

CITY COUNCIL MINUTES

City Council Chambers
June 29, 1993

The meeting was called to order at 5:15 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle. Absent: 1 - Mykland.

The Flag Salute was led by Council Member Moss

Approval of the minutes of the Tacoma City Council meeting of June 15, 1993.

RESOLUTIONS:

Resolution No. 32240

Setting Tuesday, August 24, 1993, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate small portions of Browns Point Boulevard, 45th Street NE and High Point Drive. (Andrew Hess; File No. 124.978)

Resolution No. 32241

Setting Tuesday, July 27, 1993, at approximately 6:00 p.m. as the date for a public hearing by the City Council to consider the proposed amendments to the Land Use Regulatory Code to allow construction/demolition/land-clearing/waste recycling in the "M-2" Heavy Industrial Zoning District.

Resolution No. 32242

Setting Monday, July 26, 1993, at 5:00 p.m. as the date for a hearing by the Hearing Examiner relative to L.I.D. No. 5722 for the installation of water mains and fire hydrants for the Sunrise Development.

APPEALS:

Jan C. Rolstad, appealing the decision of the Hearing Examiner relative to the formation of L.I.D. No. 8570 for permanent pavement on Visscher Street from North 42nd Street north 300 feet.

Setting Tuesday, July 13, 1993, 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 Tuesday, June 29, 1993.
- b. Minutes of the meeting of the Human Rights Commission, May 20, 1993.
- c. Minutes of the meeting of the LESA Executive Board, March 22, 1993.
- d. Minutes of the meeting of the Board of Trustees of the Tacoma Public Library, May 27, 1993.
- e. Minutes of the meeting of the Municipal Authority, May 27, 1993.
- f. Total Service Delivery Report of the Humane Society, March 1993.
- g. Tacoma Public Utilities, Performance Report, First Quarter 1993.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 32240, 32241, and 32242, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Vialle proclaimed the period of July 1 - December 31, 1993, to be "Tacoma Public Utilities Centennial Celebration Days," and presented the proclamation to Bill Moss and Mark Crisson.

Mayor Vialle proclaimed the month of July 1993 as "Play Tacoma Month" and presented the proclamation to Dick Moe.

Mayor Vialle and Council Members commended and thanked Ken Olson for 38 years of service with the City of Tacoma.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25264

Vacating two walkways between Bennett and Villard Streets from North Dahl Drive to North 11th Street to incorporate the area into abutting residential properties. (Thomas R. Erker; File No. 124.968)

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 -- Mykland.

The Ordinance was declared passed.

Ordinance No. 25324

Amending Section 8.12.065 of the Official Code relative to public disturbance noise violations.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 -- Mykland.

The Ordinance was declared passed.

Ordinance No. 25325

Creating and establishing a new fund designated as the Vehicle License Fee Fund for identifying monetary transactions pertaining to vehicle license fees.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 -- Mykland.

The Ordinance was declared passed.



FIRST READING OF ORDINANCES:

Ordinance No. 25326

Vacating a portion of East 48th Street in the vicinity of East D Street to incorporate the vacated area into a proposed new subdivision. (Laurence Ortengren; File No. 124.975)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. 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. 25327

Amending Section 1.06.255 of the Official Code relative to formal contract procedures on bid bonds to comply with the amendments of the Tacoma City Charter.

The Ordinance was set over for final reading next week.

Ordinance No. 25328

Amending Section 10.02.050 of the Official Code relative to contractor's performance bonds to comply with State law.

The Ordinance was set over for final reading next week.

Ordinance No. 25329

Authorizing the execution of a grant and funding agreement for the Nineteenth Year Community Development Block Grant program with the United States Department of Housing and Urban Development in the amount of \$2,976,530; and appropriating said sum from the Community Development Grants Summary Fund for undertaking and carrying out certain programs in the Final Statement of Objectives and Proposed Use of Funds.

The Ordinance was set over for final reading next week.

Ordinance No. 25330

Accepting \$4,500 from McDonald's Corporation, \$3,000 from Weyerhaeuser Company Foundation, \$1,000 from Pierce County, \$500 from the Department of Public Utilities, \$250 from the Washington State Human Rights Commission, and donations of goods and services from the Morning News Tribune, the Northwest Dispatch, Pierce Transit, Crane's

Creations, Inc., Peninsula Ambulance, Inc., Tacoma Police Department, Tacoma Dome and Tacoma Public Schools; and depositing in and appropriating \$9,250 from the General Fund for the Martin Luther King Day Celebration held on January 18, 1993.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32236 (Continued from the meeting of June 15, 1993.)

Authorizing the execution of an agreement with the Washington State Department of Transportation to turn back certain portions of Old State Route 509 to the City of Tacoma.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution No. 32236. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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

Purchase Resolution No. 32243

Awarding contracts to:

1. Wm. Dickson Co., on their bid of \$41,506 for the demolition of buildings at 1821 Dock Street - Specification No. G-019-93;
2. Firesafe Fire & Safety Equipment Co., in the amount of \$15,000 to increase their contract for safety related supplies - Open Purchase Order No. 1628;
3. Philip Environmental, on their bid of \$109,383; Chemical Waste Management, Inc., on their bid of \$39,750; Burlington Environmental on their bid of \$17,595; and Clean Care Corporation, on their bid of \$8,000 for household hazardous waste and used oil contractual services - Specification No. G-021-93;
4. RT&T Construction, Inc., on their bid of \$122,185.22 for sanitary sewer extension on South 90th Street and Park Avenue; storm sewer extension on North 48th and Winnifred Streets; and sewer separation at Center and Proctor Streets - Specification No. G-205-93;
5. Pease Construction, Inc., on their bid of \$1,738,341.08 for the Tacoma Recycling and Household Hazardous Waste Facility - Specification No. G-225-93; and
6. Gelco Services, Inc., on their bid of \$43,280 to increase their contract for sanitary sewer cleaning and TV inspection - Purchase Order No. 11056.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Council Member Evans.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 2, was declared adopted.

Resolution No. 32244

Approving the preliminary plat of BETSY'S HOLLOW to subdivide two parcels of land at East D Street from East 48th to East 50th Streets into 22 residential building lots. (Lawrence Ortengren; File No. 125.325)

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

Resolution No. 32245

Authorizing the execution of an easement to Kapowsin Water Company for the installation of a water treatment/storage facility.

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

Resolution No. 32246

Authorizing the sale of surplus real properties to various individuals for the properties located east and adjacent to 929 East Wright Street; south and abutting 944 McKinley Road; between 1243 and 1247 South Grant Street; south and abutting 4438 North Eighth Street; and between 3601 and 3609 East K Street.

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

Resolution No. 32247

Authorizing the execution of an interlocal agreement with the Port of Tacoma in the amount of \$126,000 to relocate the sanitary sewer pressure line at its crossing point on Blair Waterway.

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

Resolution No. 32248

Approving the One-Year Community Development Plan and the Citizen Participation Plan from July 1, 1993 through June 30, 1994.

Mayor Vialle moved to continue Resolution No. 32248 to the meeting of July 6, 1993. Seconded Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32248 will be considered at the regular City Council meeting of July 6, 1993.

Resolution No. 32249

Authorizing the execution of an agreement to purchase the property located west of East 32nd and T Streets for open space.

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

Resolution No. 32250

Authorizing the execution of an amendment to the agreement with Pierce County in the amount of \$124,334 for emergency management services and earthquake preparedness assistance.

Council Member 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. 32251

Authorizing the execution of an amendment to the agreement with KJS Associates, Inc., in the amount of \$125,000 for expert services for the implementation of the Transportation Plan and Program.

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

Resolution No. 32252

Authorizing the execution of an amendment to the agreement with the Fourth of July Extravaganza Commission to establish fees for the log boom and event participant access to Ruston Way.

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

Resolution No. 32253

Directing the City Manager to develop a program based on the Drug Awareness and Resistance (D.A.R.E.) Program and the Gang Resistance and Education Training (G.R.E.A.T.) Program to provide public safety education and prevention in public/private middle schools of Tacoma during the 1993-1994 school year.

Council Member Silas moved to continue Resolution No. 32253 to the meeting of July 20, 1993. Seconded Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32253 will be considered at the regular City Council meeting of July 20, 1993.

CITIZENS REQUEST TO BE HEARD: (Began at 6:00 p.m.)

Robert Hill, requesting to speak on civil asset forfeiture - the Dean Drug Building on Sixth Avenue.

Mr. Hill spoke on the civil asset forfeiture law as it relates to the Dean Drug Building on Sixth Avenue.

PUBLIC HEARINGS AND APPEALS: (Began at 6:10 p.m.)

- a. Brian Woolery, appealing the decision of the Hearing Examiner relative to the reclassification of a vacant seven-acre site lying north of South 56th Street in the vicinity of South Cheyenne and South Stevens Streets and South Mason Avenue from a "R-2" One-Family Dwelling District and a "R-3" Two- and

Three-Family Dwelling District to a "R-2PRD" Planned Residential Development District for the construction of 31 units of public housing.

Ms. Karie Hayashi spoke regarding the Hearing Examiner's decision regarding traffic safety, fire and emergency vehicle access, and vehicular ingress and egress to the site mentioned above.

Mr. Brian Woolery, appellant, presented reasons for the appeal.

Mr. Stephen Causseaux, attorney representing the Tacoma Housing Authority, spoke in support of the Hearing Examiner.

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

- b. This is the date set for a public hearing relative to the proposed renaming of South K Street from Division Avenue to Sixth Avenue to "Martin Luther King, Jr., Way."

Speaking before Council were:

Stephen L. Smith	1114 South Martin Luther King, Jr. Way
David Brose	314 South K Street, #203
Art Paulsen	1010 South I Street
Lynn Price	314 South K Street, #401
Helen Reitz	1215 South K Street
Thomas Dixon	Tacoma Urban League
Charlie Agner	Resident
Rev. Williams	Tacoma Ministerial Alliance

The hearing was declared closed at 7:42 p.m.

UNFINISHED BUSINESS:

Amended Ordinance No. 25316

Amending the Compensation Plan to implement rates of pay and consolidate classifications including the provisions of the collective bargaining agreement with District Lodge No. 160 of the International Association of Machinists and Aerospace Workers on behalf of Local No. 297.

Mayor Vialle moved to suspend the rules to consider Second Amendment of Ordinance No. 25316. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 -- Mykland.

The Second Amendment of the Ordinance was declared passed.

REPORTS BY CITY MANAGER:

Mr. Ray E. Corpuz, Jr., City Manager, requested an Executive Session, to discuss potential and pending litigation, not to exceed 30 minutes.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to excuse the absence of Deputy Mayor Mykland. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen requested staff to prepare a resolution on the realignment of terms for Planning Commission members as defined in the June 25, 1993 memo from Norris Bacho, Director of Planning and Development Services.

Council Member Miller commended Mayor Vialle for her appointment to the Advisory Board of the U.S. Conference of Mayors. Council Member Miller also commended staff for the excellent brochure depicting the economic efforts of the City.


Council Member Evans indicated that he had been in contact with McChord Air Force Base concerning the jet fire noise over the north end of Tacoma. He stated that McChord indicated that the Oregon National Guard will be operating fire jets through September and suggested to send a letter expressing the noise concerns. Council Member Evans commended Cecelia Funkhouser, of Planning and Development Services, for her efforts in handling a delicate situation with a visiting Chinese delegation on a matter concerning human rights.


Council Member Baarsma reported on the Association of Washington Cities Conference that he and other Council Members attended. He stated that he served on a resolution committee to develop upcoming policies for the next year. He also stated that he served on a panel to discuss the success of the Safe Streets Program. Council Member Baarsma indicated that the Association of Washington Cities passed 28 resolutions. The resolutions that would be of interest for Tacoma include the hands off Washington campaign, gun control and the impacts of Initiative 601 and 602.

Mayor Vialle moved to recess to Executive Session to discuss potential and pending litigation, the session not to exceed 30 minutes. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 8:05 p.m. and reconvened at 8:30 p.m.

On proper motion, the meeting was adjourned at 8:30 p.m.

ATTEST: 
GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

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