

## CITY COUNCIL MINUTES

City Council Chambers  
November 30, 1993

The meeting was called to order at 5:10 p.m.

Present on roll call: 7 - Baarsma, Evans, McElliott, Mykland, Nielsen, Silas, and Mayor Vialle. Absent: 2 - Miller and Moss. (Council Member Moss arrived at 5:13 p.m. and Council Member Miller arrived at 5:23 p.m.)

The Flag Salute was led by Mayor Vialle.

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Approval of the minutes of the Tacoma City Council study sessions of August 3, 17, 24, and 31, 1993.

### RESOLUTIONS:

#### Resolution No. 32411

Authorizing the submittal of a grant application to the Washington State Department of Ecology, in the amount of \$1,175,133.65 for funds for hazardous waste and recycling programs.

#### Resolution No. 32412

Authorizing the submittal of a grant application to the Washington State Department of Ecology for reimbursement of costs incurred for remedial design and action conducted at the landfill.

### APPEAL:

Cheryl Miller, appealing the decision by the Hearing Examiner for approval of Shoreline Management Substantial Development Permit No. 141.558 to allow the environmental remediation of two parcels of land located at 1811 and 1821 Dock Street. (City of Tacoma; File No. 141.558)

Setting Tuesday, January 18, 1994, 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 November 30, 1993.
- b. Minutes of the meeting of the Civil Service Board of November 1, 1993.
- c. Revised minutes of the meeting of the Tacoma Employees' Retirement System of September 30, 1993.
- d. Minutes of the meeting of the Environmental Commission of November 8, 1993.
- e. Resolution and Hearing Decision relative to the proposed incorporation of the City of Lakewood.

Council Member Nielsen moved that the Consent Agenda be approved. Seconded by Council Member Silas. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Vialle proclaimed the day of December 1, 1993, to be AIDs Awareness Day," and presented the proclamation to Mr. Bob Brooks of the Pierce County AIDS Foundation.

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Council Member Moss arrived at 5:13 p.m.

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**REGULAR AGENDA**

FINAL READING OF ORDINANCES:

Ordinance No. 25345

Vacating portions of North 32nd and Madison Streets to combine the vacated areas with the abutting property to simplify the irregular boundary and to provide proper front and rear yard setbacks. (James R. Merritt; File No. 124.976)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25371

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of South 38th and South Steele Streets from a "R-2" One-Family Dwelling District and a "R-4" Multiple-Family Dwelling District to a "C-2" Commercial District for the construction of a two-story building. (Cedarwood Development; File No. 120.1365)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

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Council Member Miller arrived at 5:23 p.m.

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Ordinance No. 25404

Amending Chapter 12.09 of the Official Code relative to increasing residential and commercial refuse collection and disposal service rates, effective January 1, 1994.

Roll call vote was taken, resulting as follows:

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

Nays: 1 -- Silas.

The Ordinance was declared passed.

Ordinance No. 25405

Authorizing an increase in the petty cash account of the Uniform Controlled Substances Trust Fund, in the amount of \$9,000 for a new total of \$20,000.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25406

Repealing Chapter 6.27 of the Official Code relative to licensing fees for massage practitioners, massage businesses and bath houses to comply with state law.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25407

Modifying the Biennial Budget of the City of Tacoma for fiscal years 1993-1994.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25407. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 25408

Amending Chapter 1.12 of the Official Code relative to the Compensation Plan to implement rates of pay and benefits and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25409

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of 45th Street N.E. and High Point Drive from a "R-3PRD" Planned Residential Development District and a "R-3T" Residential Commercial Transitional District to a "R-2" One-Family Dwelling District to subdivide a 10.42 acre site into 61 single-family building lots. (Laurence Ortengren (HIGH POINTE); File No. 120.1342)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. 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. 25410

Amending Sections 2 and 4 of Ordinance No. 24553 pertaining to the terms of an amended personal services agreement with Wilburn R. Burk to manage, oversee and provide limited security services for certain public parking facilities for the period December 30, 1993 through December 30, 1996, and providing for a fee waiver for two hours of parking under certain conditions.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 32408 (Continued from the meeting of November 23, 1993.)

Adopting the "City of Tacoma City Council Policies Regarding City Committees, Boards, Commissions and Appointments."

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

Mayor Vialle moved to adopt Alternate No. 2 to page 5 of the City Council Policies. Seconded by Council Member Miller. Voice vote was taken and carried, with Council Member Nielsen voting nay. The motion was declared adopted.

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

Purchase Resolution No. 32413

Awarding contracts to:

1. Western Paper Company, in the amount of \$82,000; Spicers NE Paper, in the amount of \$10,000; West Coast Paper Company, in the amount of \$35,000; and The Unisource Corporation, in the amount of \$15,000 to extend their contracts for annual paper supply - Specification No. G-051-92; and
2. Gateway 2000, on their bid of \$82,442 for twelve workstation computer systems - Sole Source.

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

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

Resolution No. 32414

Approving the preliminary plat of HIGH POINTE, located in the vicinity of 45th Street N.E. and High Point Drive, to divide said property into 61 residential lots. (Laurence Ortengren (HIGH POINTE); File No. 125.318)

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

Resolution No. 32415

Endorsing the efforts of the Chinese Reconciliation Project Citizens Committee and authorizing the expenditure of \$25,000 from the Open Space Fund for project planning for the Chinese Commemorative Park and International Pavilion.

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

Mayor Vialle moved that the words "most regrettable" be replaced with the words "most reprehensible." Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

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|-------------------|---|
| Dr. David Murdoch | Chinese Reconciliation Project Citizens Committee |
| Art Wang          | Chinese Reconciliation Project Citizens Committee |

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

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PUBLIC HEARINGS AND APPEALS: (Began at 6:24 p.m.)

This is the date set for a public hearing by the City Council relative to proposed Ordinance No. 25391 to prohibit scuba and skin diving in the areas of the Les Davis Pier, the Point Defiance Boathouse and the Old Town Dock.

Chief Dick Moore, Fire Department, gave a presentation on the matter.

Council Member Nielsen spoke regarding the proposed Ordinance No. 25391.

Deputy Mayor Mykland called on Mr. Byron Haley, Metropolitan Park District, who spoke regarding the problems encountered regarding this matter.

Council Member Nielsen requested that a copy of the drawings of the fishing piers, the 300-foot location, and etc. be presented to the Council for their consideration in the Friday packet.

Deputy Mayor Mykland called for public testimony.

Speaking to the Council were:

Larry A. Block, Jr.	5112 North Winnifred
Eivind Engen	3802 North Whitman
Dave Hagedorn	3852 South 16th
J. P. Solyom	3101 - 56th Avenue NE
Jim Larsen	3021 NE 72nd Avenue, #47, Vancouver, WA
Dan Leewhouts	17828 - 46th Avenue South, Seatac
Bart Madison	Trout Unlimited
Dennis Hovorka	Director, Washington Scuba Alliance
Mark Reyner	4815 North Pearl
Ron Green	1402 South Verde
Dennis Hudson	423 East 152nd Street
Unity Hudson	423 East 152nd Street
Steve Haggitt	7516 - 27th Street West
Carol Epstein	2704 North 32nd Street

Mayor Vialle requested, of Byron Haley, if underwater markers could be placed, and if signs or a map of the area could be posted for divers.

Mr. Haley stated that these could be done and made good sense.

Discussion followed on proposed Ordinance No. 25391, which had been set off to a date to be determined.

Deputy Mayor Mykland stated that it might be unnecessary to bring the Ordinance before the Council again. He requested that Mr. Byron Haley bring the groups together and seek a compromise on this situation.

Council Member Moss stated that the City should aggressively pursue what we need to do to promote diving in this area. He also requested a recommendation on how to improve the area for diving.

Council Member Evans suggested that a video could be made of the diving area and publicized.



There being no further testimony, Mayor Vialle declared the public hearing closed at 7:34 p.m.

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Council recessed at 7:35 p.m. and reconvened at 7:50 p.m.

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Resolution No. 32416

Amending the agreement with Denver Investment Advisors, for an estimated amount of \$225,000 for equity investment services for the period January 1 through December 31, 1993.

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

Resolution No. 32417

Amending the agreement with Edinburgh-Wilmington International Capital Management, for an estimated amount of \$180,000 for active international investment services for the period January 1 through December 31, 1993.

Council Member 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. 32418

Amending the agreement with The Northern Trust Company, for an estimated amount of \$207,000 for custodial services for the period July 1, 1993 through June 30, 1994.

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

Resolution No. 32419

Amending the agreement with Disciplined Investment Advisors, for an estimated amount of \$246,250 for equity investment services for the period October 1, 1993 through September 30, 1994.

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

Resolution No. 32420

Amending the agreement with Wilshire Associates, in an estimated amount of \$105,000 for pension consulting services for the period October 1, 1993 through September 30, 1994.

Council Member 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. 32421

Authorizing the employment of The Banker's Trust Company, for an estimated amount of \$125,000; Denver Investment Advisors, for an estimated amount of \$230,000; Frank Russell Trust Company, for an estimated amount of \$250,000; and Scudder, Stevens & Clark, Inc., for an estimated amount of \$205,000 for investment counseling services; and Milliman & Robertson, Inc. for an estimated amount of \$28,200 for actuarial consultation services for the period January 1 through December 31, 1994.

Council Member 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. 32422

Amending the agreement with Edinburgh Fund Managers plc, for an estimated amount of \$165,000 for active international investment services for the period January 1 through December 31, 1994.

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

Resolution No. 32423

Authorizing the execution of an Interlocal Agreement with Pierce County for the provision of automated pawn services.

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

Resolution No. 32424

Authorizing the execution of a final Memorandum of Understanding with the Puyallup Tribe of Indians for the construction of 25 housing units in the T Street Gulch area provided for in the Puyallup Settlement Agreement.

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

Speaking to the Council was:

Liz Tail

Representing the Puyallup Tribe

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

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UNFINISHED BUSINESS:

Council Member Baarsma moved to excuse Deputy Mayor Mykland from the Council meeting of November 23, 1993. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, reminded the Council and the public that the 47th Annual Lighting of the downtown Christmas Tree would be held on Sunday, December 5 at 5:00 p.m.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans stated that the Chinese memorial be in honor of the event that occurred on November 3, 1885 and not December 3 as indicated in previous testimony.

Council Member Evans stated that there was an epidemic of graffiti in the downtown area. He requested an extra presence of the police to see if this matter could be dealt with.

Council Member Evans requested to find out if the City could remove the grates covering the Puget Sound gulch stream and the Mason Gulch stream. He stated this would possibly allow salmon to go upstream to spawn.

Council Member Miller thanked the Council Members for their well wishes.

Council Member Baarsma stated he and Council Members Silas and Evans had had discussions recently on ways to implement the state statute that allows for drug free zones. He stated he would like to see a resolution of intent on this matter in the future. Prior to this, he requested that the Tacoma School District be notified of this possibility and that a letter be sent to the School Board.

Council Member Baarsma stated that several weeks ago there was a hearing on a proposed bed and breakfast ordinance. He reminded the Council that Deputy Mayor Mykland had expressed the idea that the affected parties could get together and see if the issue could be resolved. He stated that since this was in his neighborhood, he had talked informally with some of the individuals involved and staff and would continue to proceed ahead on this.

Council Member McElliott pointed out that there is a particular area on Portland Avenue and it was suggested that the drug center be moved in the vicinity of the Roosevelt School area. She stated the Council needed to stay abreast on this matter.

Council Member Moss commended the The News Tribune regarding a recent article on the ease with which new and used guns can be purchased. He stated this provided good information to the public.

Council Member McElliott spoke of the recent offer to assist the City by Mr. Stone in obtaining a police substation in the eastside area. She stated she wanted to move ahead with this issue.

Council Member Evans requested to know if the City has funds available to build a new building for the eastside police substation.

Ray E. Corpuz, Jr., City Manager, stated that Council Member McElliott had sponsored a resolution that was adopted by the Council in July that authorized \$200,000 for this.

Council Member Evans requested to know if there was an estimated cost for the project.

Mr. Corpuz stated this could be provided to the Council.


Council Member McElliott stated that the Public Works Department had been instructed to find a possible on 56th Street. She indicated they had found the Sheridan School site. She gave comments regarding potential sites. She also noted that the Tacoma School District needed a scope of work on this project. She then reported on the Eastside Neighborhood Council's vote on the Sheridan School site.

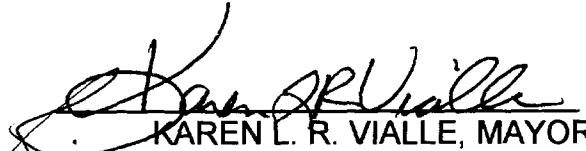
Mayor Vialle stated that she had asked the City Attorney to draft an ordinance to come before the Council for first reading next week that tightens up on the blood alcohol levels for drunk driving.

Council Member Silas stated she would support such an ordinance.

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On proper motion, the meeting was adjourned at 8:15 p.m.

ATTEST:   
GENELLE BIRK, CITY CLERK

  
KAREN L. R. VIALLE, MAYOR

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