

CITY COUNCIL MINUTES

City Council Chambers
June 21, 1994

The meeting was called to order at 5:05 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 De Forrest.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of June 7, 1994.

RESOLUTIONS:

Resolution No. 32650

Setting Tuesday, August 9, 1994, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate two partial rights-of-way located at 4409 Browns Point Boulevard N.E. (Tom and Susan Kergil; File No. 124.1002)

Resolution No. 32651

Approving the final plat for STEEL'S FIRST ADDITION located at the southeast corner of North 33rd and Shirley Streets for nine residential building lots. (Northwest Investment Partners; File No. 125.337)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 21, 1994.
- b. Minutes of the Public Utility Board study session and meeting of May 25, 1994.
- c. Minutes of the meetings of the Environmental Commission, May 9 and 23, 1994.
- d. Minutes of the meeting of the Landmarks Preservation Commission, May 25, 1994.
- e. Minutes of the meetings of the Municipal Authority and the Municipal Authority Economic Development, May 26, 1994.
- f. Minutes of the meeting of the Tacoma-Pierce County Board of Health, May 5, 1994.

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- g. Minutes of the meetings of the Tacoma Employees' Retirement Board, March 31 and April 28, 1994.
- h. Minutes of the meetings of the Civil Service Board, April 18 and May 16, 1994.
- i. Capital Improvement Program, 1994-1999.

Deputy Mayor Miller moved that the Consent Agenda, including Resolution Nos. 32650 and 32651 and the City Council minutes of June 7, 1994, be approved. Seconded by Council Member De Forrest. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of Police Department citizens' awards.

Assistant Chief Hairston presented the award of merit for outstanding service to Terry Brock and Samuel T. Morton.

Mayor Moss proclaimed the week of June 19-25, 1994 to be "Hire a Vet Week" and presented a proclamation to Mr. Kent O'Conner.

Mayor Moss proclaimed the month of July 1994 to be "Play Tacoma Month" and presented a proclamation to Mr. Doug Miller.

Mayor Moss moved to recess to an Executive Session to discuss pending litigation, the session not to exceed 30 minutes. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted. Council recessed to Executive Session at 5:20 p.m. and reconvened at 5:40 p.m.

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit Nos. 141.562 A & B to allow the development of a marine container terminal and a fisheries/wetland mitigation project at 2407 Port of Tacoma Road and a

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fisheries mitigation project at 2556 East 11th Street. (Port of Tacoma; File Nos. 141.562 A & B)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. 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. 25503

Vacating a portion of North 33rd Street between Huson and Orchard Streets to combine the vacated area with the abutting property for yard space. (Scott and Jeanne Nelson; File No. 124.995)

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. 25526

Amending Chapter 8 of the Official Code relative to the use and possession of dangerous and deadly weapons and firearms to comply with state law.

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. 25527

Amending Title 11 of the Official Code relative to the Model Traffic Ordinance and creating Sections 11.05.245, 11.05.545 and 11.05.555 relative to parking and loading zones and declaring an emergency making necessary the passage of this ordinance.

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. 25528

Accepting grant awards in the amount of \$1,500 from The Greater Tacoma Community Foundation, \$6,000 from the Washington State Arts Commission, and \$30,000 from the Lila Wallace-Reader's Digest Fund; depositing in and appropriating \$37,500 from the Miscellaneous Grants Summary Fund for Tacoma Arts Commission 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.

FIRST READING OF ORDINANCES:

Ordinance No. 25529

Vacating a portion of Lincoln Avenue between Port of Tacoma Road and Blair Waterway to incorporate the vacated right-of-way into a marine container facility along the Blair Waterway. (Port of Tacoma; File No. 124.996)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Council Member Baarsma seconded the motion. Voice vote was taken and carried. The motion was declared adopted.

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The Ordinance was set over for a date to be determined.

Ordinance No. 25530

Amending Chapter 13.06 of the Official Code to reclassify the property located at 1619 East 29th Street from a "R-4L" Low-Density Multiple-Family Dwelling District to a "C-2" Commercial District to renovate an existing commercial building to be utilized as a restaurant. (James Wayne Boire; File No. 120.1375)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

Ordinance No. 25531

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

The Ordinance was set over for final reading next week.

Ordinance No. 25532

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

The Ordinance was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS: (Began at 6:15 p.m.)

This is the date set for a public hearing on the Strategic Plan for Tacoma's Empowerment Zone.

Speaking before the City Council were:

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| Ms. Sandra Western Butler | Consultant for the Tacoma's Empowerment Zone |
| Mr. Tim Strege | Tacoma Pierce County Small Business Incubator |
| Mr. Karl Anderson | Chamber of Commerce |
| Mr. Bill Factory | Tacoma Pierce County Small Business Incubator |
| Mr. Frank H. Russell | Professional Services Unified, Inc. |
| Ms. Theresa Reda Martinez | Resident |
| Mr. Thomas Dixon | President of the Tacoma Urban League |

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| Mr. Ken Powell | Business Owner of Air Spares |
| Mr. Larry Norman | 2320 South Wilkeson |
| Mr. N.C. Griffith | Director of STRIVE |
| Mr. Kevin Phelps | Temple Theater |
| Mr. Bill Hunter | Director of Tacoma Housing Authority |
| Ms. Laura Jenson | Resident |
| Mr. Doug Price | Director Hilltop Action Coalition |
| Mr. J. Abel Corpus | 1726 East 40th Street |
| Mr. Ken Pounds | Resident |
| Mr. Bob DeWald | Port of Tacoma |
| Mr. Hank Weatherspoon | Safe Haven Development Association |
| Ms. Margaret Ward | Northwest Indian College |

Mayor Moss declared the public hearing closed at 7:24 p.m.

Council Member De Forrest motioned to recess until 7:30 p.m. Seconded by Council Member Kirby. Voice vote was taken and failed. The motion was declared failed.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

Ordinance No. 25535

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

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The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 32652

Awarding contracts to:

1. American Building Maintenance, Inc., in the amount of \$105,770.04 to extend and increase their contract for janitorial services for the Tacoma Municipal Building, Municipal Services Center and the South End Neighborhood Center - Specification No. G-209-92;
2. VWR Scientific, on their bid of \$29,812.35 for utility services laboratory casework - Informal Bid No. 7965; and
3. Toter, Inc., in the amount of \$424,467.81 to extend and increase their contract for plastic refuse containers - Specification No. G-068-92.

Deputy Mayor Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item Nos. 2 and 3, 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 Nos. 2 and 3, was declared adopted.

Resolution No. 32653

Approving the filing of a Notice of Intent with the Pierce County Boundary Review Board to obtain the necessary franchise to furnish water service to customers in a 404-acre parcel of land located adjacent to Frederickson, including the subdivision of Evergreen View Estates.

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. 32654

Approving the filing of appropriate notices with the Pierce County Boundary Review Board, Pierce County and the Tacoma-Pierce County Health Department to transfer water service responsibilities for a 300-acre parcel of undeveloped land in the vicinity of the City of Bonney Lake to the City of Bonney Lake.

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. 32655

Authorizing an extension to the contract with Sierra Systems Consultants, Inc., in the amount of \$100,000 for implementation of the Human Resources Management System.

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

Resolution No. 32656

Authorizing the execution of an amendment to the agreement with The Northern Trust Company in the amount of \$125,000 to provide custodial services for the period July 1, 1994 through December 31, 1994.

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. 32657

Designating the property at the northeasterly corner of Marine View Drive and Norpoint Way as "Green Belt/Open Space" property.

Deputy Mayor 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. 32658

Expressing the intent to loan \$100,000 of Community Development Block Grant funds to the Tacoma Housing Authority for the installation of fire sprinklers at the Garden Villa Apartments located at South 16th and Sprague Streets.

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. 32659

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Authorizing the execution of an amendment to the agreement with the Fourth of July Extravaganza Commission in the amount of \$15,000 for the 1994 Fourth of July celebration.

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

Resolution No. 32660

Authorizing the submittal of an application to the U.S. Department of Housing and Urban Development to designate portions of Tacoma as a Federal Empowerment Zone.

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

Resolution No. 32661

Authorizing the execution of Amendment No. 1 to the Grant Agreement with the Federal Aviation Administration in the amount of \$73,279.80 for additional project costs for widening the apron and constructing other safety improvements at the Tacoma Narrows Airport.

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.

UNFINISHED BUSINESS:

Mayor Moss moved that the Council approve an amendment to the fee agreement with Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim law firm in the City's Insurance Claims case (City v. Great American) in the amount of \$100,000 for a total amount of \$200,000. Seconded by Council Member Evans. Voice vote was taken and carried and the motion was declared adopted.

Mayor Moss moved that the Council approve an attorney fee agreement with the Gordon Thomas firm for the suit of Martinez v. Tacoma in the amount of \$85,000. Seconded by Deputy Mayor Miller. Voice vote was taken and carried and the motion was declared adopted.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, requested an Executive Session to consider potential litigation not to exceed 40 minutes.

Mayor Moss moved to recess to Executive Session to discuss potential litigation. Seconded by Council Member McGavick.

Council Member Evans requested to have Council Comments before the Executive Session. Mayor Moss approved his request.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans stated he had asked a question last week about Substitute Ordinance No. 25525, relative to the parcel of property on Ruston Way and the dollar amounts in the ordinance. He suggested that the ordinance be cleaned up if it's still pertinent. Council Member Evans indicated that there had be questions raised about conflicts of interest at the Narrows Airport on whether or not all the lease payments are current, how the funds proposed to remodel the restaurant are to be gained, and the proposed plans for changes to Parcel B. Council Member Evans requested that these issues be addressed by Ms. Karen Larkin and Mr. Peter Luttrupp.

Council Member Silas stated that, on April 23, 1994, there was a collaboration between the Tacoma Police Department and Ticket Masters concerning the collection of hand guns and rifles and the 248 hand guns that were collected. She commended Ticket Master and the Police Department in the performance of this service. Every gun that is taken off the street may help save a life. Council Member Silas reported that at 3:00 p.m. today, the Council had the opportunity of seeing those guns being shredded and it was a joy to participate in it.

Deputy Mayor Miller stated that the April update on the crime report attempted to show a true pattern but he thought there was some disturbing results and some exciting results. Deputy Mayor Miller indicated that the year-to-date figures showed a reduction in aggravated assaults and crimes across the board; however, there was a disturbing increase in other things such as auto theft and murder. Deputy Mayor Miller noted that auto theft seems to account for almost half of all property loss, value wise in the city of Tacoma, and stated he would hate to see that the focus on violent crime and drugs get lost. He requested staff to provide an update on what we are doing to try and stem the tide of auto thefts in the city of Tacoma. Deputy Mayor Miller stated the figures reflected approximately 1,000 auto thefts valuing \$3 million through April. He stated that the figures seem very high when it starts amounting for half of our value loss in the city., and encouraged to use a method to stem that tide.

Council Member De Forrest complimented the staff on the empowerment zone application. He stated they did an excellent job including all the citizens that volunteered their time. He request an opportunity to review the east side portion of the application before it is submitted to Washington D.C. Council Member De Forrest explained that it was his understanding that the Mayor north of Tacoma turned down funding for 20 police officers and asked if that was part of their grant application. Council Member De Forrest asked if it is possible that Tacoma may tap into those 20 police officers.

Ray E. Corpuz, Jr., responded by stating that it is the same pot of money and yes the funds were turned down. We are standing by for the third and final round. He indicated that there might be an opportunity.

Council Member De Forrest expressed his sympathy to the Griswold family on the murder of Mr. Griswold. He stated that Daniel Griswold is one of our fine law enforcement officers who has been on the force for 3 1/2 years. He requested the Council to sign a sympathy card and send it to the Griswold family.

Council Member Kirby expressed appreciation for Cheryl Carlson handling a question that he had in a very fine manner. He stated that on his way to work he watched a problem happen here in Tacoma and his comments were about not letting this happen again. There was a used tire shop up on 12th and L Streets and as he drove to work everyday he noticed this shop and at first he thought it was a neat idea to market used tires. Although it appeared to him that this may be a low budget operation. Over time more tires were only dropped at this shop and the stack got bigger and bigger; and after a few weeks, he thought he would call about that. He estimated there were about 1,000 tires on this back lot and was concerned about the hazards they may create. After some investigation it was determined that the building is now vacant and the property owner is responsible. Council Member Kirby noted that the property owner is a victim here. He asked if the City knew of other businesses that are in a similar situation, and if there was some way where the affected people could be clued in ahead of time. Council Member Kirby explained that if this is more than this property owner can handle, then some governmental agency will probably step in. Council Member Kirby requested staff to investigate on this matter and report back.

Mayor Moss indicated that there was a motion on the table to recess to Executive Session for a period not to exceed 40 minutes for the purpose of discussing potential and pending litigation. Voice vote to recess to Executive Session was taken and carried. The motion was declared adopted. Council recessed to Executive Session at 8:20 p.m. At 9:00 p.m. Mayor Moss extended the Executive Session for an additional 15 minutes. Council reconvened at 9:15 p.m.

On proper motion, the meeting was adjourned at 9:15 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK

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