

CITY COUNCIL MINUTES

City Council Chambers
June 28, 1994

The meeting was called to order at 5:12 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The Flag Salute was led by Council Member Kirby.

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 32662

Setting Tuesday, August 9, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council on the proposed "Human Services Strategic Plan."

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 28, 1994.
- b. Minutes of the meeting of the Tacoma Planning Commission, June 6, 1994.
- c. Minutes of the meeting of the Civil Service Board, June 6, 1994.
- d. Minutes of the meeting of the Tacoma Public Library Board of Trustees, May 18, 1994.

Deputy Mayor Miller moved that the Consent Agenda, including Resolution No. 32662, be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Moss moved to recess to Executive Session to discuss personnel matters, the session not to exceed 15 minutes. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:15 p.m. At 5:30 p.m. Mayor Moss announced Executive Session would be extended an additional 10 minutes. Council reconvened at 5:40 p.m.

REGULAR AGENDA

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.572A to allow construction of a South Frontage Road, bridge construction over Wapato Creek, reconstruction of East-West Road, roadway excavation and embankment construction, signage, illumination, traffic signalization and other improvements in the vicinity of Alexander Avenue and East-West Road; and Shoreline Management Substantial Development/Conditional Use Permit No. 141.572B to allow the development of an intertidal mitigation site adjacent to Hylebos Creek. (Public Works Department; File Nos. 141.572 A & B)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Evans. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss. Nays: 0. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25518

Repealing Substitute Ordinance No. 25402 and granting American Pacific Telephone the right, privilege and permission to install, maintain and operate public telephone booths at designated locations on the streets and sidewalks of the city.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 25531

Amending Title 8 of the Official Code relative to the definition of a junk vehicle.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25532

Amending the Official Code by repealing and reenacting Chapter 13.04 relative to plats and subdivisions.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25533

Depositing in and appropriating \$34,470.37 from the Community Development Block Grant Fund from the sale of surplus equipment and property at 410 South Sheridan for various Community Development Block Grant projects.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25534

Appropriating \$3,226,530 from the Community Development Grants Summary Fund and authorizing the execution of a grant agreement with the U.S. Department of Housing and Urban Development for the Twentieth Year Community Development Block Grant Program.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25535

Amending the Pay and Compensation Plan to implement various rates of pay and delete obsolete classifications.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25536

Amending Chapter 11.05 of the Official Code relative to the adoption of the "1994 Omnibus Drunk Driving Act" and declaring an emergency making necessary the immediate passage of this ordinance.

Mayor Moss moved to remove Ordinance No. 25536 from the agenda. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25536 was removed from the agenda.

FIRST READING OF ORDINANCES:

Ordinance No. 25537

Amending the Pay and Compensation Plan to implement rates of pay and delete obsolete classifications.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25537. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading to the meeting of July 12, 1994.

Ordinance No. 25538

Depositing in and appropriating \$63,520 from the Miscellaneous Grants Summary Fund and authorizing the execution of an amendment to the grant award contract with the State of Washington Department of Social and Health Services for the Tacoma-Pierce County Child Care Resource and Referral System and authorizing a non-interest-bearing loan from the General Fund to the Miscellaneous Grants Summary Fund to be repaid by December 31, 1995.

The Ordinance was set over for final reading to the meeting of July 12, 1994.

RESOLUTIONS:

Purchase Resolution No. 32663

Awarding contracts to:

1. Capital Industries, Inc., in the amount of \$95,513.55 to extend and increase their contract for metal refuse containers - Specification No. G-011-93;
2. Olson Brothers Excavating, Inc., on their bid of \$467,948.38 for the East D Street Pump Station and Force Main - Specification No. G-215-94; and
3. Ben-Ko-Matic Brush & Equipment Co., on their bid of \$118,016.98 for one four-wheel, recirculating air sweeper with cab and chassis - Specification No. G-022-94.

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

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

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Resolution No. 32664

Approving the preliminary plat of HAMPSTEAD GREEN to subdivide a parcel of land located at 26th Street Northeast and 20th Avenue Southwest into eleven residential building lots. (Dick Butco; File No. 125.340)

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. 32665

Approving the preliminary plat of THE ORCHARDS to subdivide a parcel of land located at the northeast corner of South 90th and Ash Streets into six residential building lots. (Harr Construction; File No. 125.343)

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. 32666

Authorizing the submittal of a grant application to the Washington State Traffic Safety Commission in the amount of \$78,269 for continuation of the Tacoma-Pierce County Task Force on Alcohol/Driving for the period July 1, 1994 through June 30, 1995.

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

PUBLIC HEARINGS AND APPEALS: (Began at 6:05 p.m.)

This is the date set for a public hearing concerning the proposed mineral rights lease for Light Division property at Davis Lake to the Hunt Oil Company of Dallas, Texas.

Speaking before the Council was:

Charlean Eigner

Resident

The hearing was declared closed at 6:20 p.m.

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Resolution No. 32667

Authorizing the approval of an oil and gas lease with the Hunt Oil Company for 112.39 acres of property located along a portion of the Tacoma Eastern Railroad right-of-way in Lewis County.

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

Resolution No. 32668

Authorizing the execution of a Local Improvement Assessment Deed with Scott J. and Jeanne L. Nelson in the amount of \$1,450 for the sale of property located south of and adjacent to 3306 North Huson.

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

Resolution No. 32669

Authorizing the execution of joinder agreements with the Tacoma Public Library, the Metropolitan Park District and Crossings Aviation related to the sale and operation of the City-owned pay telephone system.

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. 32670

Authorizing the execution of Amendment No. 91 to the NPP Agreement with the Tacoma Community Redevelopment Authority for an additional staff person for accounting and loan services.

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

Resolution No. 32671

Authorizing the execution of Amendment No. 92 to the NPP Agreement with the Tacoma Community Redevelopment Authority relative to Performance Bond requirements and the obtaining of contractors for home rehabilitation.

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

Resolution No. 32672

Authorizing the execution of Amendment No. 93 to the NPP Agreement with the Tacoma Community Redevelopment Authority in the amount of \$285,000 for the 1994 Preservation of Permanent Rental Housing Project.

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

Resolution No. 32673

Authorizing the submittal of a grant application to the Washington State Child Care Resource and Referral Network in the amount of \$19,624 for the implementation of a family child care provider training and mentorship project.

Deputy Mayor Miller announced that he would be abstaining from voting on this Resolution.

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

Resolution No. 32674

Authorizing the execution of an agreement with the Tacoma Housing Authority in the amount of \$100,000 for the installation of fire sprinklers in the Garden Villa Apartments at South 16th and Sprague Streets.

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

Council Member De Forrest moved to continue Resolution No. 32674 to the meeting of July 12, 1994. Seconded Council Member Kirby.

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Roll call vote was taken, resulting as follows:

Ayes: 2 -- De Forrest and McGavick.

Nays: 7 -- Baarsma, Crowley, Evans, Kirby, Miller, Silas, and Mayor Moss.

The motion was declared failed.

Voice vote to adopt Resolution No. 32674 was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

Resolution No. 32675

Authorizing the execution of Amendment No. 1 to the agreement with the Washington State Department of Ecology in the amount of \$70,000 for staffing for Thea Foss Waterway environmental cleanup projects.

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

Resolution No. 32676

Authorizing the execution of an agreement with Pierce County Solid Waste in the amount of \$200,000 for the provision of household hazardous waste collection to Pierce County residents.

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. 32677

Authorizing the release of an easement to the University of Puget Sound for property located at the former North 10th Street westerly of Lawrence Street.

Council Member Baarsma announced that he would abstain from consideration of this matter and left the Council Chambers.

Speaking before the Council was:

Charlean Eigner

Resident

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

voting in opposition and Council Member Baarsma abstaining. The Resolution was declared adopted.

UNFINISHED BUSINESS:

Deputy Mayor Miller requested clarification on why Ordinance No. 25536 was removed from the Agenda.

Ms. Heidi Horst, Legal Department, explained that about an hour before the Council meeting tonight, a decision was made by the Attorney General that made the Omnibus Drunk Driving Act a part of the Model Traffic Ordinance. Ms. Horst stated that the Council had already adopted the Model Traffic Ordinance and this Act will now be a part of the Model Traffic Ordinance.

Council Member Silas thanked staff for the "Seeing Spots in Tacoma" brochure. Council Member Silas noted that every district is featured in the brochure with the exception of the Eastside of Tacoma, specifically Portland and McKinley Avenues. Council Member Crowley indicated that it was his understanding that the Dome which was featured in the brochure, was considered as a representation of the Eastside business area. Council Member Silas stated it should also incorporate the Portland and McKinley Avenues' area.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, expressed his thanks to Cheryl Carlson, who served as Special Assistant in the City Manager's Office, this past quarter. Mr. Corpuz announced that Assistant Finance Director Steve Marcotte will serve as Special Assistant next quarter.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans thanked Cheryl Carlson for her help this past quarter. Council Member Evans indicated that in reference to an earlier request regarding the sewer easement, he requested additional information on whether or not the Council should have been notified of the demolition prior to it happening. Council Member Evans also announced that the Proctor District will be having its first of five "Farmer's Market" on Saturday and encouraged everyone to attend.

Deputy Mayor Miller thanked his colleagues for the passage of the Ordinance on Ruston Way. He indicated that he received many positive comments from citizens and the gatherings along Ruston Way stopped immediately.

Council Member Baarsma reported that with the recent decision of the Supreme Court regarding property rights in the state of Oregon, he requested information on what implications this decision may have on the Growth Management Act.

Council Member De Forrest requested that \$35,000 of the undedicated Community Development Block Grant funds that was referenced earlier tonight go to youth employment. He explained that the City of Lacey has a youth employment program where each department hires a youth for the summer. He stated that Lacey's program cost \$36,000. Council Member De Forrest also thanked Cheryl Carlson for her assistance as Special Assistant to the City Manager. Council Member De Forrest wished everyone a happy Fourth of July.

Council Member Kirby moved to cancel the Council meeting of July 5, 1994. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss reported that at the Tacoma Urban League Executive Board meeting, proceeds amounting to \$12,098.98 that were raised from the tribute in his honor at Union Station were turned over to the Urban League to be used for the programs administered by the League. Mayor Moss expressed his deep appreciation to everyone who contributed.

On proper motion, the meeting was adjourned at 7:05 p.m.


HAROLD G. MOSS, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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