mayor Evans requested that a letter be sent to Congressmen Kriedler and Dicks regarding the Council's position on the airport issue. He also requested that a letter be prepared from the Council to Senator Murray and Congressmen Kriedler and Dicks on the crime bill. Acting Mayor Evans requested that a meeting be held with Public Utilities to discuss the permutations of the Wapato Hills proposals, i.e. the recharge area, costs, etc.

Acting Mayor Evans thanked Dale Chihuly for his admirable contribution for the glass blowing session at Jason Lee School.

Acting Mayor Evans announced that next week's City Council meeting of September 6, 1994 is canceled. The next regularly scheduled Council meeting will be held on September 13, 1994 at 5:00 p.m. in the Council Chambers.

Acting Mayor Evans moved to excuse the absences of Mayor Moss, Deputy Mayor Miller and Council Member Silas from tonight's Council meeting. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 9:15 p.m.



ROBERT W. EVANS, ACTING MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

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