

## CITY COUNCIL MINUTES

City Council Chambers  
April 5, 1994

The meeting was called to order at 5:02 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 Evans.

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Approval of the minutes of the Tacoma City Council meeting of March 29, 1994.

### RESOLUTIONS:

Resolution No. 32567

Setting Monday, April 25, 1994, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 6971 for the installation of streetlighting along Vassault Street from North 28th to Viewmont Streets.

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

- a. Hearing Examiner Agenda for Tuesday, April 5, 1994.
- b. Minutes of the meeting of the Environmental Commission, March 14, 1994.
- c. Minutes of the meeting of the Landmarks Preservation Commission, March 22, 1994.
- d. Minutes of the meeting and study session of the Public Utility Board, March 9, 1994.
- e. Monthly Financial Statements for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund and Geographical Information System Fund, January 1994.
- f. Report of the Director of Finance, December 1993.

Council Member Miller moved that the Consent Agenda, including Resolution No. 32567, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda was declared approved.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:**

**Resolution No. 32571**

Appointing citizens to various committees, boards and commissions.

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.

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**COMMUNICATIONS:**

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.562 to allow the environmental remediation of a former log sort yard, including the consolidation and capping of soils contaminated with wood waste and metals and the development of a storm drainage system including marine outfalls on the property located at 2407 Port of Tacoma Road. (Port of Tacoma; File No. 141.562)

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

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**FINAL 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)

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. 25443

Vacating a portion of Shirley Street south of North 33rd Street to combine the vacated area with the abutting property to realign Shirley Street in a proposed new subdivision. (Northwest Investment Partners, Inc.; File No. 124.987)

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. 25466

Vacating a portion of South 28th Street between Cushman and Sheridan Avenues to combine the vacated area with the abutting properties to provide additional yard space for residential building sites. (Janabea H. Wilson; File No. 124.920)

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. 25470

Amending Chapter 1.06 of the Official Code by repealing and reenacting Section 1.06.228 relative to claims for damages against the City to comply with state laws.

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. 25471

Depositing in and appropriating \$2,000,000 from the Miscellaneous Grants Summary Fund; and authorizing the execution of grant award contracts with the U.S. Department of Housing and Urban Development for the Neighborhood Business Revitalization and the Eastside Homeownership Programs.

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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FIRST READING OF ORDINANCES:

Ordinance No. 25472

Accepting a donation of \$2,000 from Tacoma Public Schools and the Educational Employees Credit Union; depositing in and appropriating said sum from the General Fund for co-sponsoring Super Saturday.

The Ordinance was set over for final reading next week.

Ordinance No. 25473

Amending Chapter 13.09.050 of the Official Code relative to the annual permit and reinspection fees for the South Tacoma Groundwater Protection District.

Speaking before Council was:

Charlene Eigner

Tacoma resident

The Ordinance was set over for final reading next week.

Ordinance No. 25474

Amending Chapter 1.29 of the Official Code to comply with the Federal Fair Housing law to obtain equivalency status with the U.S. Department of Housing and Urban Development.

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The Ordinance was set over for final reading next week.

Ordinance No. 25475

Amending Sections 13.06.275 and 13.06.280 of the Official Code to eliminate the prohibition of dry cleaning in the "C-1" Commercial and "CPN" Planned Neighborhood Shopping Center Districts.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 32563 (Continued from the meeting of March 29, 1994.)

Authorizing the extension of the agreement with the Local Development Council for the administration of the Business Improvement Area for the period May 1, 1994 through April 30, 1995.

Mayor Moss moved to continue Resolution No. 32563 to the meeting of April 12, 1994. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32563 will be considered at the regular City Council meeting of April 12, 1994.

Resolution No. 32565 (Continued from the meeting of March 29, 1994.)

Authorizing the purchase of property located at the northeast corner of East 32nd and N Streets in the amount of \$13,950 for open space.

Council Member Silas moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried, with Council Member De Forrest voting nay. The Resolution was declared adopted.

Purchase Resolution No. 32568

Awarding contracts to:

1. PRC Public Sector, Inc., on their bid of \$43,190.28 for a computer-aided dispatch and records management system maintenance contract - Sole Source; and
2. Special Asphalt Products, Inc., on their bid of \$60,003.50 for an annual supply of crack sealant material - Washington State Contract No. 90-93.

Council Member Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member McGavick.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

Resolution No. 32569

Authorizing the execution of an agreement with the Pierce County AIDS Foundation in the amount of \$54,000 for the Housing Options Program.

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

Speaking to the Council was:

Charles Butler

Tacoma resident

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

Resolution No. 32570

Authorizing the execution of a Lease and Operation Agreement with Olympic Counseling Services for an outpatient youth substance abuse treatment program located at 2919 Portland Avenue.

Council Member Miller moved to continue Resolution No. 32570 to the meeting of April 12, 1994. Seconded Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32570 will be considered at the regular City Council meeting of April 12, 1994.

Resolution No. 32572

Authorizing a 45-day extension to the option agreement in the amount of \$10,000 for the acquisition of Albers Mill at 1821 Dock Street.

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. 32573

Authorizing the execution of the option agreement for the acquisition of Albers Mill at 1821 Dock Street.

Council Member Baarsma moved to remove Resolution No. 32573 from the agenda. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32573 was removed from the agenda.

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CITIZENS' FORUM:

Speaking before the Council were:

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| Robert Reese      | Topic: Drug-free zone signs in the Bryant Elementary area.                            |
| Mrs. Robert Reese | Topic: Safety in the Hilltop area and, in particular, the Bryant Elementary area.     |
| Charles Butler    | Topic: Garbage and debris in neighborhood areas and, in particular, the Hilltop area. |

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UNFINISHED BUSINESS:

None.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma noted that the chair of the Human Rights Commission, Ms. Linda Schaffer, was in the audience. He stated that the Human Rights Commission sent a letter to the Appointments Committee reminding them of the City's commitment to diversity. He stated that the Appointments Committee appreciated the reminder. He indicated that the ordinance creating the Environmental Commission required people with Ph.D.s. or J.D.s. He stated that for those particular positions the Council could not make the appointments but they will consider diversity on the citizen positions on the Environmental Commission.

Council Member Kirby stated that he had recently learned that the cameras that are monitoring certain activities in neighborhoods have a particular problem. He stated that in addition to seeing drug dealing, loitering and the like, there is also gambling taking place, including dice games on City sidewalks. He was told by law enforcement personnel that much violence is also associated with gambling. He stated that he would like to see if our staff could be creative and give law enforcement people the tools to deal with this major source of violence in our City.

Council Member Evans noted that there were recent fires on the waterfront. He expressed concern that the Municipal Dock building is not sprinklered or fully protected. He requested to see that it and the Puget Sound Freight building are lockable.

Council Member Evans noted a news clipping in their Council packet talking about the North 21st Street plantings. He spoke of an agreement with the Public Utilities Department that the street would have curbs, gutters, and be planted down both sides and the middle. He requested information on how the damage would be rectified.

Council Member Evans spoke regarding an Old Town Association meeting concerning the Silver Cloud Motel. He noted that the Citizens for a Healthy Bay sent a letter to the Council about this issue. He requested a fully detailed response from the Hearing Examiner on this matter.

Council Member Miller commented on the resolutions in process for the April 12 Council meeting that was included in their Council packet. He stated there was a request for a resolution to adopt the urban growth tiering areas. He stated that he had requested the documents on this matter well before the Council has the resolution before them. He said they had received a one-page map, but did not want to receive this document in their Friday packet and then be expected to adopt the resolution and the document on the following Tuesday.

Council Member Miller stated that the Pierce County Medical Association had forwarded a copy of Pierce County's ordinance on bicycle helmets. He requested that the City's Legal Department draft a similar ordinance.

Council Member Evans stated that former City Attorney Bill Barker had purposely held off on the City's ordinance until they had a copy of what Pierce County had passed.

Council Member Miller stated that there needed to be enforcement of posting of signs on telephone poles. He noted a mass proliferation of signs throughout the City recently on garage sales, home sales, directional signs, open houses, A-boards, etc. He stated that there needed to be enforcement and possible fines for violators of City ordinances. He requested that a letter be sent to the Realtor



Association and to brokers to police themselves on this matter. Failing that, he stated the City may have to fine the brokerages and the violators.

Council Member Miller requested an update on the status of the Wapato Hills issue.

Council Member De Forrest requested there also be added to the proposed bicycle helmet ordinance that more safety equipment be required on bicycles.

Council Member Evans stated there would need to be an operative light and reflective materials on bicycles. He said that, possibly, it could be included in the same or else in a separate ordinance apart from the bicycle helmet ordinance.

Council Member De Forrest thanked Norris Bacho, Planning and Development Services Department Director, for the packet he provided on historic preservation information.

Council Member Evans noted a response from Kyle Crews, Legal Department, regarding definition of a family zoning ordinances, and the conversion of houses into dormitories. He stated that the memo defines the reasons this type of ordinance would be difficult. He requested that staff develop an ordinance regarding dormitory housing.

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, requested an Executive Session regarding pending litigation, not to exceed 30 minutes.

Mr. Corpuz then introduced Ms. Cheryl Carlson, who would be serving as Special Assistant in the City Manager's Office for the next three months.

Mr. Corpuz next stated that CityLine would be highlighting Council Members during the coming months. He noted that Council Member Miller would be featured this Wednesday along with the Daffodil president and queen.

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Mayor Moss moved to recess to Executive Session to discuss pending litigation, the session not to exceed 45 minutes. Seconded by Council Member Miller.

Council Member De Forrest requested that the pending litigation be more specific.

Ms. Pat Bosmans, Acting City Attorney, stated that the cases the Council would consider were actual litigation scheduled for trial.

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

Council recessed to Executive Session at 7:18 p.m. and reconvened at 8:05 p.m.

Mayor Moss moved to authorize settlement of the case of Putnam and Haddow v. City of Tacoma, Pierce County Cause No. 932000948-3 in conformance with the settlement agreement to be filed with the City Clerk. Seconded by Council Member Miller.

Roll call vote was taken, resulting as follows:

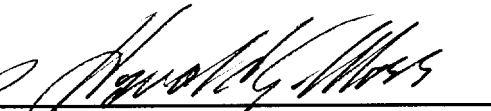
Ayes: 7 -- Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Nays: 2 -- Baarsma and De Forrest.

The motion was declared adopted.

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On proper motion, the meeting was adjourned at 8:09 p.m.

  
HAROLD MOSS, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

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