

## CITY COUNCIL MINUTES

City Council Chambers  
October 11, 1994

The meeting was called to order at 5:07 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 Kirby.

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### CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of September 20 and 27, 1994.

#### RESOLUTIONS:

##### Resolution No. 32778

Setting Tuesday, November 15, 1994, at approximately 6:00 p.m. and Wednesday, November 16, 1994, at approximately 5:00 p.m. as the dates for public hearings by the City Council to consider the biennial budget for the City of Tacoma for 1995-96.

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

- a. Hearing Examiner Agenda for Tuesday, October 11, 1994.
- b. Minutes of the meeting of the Tacoma Planning Commission, September 19, 1994.
- c. Minutes of the meeting of the Tacoma Transportation Committee, August 11, 1994.
- d. Minutes of the meetings of the Urban Policy Committee, February 10, 17, 23 and 28, March 3, 10 and 17, June 14, August 23 and amended minutes of April 14 and May 25, 1994.
- e. Monthly Financial Reports for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund and Geographic Information System Fund, August 1994.

Council Member Crowley moved that the Consent Agenda, including Resolution No. 32778, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda was declared approved.

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**REGULAR AGENDA**

**COMMUNICATIONS:**

Hearing Examiner recommending denial of a request to vacate the southeasterly six feet of North First Street abutting the first 100 feet, more or less, of the existing building at 618 North First Street to expand the lobby entrance of the Stadium Thriftway. (Stadium Thriftway; File No. 124.999)

Council Member Silas moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member Crowley.

Council Member Kirby moved to remand this matter back to the Hearing Examiner for further consideration based on the status of this case and to take additional evidence. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Moss proclaimed the week of October 10-16, 1994, to be "Women's Awareness Week" and the month of October 1994 to be "Domestic Violence Awareness and Prevention Month," and presented the proclamation to the Women's Awareness Week Committee.

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**FINAL READING OF ORDINANCES:**

Substitute Ordinance No. 25583 (Continued from the meeting of October 4, 1994.)

Amending Title 12 of the Official Code relative to the collection of solid wastes and rates for disposal.

Mayor Moss moved to suspend the rules to consider Substitute No. 2, No. 3 and No. 4 of Ordinance No. 25583. Seconded by Council Member Crowley. Mayor Moss and Council Member Crowley withdrew their motion.

Council Member Baarsma moved to suspend the rules to consider Substitute No. 4 of Ordinance No. 25583. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member De Forrest moved to suspend the rules to allow public testimony. Seconded by Mayor Moss. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council was:

Charles Matsen

Pierce County resident

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Council Member Kirby moved to amend Substitute No. 4 of Ordinance No. 25583 to change page 32, line 19 and page 33, line 7 from \$3.00 to \$1.00. Voice vote was taken and failed. The motion was declared failed.

Roll call vote was taken on Substitute No. 4 of Ordinance No. 25583, resulting as follows:

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

Nays: 1 -- Kirby.

Absent: 1 -- Miller.

Substitute No. 4 of Ordinance No. 25583 was declared passed.

Ordinance No. 25584 (Continued from the meeting of October 4, 1994.)

Amending Sections 8.70.010 and 1.23.070 of the Official Code relative to the jurisdiction of the Municipal Court.

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. 25585 (Continued from the meeting of October 4, 1994.)

Amending Section 1.23.070 of the Official Code relative to the powers of the Hearing Examiner.

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. 25588

Granting a franchise to Burlington Northern Company for the right, privilege and authority to lay down, construct, maintain and operate railroad tracks in the East 21st and East River Streets rights-of-way to facilitate construction of State Route 509 through October 27, 2004.

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. 25599

Accepting \$5,500 from various sources; depositing in and appropriating said sum from the South End Neighborhood Center Advisory Committee Trust Fund for activities and programs at the South End Neighborhood Center.

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. 25600

Authorizing the execution of a grant award agreement with the Washington State Department of Transportation in the amount of \$96,000; depositing said sum in the Vehicle License Fund; and appropriating \$120,000 from said fund for an engineering study to seismically strengthen five bridges.

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. 25601

Repealing Chapter 8.92 of the Official Code relative to unlawful acts.

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. 25602

Repealing Chapter 9.04 of the Official Code relative to coasting on streets and sidewalks.

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. 25603

Repealing Chapter 9.06 of the Official Code relative to gasoline pumps on curbs.

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. 25604

Accepting \$10,000 from the Pierce County Department of Aging and Long Term Care; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for senior citizen mental health services.

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.

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FIRST READING OF ORDINANCES:

Ordinance No. 25605

Annexing approximately 145 acres of property in Pierce County known as the Meadow Park Golf Course and directing the Planning Commission to provide recommendations on proper zoning designations.

The Ordinance was set over for final reading next week.

Ordinance No. 25606

Appropriating \$420,130 from the Waterfront Acquisition Rental Property Fund for the repair, maintenance and operations of City-owned waterfront properties along the Thea Foss Waterway; and declaring an emergency making necessary the passage of this ordinance.

Council Member Crowley moved to separate the expenditure for the Municipal Dock Building from the balance of requested funds. Seconded by Council Member De Forrest. Council Members Crowley and De Forrest withdrew their motion.

Council Member Crowley moved to direct staff to prepare two separate ordinances. One consisting of the expenditures associated with the Municipal Dock Building and the other consisting of the expenditures associated with Puget Sound Freight Building. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

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PUBLIC HEARINGS AND APPEALS: (Began at 6:20 p.m.)

This is the date set for a public hearing on amending the Community Development Block Grant Statement of Objectives and submitting an application to the U. S. Department of Housing and Urban Development in the amount of \$1,300,000 to be loaned to the United Way to rehabilitate a building at 1501 Pacific Avenue for use as a human services center.

Speaking before Council were:

Rick Allen  
Jim Hatch  
John Thompson

United Way  
Boys & Girls Club  
Pierce County Labor Council

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The hearing was declared closed at 6:35 p.m.

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RESOLUTIONS:

Purchase Resolution No. 32779

Awarding a contract to:

Sahlberg Equipment Company, Inc., in the amount of \$18,000 to increase their contract for street sweeper parts and auto and truck accessories - Open Purchase Order No. 2846.

Council Member Evans moved that the Purchase Resolution, including waiving formal bidding procedures, be adopted. Seconded by Council Member Baarsma. Voice vote was taken and carried on the Purchase Resolution, including waiving formal bidding procedures. The Purchase Resolution was declared adopted.

Resolution No. 32780

Amending the Tacoma Dome Parking Fee Schedule to increase the parking fee from \$4 to \$5 during the regular and post-season SuperSonics games.

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

Resolution No. 32781

Authorizing the execution of an agreement with the Tacoma Housing Authority in an amount not to exceed \$56,151 for a rental assistance program to provide affordable housing for low-income people living with AIDS.

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. 32782

Supporting the "sense of the Senate" position in the creation of an international criminal court through the United Nations.

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

Speaking before the Council was:

Dr. Leonard Holden

Human Rights Commissioner

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

**Resolution No. 32783**

Supporting the passage of Referendum 43 and endorsing the continuation of the Omnibus Drug Act.

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

Speaking before Council was:

Priscilla Lisicich

Safe Streets

Council Member De Forrest moved to continue Resolution No. 32783 for one week to the meeting of October 18, 1994. Seconded by Council Member Kirby. Voice vote was taken and failed. The motion was declared failed.

Council Member Baarsma moved to amend Resolution No. 32783, page 2, lines 7 and 8, to read "Referendum 43 which asks 'Shall the taxes on the sales of cigarettes, liquor and pop syrup be extended to fund violence reduction and drug enforcement programs?' and endorses the continuation of the Omnibus Drug Act indefinitely." Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on amended Resolution No. 32783, with Council Member De Forrest voting in opposition. The amended Resolution No. 32783 was declared adopted.

**Resolution No. 32784**

Expressing support for H.R. 5028 to restore a portion of the local and state government authority relative to the transportation of garbage, refuse and recycling materials.

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

Council Member Baarsma moved to amend Resolution No. 32784 by changing "HR 5028" to read "HR 5123." Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried on the amended Resolution No. 32784. The amended Resolution No. 32784 was declared adopted.

**Resolution No. 32785**

Authorizing the execution of Amendment No. 2 to the agreement with Triangle Associates, Inc. in the amount of \$72,000 to facilitate the solid waste rate advisory group.

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Council Member De Forrest moved to continue Resolution No. 32785 to the meeting of October 18, 1994. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 32785 will be considered at the regular City Council meeting of October 18, 1994.

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UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. reminded the Council of a motion for their consideration on the Nix case.

Mayor Moss moved to settle the matter of Jones V. Nix and the City of Tacoma, Pierce County Cause No. 93-2-101117-7 in the amount of \$65,000. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Mr. Corpuz reported that the Tacoma Urban Network Committee will be making decisions on funding for support family and youth programs. He indicated that the Council is being asked to participate in nominating some of the 23 members in Tacoma. Thirteen members must have non-fiduciary interests and the remaining ten members may have fiduciary interests. The Council will have influence over four appointments. The first orientation meeting of this committee will be on Monday, October 17 from 3:00 p.m. - 6:00 p.m. at the Good Samaritan Pioneer Campus. Mr. Corpuz explained that the appointments must be communicated to the State in November with a final determination by the State Family Policy Council in December 1994. Mr. Corpuz indicated that more information will be forthcoming in the Friday Letter.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Crowley reported that he was impressed with the Stadium Business District Inaugural Auction and commended the business district for taking it upon themselves to raise funds for things that are important to their neighborhood. He extended his thanks to Richard Mirau and Kevin Phelps, owners of the St. Helens Plaza, who donated the space in that building for this event.

Mayor Moss thanked *The News Tribune* for the article on the dedication of a home to the LaCross family. He indicated that the home was originally a fire trap. The Habitat for Humanity purchased the home for \$15,000 and gifted the rehabilitated home to Ms. LaCross. Mayor Moss reported that the home was magnificent and thanked *The News Tribune* for one of its best articles.

Mayor Moss moved to cancel the Council meetings of November 22 and December 27, 1994. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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

Council Member Silas thanked all the hard working people, such as the Habitat for Humanity and the Stadium Business District, for getting a job done when there is a need not wait for city or federal monies.

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On proper motion, the meeting was adjourned at 7:25 p.m.

  
HAROLD G. MOSS, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

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