

CITY COUNCIL MINUTES

City Council Chambers
April 25, 1995

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

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

The Flag Salute was led by Council Member Baarsma.

Mayor Moss asked for a moment of silence in respect for those who lost loved ones in the Oklahoma City tragedy.

Approval of the minutes of the Tacoma City Council meeting of April 11, 1995.

RESOLUTIONS:

Resolution No. 32978

Setting Tuesday, June 6, 1995, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate Lawler Street northerly of East-West Road. (Tacoma Public Utilities, Belt Line Division; File No. 124.1017)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for April 25, 1995.
- b. Minutes of the meetings of the Planning Commission, March 20, and April 3, 1995.
- c. Monthly Financial Reports for Light Division, Water Division, Belt Line Division, Conservation Project Fund, Data Processing Fund, Fleet Services Fund, Geographic Information System Fund, and Self-Insurance Claim Fund, January 1995.
- d. Annual Financial Reports for the Light Division and Water Division, 1994.

Deputy Mayor Evans moved that the Consent Agenda, including Resolution No. 32978, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda, including Resolution No. 32978, was declared approved.

Mayor Moss proclaimed the week of May 14 through May 19, 1995, to be "Transportation Week" and presented the proclamation to Mr. Jim Hartwig.

Mayor Moss proclaimed the day of April 26, 1995, to be "Retired and Senior Volunteer Program Day" and presented the proclamation to Ms. Kathy Carenbauer.

Mayor Moss proclaimed the day of April 25, 1995, to be "Youth Service Day," and presented the proclamation to Ms. Janie Starr, Ms. Karia Mason and Mr. Gabe McClelland.

Council Member Crowley moved to suspend the rules to consider Resolution No. 32986 at this time. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32986

Approving the Consolidated Plan including the Community Development Block Grant, HOME Investment Partnership and Emergency Shelter Grant programs.

Council Member Crowley moved to continue Resolution No. 32986 to the meeting of May 2, 1995. Seconded Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32986 will be considered at the regular City Council meeting of May 2, 1995.

REGULAR AGENDA

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.594 to allow the excavation of soil contaminated with metals and PCBs in excess of the Model Toxics Control Act regulations located on Schuster Parkway immediately east of Commencement Park. (State of Washington Military Department; File No. 141.594)

Deputy Mayor Evans moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. Roll

call vote was taken, resulting as follows: Ayes: 8 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Moss. Nays: 0. Absent: 1- Miller. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25687

Amending Chapter 13.06 of the Official Code to reclassify the property located south of East-West Road and east of Milwaukee Way between the Tacoma City limits and the Fife City limits as a "M-2" Heavy Industrial District. (Department of Public Works; File No. 120.1348A)

Mayor Moss moved to suspend the rules to consider Substitute Ordinance No. 25687. 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: 8 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Moss.

Nays: 0.

Absent: 1 -- Miller.

The Substitute Ordinance was declared passed.

Ordinance No. 25688

Amending Chapter 13.06 of the Official Code to reclassify the property located 1,000 feet west of the Tacoma City limits, west of Lakewood Drive West, between South 64th Street and Custer Road West as a "R-2" One-Family Dwelling District. (Department of Public Works; File No. 120.1393)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25690

Authorizing the extension of the cable television franchise agreement with Viacom Cablevision to continue operation in Tacoma through December 31, 1995.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25691

Authorizing the extension of the cable television franchise agreement with TeleCommunications, Inc. to continue operation in Tacoma through December 31, 1995.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25694

Authorizing the issuance of junior lien water system revenue anticipation notes in the amount of \$5,000,000 for interim financing of capital projects for the water system.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25695

Accepting a grant award from the State of Washington Department of Community, Trade and Economic Development in the amount of \$219,956.25; depositing in and appropriating said sum from the General Fund; and authorizing the execution of agreements with the Metropolitan Park District, Young Women's Christian Association, Child Abuse Prevention Resources, Consejo and Municipal Court to provide specific criminal justice prevention and treatment programs.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25696

Amending Chapters 1.23, 13.02 and 13.06 of the Official Code relative to procedures for amending the Comprehensive Plan, Land Use Management Plan, development regulations and procedural changes for area-wide zoning reclassifications.

Mayor Moss moved to suspend the rules to consider Substitute Ordinance No. 25696. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25697

Vacating a portion of East O Street south of East 31st Street and west of Portland Avenue to combine the vacated area with the abutting property. (Daniel and Natalie Galaviz; File No. 124.1013)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 25698

Vacating a portion of 37th Avenue N.E. between Browns Point Boulevard and 33rd Street N.E. to provide an additional building site in the proposed plat of Marisa Estates. (Kerr-Hansen, Inc.; File No.124.1000)

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

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 25699

Accepting donations in the amount of \$17,578.36; depositing said sum in the Miscellaneous Trust Fund and transferring said sum to the General Fund and appropriating said sum for the Harrison Shooting Range development costs.

The Ordinance was set over for final reading next week.

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Ordinance No. 25700

Accepting a donation in the amount of \$1,000 from the Educational Employees Credit Union and depositing in and appropriating said sum in the General Fund for Super Saturday 1995.

Mayor Moss moved to suspend the rules to consider Substitute Ordinance No. 25700. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Ordinance No. 25701

Authorizing the sale and issuance of 1995 Sewer Revenue Bonds in an amount not to exceed \$34,000,000 for additions and improvements to the sewer system.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32981 (Continued from the meeting of April 18, 1995)

Authorizing the execution of an agreement with the Metropolitan Park District in the amount of \$78,000 for a criminal justice prevention and treatment program.

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.

Purchase Resolution No. 32984

Awarding contracts to:

1. Konica Business Machines on their bid of \$90,000 for a copier maintenance agreement - Sole Source;
2. Brodsky's Uniforms & Equipment to renew their contract in the amount of \$46,743.90 for Police Department uniforms - Specification No. G-049-93;
3. Reinhard Petroleum on their bid of \$340,000 for truck and trailer tank fuels - Washington State Contract No. 243-89;
4. Reinhard Petroleum on their bid of \$1,400,000; Don Small & Sons on their bid of \$90,000; O. D. Snider & Sons, Inc., on their bid of \$50,000; and Pacific Oil

Products Co. on their bid of \$20,000 for bulk wagon tank fuels - Washington State Contract No. 01595; and

- 5. CompUSA on their bid of \$750,000; Ameridata on their bid of \$730,000; Ameridata on their bid of \$20,000; and Gateway 2000 on their bid of \$500,000 for personal computers for citywide use - Specification No. G-017-95; Pierce County Bid No. 6274 and Sole Source.

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

Speaking before the Council on Item No. 1 were:

Name	Address
Tim Strege	Eastside Incubator Program
Steven Dusick	3202 Portland Avenue

Council Member Baarsma moved to remove Item No. 1 from the Agenda. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council on Item No. 5 was:

Name	Address
Al Pearn	Resident

Council Member McGavick moved to remove the Gateway 2000 bid from Item No. 5 of the Purchase Resolution. Seconded by Council Member Silas.

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

Council Member McGavick moved to adopt the amended Purchase Resolution No. 32984. Seconded by Council Member Silas. Voice vote was taken and carried on the amended Purchase Resolution. The amended Purchase Resolution was declared adopted.

Resolution No. 32985

Authorizing the submittal of a grant application to the U. S. Department of Housing & Urban Development in the amount of \$1,500,000 for a capitalizing loan fund for economic development lending in the Enterprise Community.

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

CITIZENS' REQUEST TO BE HEARD: (Began at approximately 6:25 p.m.)

- a. Jim Horrigan requesting to speak on the needle exchange program.

Mr. Horrigan spoke on the comments that were made by Council Member Kirby and Mr. Adrien Query on the Needle Exchange program a few weeks ago.

- b. Sister Laura Neal requesting to speak on the services rendered to the Bold Thrust Stone Soup Ministries.

Sister Laura Neal complimented City staff who have listened and helped provide services to the Bold Thrust Stone Soup Ministries.

Resolution No. 32987

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

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

Speaking before the Council was:

Name	Address
Paula Lonergan	Former Chair, Citizens Advisory Committee

Mayor Moss moved to continue Resolution No. 32987 to the meeting of May 9, 1995. Seconded Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 32987 will be considered at the regular City Council meeting of May 9, 1995.

Resolution No. 32988

Terminating the inactive citizens committees of the Citizen's Energy Conservation Advisory Committee, Model Conservation Standards Advisory Committee, Financial Code of Ethics Committee and the South Tacoma Commercial Revitalization District Advisory Board.

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

Resolution No. 32989

Adopting City Council policies relative to the formation of Local Improvement Districts.

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

Council Member De Forrest moved to amend Exhibit A of Resolution No. 32989 page 2, item # 3 by striking the phrase "more than" and adding the language "or more" after the words "sixty percent (60%)"; and also on page 3, item D. 5. (d), striking the words "Director of Public Works" and inserting the words "Director of Public Utilities." Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Kirby moved to amend Exhibit A of Resolution No. 32989 by striking item #4 on page 1 and renumbering item #5 to item #4. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma moved to amend Exhibit A of Resolution No. 32989 page 2, item #4 by striking the phrase "more than" and adding the language "or more" after the words "sixty percent (60%)." 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 No. 32989. The Amended Resolution No. 32989 was declared adopted.

UNFINISHED BUSINESS:

None.

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REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. announced that Thursday, April 27, 1995 is "Take Our Daughters to Work Day." Mr. Corpuz announced that six Tacoma firefighters are helping with the Oklahoma tragedy. Mr. Corpuz also announced that on Wednesday, April 26, 1995 at 8:56 a.m., KIRO will be broadcasting an emergency earthquake preparedness exercise that City employees will participate in.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Silas moved to cancel the May 30 and July 5, 1995 Council meetings. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member McGavick welcomed two students from Bellarmine who attended tonight's Council meeting as a part of their governing class. Council Member McGavick thanked Chief Ray Fjetland for taking time from his vacation to attend tonight's Council meeting.

Council Member De Forrest moved to excuse the absence of Council Member Miller from tonight's Council meeting. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest requested information on the impacts of Initiative 164 in terms of retroactive measures on growth management and land use plans. Council Member De Forrest requested a new agenda notebook binder. Council Member De Forrest expressed his sympathy to the families of those involved in the Oklahoma tragedy.

Council Member Crowley commented that he was privileged to deliver the eulogy for Father Joe Maguire.

Council Member Kirby noted that as the President of the Council of Religious Treasurers, he will be making a presentation on developing long-range financial planning and forecasting at a seminar. Council Member Kirby commented on the civil statements that Jim Horrigan provided tonight on the needle exchange program. Council Member Kirby requested staff to provide information on the number of outstanding labor contracts that are still in negotiation, and if there are any problems with them.

Council Member Silas thanked all the citizens, Council Members and City staff who came out to the public safety meeting last week at the Al Davies Boys and Girls Club. Council Member Silas reported that she was finally able to meet Shawn Kemp of the Sonics.

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Council Member Baarsma complimented all those who put together an outstanding and terrific Daffodil parade event. Council Member Baarsma indicated that he and Deputy Mayor Evans had the opportunity to partake in a lunch sponsored by Key Bank. Both were pleased to hear Key Bank's Chief Executive Officer comment on the bank's continued commitment to the City of Tacoma. He indicated that one of the Directors of Key Bank will be visiting Tacoma's Sister City Aalesund, in Norway. The Key Bank Director will be participating in a ceremony with the King in memory of those who lost their lives in the second World War. A letter from Mayor Moss will be sent to Sister City Aalesund to participate in some formal sense. Council Member Baarsma reported that Ken Merry, Superintendent of Water, spoke to the Environmental Commission on the progress of the Wapato Hills project. Council Member Baarsma extended his thanks to Ken Merry, John Reiber and City staff who expended many hours on making this project a success.

Deputy Mayor Evans suggested that staff look at creating a City banner that could be used as tokens for special occasions. Deputy Mayor Evans suggested that Council Members should also partake in the City's exercise on earthquake preparedness. Deputy Mayor Evans announced that 700 Jason Lee students took responsibility for planting 80 trees along Sixth Avenue. The Sixth Avenue business community helped organize this event. Deputy Mayor Evans commented that the Daffodil parade went very well and thanked the media for the coverage of that event. Deputy Mayor Evans also commented on the Earth Day celebration. Deputy Mayor Evans then read an article written by Anthony Lewis on the Oklahoma tragedy.

Mayor Moss thanked THE NEWS TRIBUNE for the outstanding coverage on the Daffodil parade. Mayor Moss announced that on May 17, 1995 at the Tacoma Dome a Volunteer Appreciation Day event will be held in honor of those volunteers serving on the City's boards, committees and commissions.

Council Member Silas reported that Dr. Cruz, Director of the Health Department indicated that there will be two recommendations forthcoming on the needle exchange program. She reported that the recommendations being considered are that the needle exchange program will not be located in a neighborhood and that the needle exchange program will be moving from downtown. Council Member Silas indicated that a meeting to address these recommendations will be held around the first of May.

Mayor Moss moved to recess to Executive Session to discuss pending litigation, not to exceed ten minutes. Seconded by Deputy Mayor Evans. Voice vote was taken and carried. The motion was declared adopted. The Council recessed to Executive Session at 7:33 p.m. and reconvened at 7:43 p.m.


Mayor Moss moved that the City Manager be authorized to settle the case of Heard vs. Blanco and the City of Tacoma in an amount not to exceed \$51,000.

Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 7:45 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

RICK ROSENBLADT, ACTING CITY CLERK

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