

## CITY COUNCIL MINUTES

City Council Chambers  
October 25, 1994

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

Present on roll call: 7 - Crowley, De Forrest, Evans, McGavick, Miller, Silas, and Mayor Moss. Absent: 2 - Baarsma and Kirby. (Council Member Kirby arrived at 5:12 p.m.)

The Flag Salute was led by Council Member Evans.

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### CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of October 11, 1994 and study sessions of August 23 and 30 and September 13, 1994.

#### ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, October 25, 1994.
- b. Minutes of the meeting of the Tacoma-Pierce County Board of Health, September 1, 1994.
- c. Minutes of the meeting of the Tacoma Planning Commission, October 3, 1994.
- d. Minutes of the meeting of the Citizens' Affirmative Action Advisory Committee, September 7, 1994.
- e. Minutes of the meeting of the LESA Executive Board, September 14, 1994.
- f. Minutes of the meeting of the Accident Review Board, October 12, 1994.
- g. Report of the Director of Finance, August 1994.

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

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### REGULAR AGENDA

#### ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of Police Department citizens' awards.

Mayor Moss called on Assistant Chief Jim Hairston, of the Tacoma Police Department, to present a certificate to Mr. D. Gregory Higginbotham. On August 19, 1994, Mr. Higginbotham physically assisted Tacoma Police Officers in subduing a violent drug dealer in the vicinity of Pacific Avenue and Jefferson Avenue. He stated that Mr. Higginbotham's involvement saved the officer from sustaining substantial injury. His alertness and quick action led to the arrest of three subjects. Mr. Higginbotham was recognized with a citizen's award. Mayor Moss thanked Mr. Higginbotham for his involvement.

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FINAL READING OF ORDINANCES:

Ordinance No. 25610

Appropriating \$850,000 from the EMS Operations Fund 4130 for emergency medical ambulance transport services.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 2 -- Baarsma and Kirby.

The Ordinance was declared passed.

Ordinance No. 25611

Amending Section 6.52.110 of the Official Code relative to the bond and insurance requirements for taxis.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 2 -- Baarsma and Kirby.

The Ordinance was declared passed.

Ordinance No. 25612

Authorizing the sale and issuance of Refuse Utility Revenue Bonds in an amount not to exceed \$23,000,000 for the redemption of certain outstanding refuse utility revenue bond anticipation notes for improvements to the refuse utility.

Roll call vote was taken, resulting as follows:

Ayes: 6 -- Crowley, Evans, McGavick, Miller, Silas, and Mayor Moss.

Nays: 1 -- De Forrest.

Absent: 2 -- Baarsma and Kirby.

The Ordinance was declared passed.

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Council Member Kirby arrived at 5:12 p.m.

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Ordinance No. 25613

Authorizing the issuance of Refuse Utility Revenue Bonds in an amount not to exceed \$25,000,000 and authorizing the issuance of Refuse Utility Bond Anticipation Notes in an amount not to exceed \$20,000,000 for additions and improvements to the refuse utility system.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25613. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 -- Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 1 -- De Forrest.

Absent: 1 -- Baarsma.

The Substitute Ordinance was declared passed.

Ordinance No. 25614

Accepting donations of \$3,250 from Greater Tacoma Community Foundation, Education Employees Credit Union, Gotfried/Fuchs Foundation, Weyerhaeuser, Tapco Credit Union, and Forest Foundation; and depositing in and appropriating \$3,591.20 from the Miscellaneous Grants Summary Fund for Senior Citizens Awareness Day.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Baarsma.

The Ordinance was declared passed.

Ordinance No. 25615

Depositing in and appropriating \$7,617 in booth rental fees from the General Fund for Senior Citizens Awareness Day.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Baarsma.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25616

Amending Chapter 13.06 of the Official Code to reclassify the property located in the half-block west of South Thompson Avenue from South 38th to South 40th Streets and in the half-block south of South 40th Street from South Thompson Avenue to South G Street from a "R-4" Multiple-Family Dwelling District and a "C-1" Commercial District to

a "R-2SRD" Residential Special Review District to be consistent with the Generalized Land Use Plan. (City of Tacoma; File No. 120.1370)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 25617

Amending Sections 1.29.020 and 1.29.040 of the Official Code relative to the appointments process and term of high school youths as a representative group on the Human Rights Commission.

The Ordinance was set over for final reading next week.

Ordinance No. 25618

Amending Sections 1.23.070 and 1.23.155 of the Official Code relative to the powers of the Hearing Examiner.

The Ordinance was set over for final reading next week.

Ordinance No. 25619

Amending Section 8.70.010 of the Official Code relative to the jurisdiction of the Municipal Court.

The Ordinance was set over for final reading next week.

Ordinance No. 25620

Amending the Pay and Compensation Plan relative to the long-term disability plan and deferred compensation contributions for members of the Professional Public Safety Managers' Association effective November 1, 1994.

Speaking to the Council was:

Louise Batchelor

Tacoma resident

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 32792

Awarding contracts to:

1. Digital Solutions Unlimited, in the amount of \$46,885 for a database server - Specification No. G-038-94;
2. Gateway 2000, in the amount of \$34,839.32 for eleven Gateway 2000 P5-90 Computer Systems - Sole Source;
3. Sea-Western, Inc., in the amount of \$35,000 to increase their contract for fire protection equipment and supplies, safety items and equipment repair - Open Purchase Order No. 2653; and
4. Sequim Police Department, on their bid of \$10,481 for two surplus 1990 Chevrolet Caprices - Vehicle Nos. 0857 and 0883.

Deputy Mayor Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 2, 3 and 4, be adopted. Seconded by Council Member Evans.

Council Member De Forrest moved to vote on Purchase Item No. 2 separately.

Mayor Moss stated that Council would deal Item Nos. 1, 3 and 4 first.

Speaking to the Council was:

Louise Batchelor

Tacoma resident

Council Member De Forrest moved to vote on Purchase Item No. 2 separately. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss stated that Purchase Item Nos. 1, 3 and 4 were before the Council for consideration.

Voice vote was taken and carried on Purchase Item Nos. 1, 3 and 4. Item Nos. 1, 3 and 4 were approved.

Voice vote was taken and carried on Purchase Item No. 2, with Council Member De Forrest voting nay.

The Purchase Resolution was declared adopted.

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Resolution No. 32793

Approving the release of an easement to clear the title on the property located in the vicinity of 5024 North Whitman.

Deputy Mayor 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. 32794

Authorizing the execution of Local Improvement Assessment Deeds with Brion and Debra Hess, in the amount of \$75 and Billy Graham Evangelistic Associates, in the amount of \$100 for the sale of surplus L.I. Guaranty Fund properties.

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

Resolution No. 32795

Authorizing the execution of two Collective Bargaining Agreements with the Professional Public Safety Managers' Association effective November 1, 1994 through December 31, 1994 and January 1, 1995 through December 31, 1997.

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

Resolution No. 32796

Authorizing the submittal of grant applications to the State of Washington in the amount of \$223,485 for criminal justice programs including the Youth Outdoor Adventure Program, Youth Leadership and Enrichment Program, Late Night Recreation Program, Sexual Abuse Clearinghouse Expansion, Child Abuse Victim and Family Treatment, Battered Women's Shelter, Advocates for Domestic Violence Victims and Batterers Treatment and Court Improvements.

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

Speaking to the Council were:

Louise Batchelor  
Abdullah Ali

Tacoma resident  
Tacoma resident

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

Resolution No. 32797

Expressing support for the "National Unfunded Mandates Week" from October 23 through 29, 1994 and urging Congress to enact legislation to end unfunded federal mandates.

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

Council Member De Forrest moved to strike lines 15 and 16 from the Resolution, which reads: "Whereas this legislation was supported by an overwhelming majority of Congress and President Clinton." Seconded by Mayor Moss. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

Louise Batchelor

Tacoma resident

Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

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UNFINISHED BUSINESS:

None.

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REPORTS BY CITY MANAGER:

None.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Miller moved to excuse Council Member Baarsma from tonight's meeting. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member McGavick stated that two weeks ago there were some children in the Council Chambers concerned about the drug free zone signs. She stated that

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Mr. Frutiger had provided some update on that. She stated that the City was following up on the drug free signs. She stated also that the City was working with some of the groups concerned about this, such as the Tacoma School District and Safe Streets. She noted that signs don't stop crime and the curfew, by itself, won't stop crime, but every little bit helps. This is visible evidence that something is going to happen and might make the neighbors feel safer about their park. She appreciated that staff would get back to them and follow through.

Council Member Kirby requested of the City Manager's Office to investigate an incident about a week ago. He had turned onto South 56th Street and headed towards the freeway about 8:00 or 9:00 a.m. and indicated that an individual was bicycling in the lane. There was a lot of commotion over this. He noted the same thing also on Orchard near the landfill, where in order to avoid the bicyclist, people were going out into the street and crossing over traffic. He stated that there were no pedestrians on the sidewalk. He felt it was a dangerous situation. He knew that by law they have to ride in the street or a designated bike path. He requested to know if it was possible to designate certain sidewalks as bike paths, so as to get them off certain streets.

Council Member Kirby also stated that he had heard a rumor that the Curfew Ordinance would be before the Council in mid-November. He requested to know why staff was waiting on this matter and if there is any way to step this up. Council Member Kirby also stated he was concerned about the drug free zone signs. He stated he was concerned about the \$40,000 cost for the 300 to 400 signs. He stated this was a lot of money for this number of signs. Council Member Kirby also stated that he appreciated Deputy Mayor Miller's "light gavel" at today's study session. He greatly appreciated the opportunity to get things off his chest.

Council Member De Forrest stated that tomorrow night the Mayor, the Police Chief and he would be ballot counters at the Eastside Neighborhood Advisory Council elections, at 7 p.m. at Sheridan Elementary School. Council Member De Forrest also thanked staff for information on Parcel 3 conversion. He stated he had many questions, but would wait for the study session or would meet with staff. Council Member De Forrest stated that he wanted staff from the City Attorney's to check into a court case before the U.S. Supreme Court decision dealing with affirmative action for promotions. He stated that he knew the City was looking at this matter and recommended that the staff hold off on any decisions until that Supreme Court decision is rendered. Council Member De Forrest stated there was another killing in his district in the vicinity of Portland Avenue and McKinley Avenue. He stated that his heart goes out to the family and to those in Upper Tacoma affected by this incident. He hoped that we get a handle on this problem. He felt progress is being made. He said he feels bad when he reads about young adults being killed.

Council Member Evans stated that bicyclists have equal rights to highways. He stated bicyclists on sidewalks on Ruston Way were causing problems. He felt there should be better provision for bicyclists on the roadways. He stated that drivers should be more


tolerant. Council Member Evans stated that he confused the issue earlier when he talked about the Hilltop Family Support Center. The first will be at McCarver School. He said that for those who are interested in putting into their school a similar facility, there were two numbers to call, and they were 627-3223 and 583-2731.

Deputy Mayor Miller had a request for Municipal Television. He stated the Council had received a number of letters on both sides that seems to have split the Civil Service Board over a staff response to the Board. He presumed that it occurred at a meeting that would have been taped. He requested a copy of the segment in question so that he could review it and could make it available to other Council Members. He said they could make their own judgment after viewing the tape.

Mayor Moss stated he had recently been to Boze Elementary School to work with the students. Mayor Moss also stated that he was with Ahmad Rashad at Mt. Tahoma High School as they retired his football jersey. He stated it was a great experience. Mayor Moss stated that tonight they were having a dinner at the South Tacoma Boys and Girls Club for the youth and Ahmad Rashad.

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On proper motion, the meeting was adjourned at 7:09 p.m.

ATTEST:   
GENELLE BIRK, CITY CLERK

  
HAROLD G. MOSS, MAYOR

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