

CITY COUNCIL MINUTES

City Council Chambers
May 24, 1994

The meeting was called to order at 5:06 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 Crowley.

Approval of the minutes of the special meeting of the Tacoma City Council of May 12, 1994 and meeting of May 17, 1994.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Roll for the following:

L.I.D. No. 3947 for sanitary sewers in Cascade Avenue from North 11th to North 13th Streets.

Setting Monday, June 13, 1994, at 5:00 p.m., as the date for a hearing by the Hearing Examiner.

ORDINANCES:

Ordinance No. 25512

Accepting the donation of one MacIntosh ITVX computer from Merrill Lynch for the Police Department's Habitual Offender Unit.

RESOLUTIONS:

Resolution No. 32616

Setting Tuesday, June 28, 1994, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate the southeasterly corner of East 11th Street and Marine View Drive. (John and Doris King and Donald McGoldrick; File No. 124.998)

Resolution No. 32617

Setting Tuesday, June 28, 1994, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the southeasterly six-feet of North 1st Street southwesterly of Tacoma Avenue. (Stadium Thriftway; File No. 124.999)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, May 24, 1994.
- b. Minutes of the meeting of the Fire Safety Education Advisory Committee, April 27, 1994.
- c. Minutes of the meeting of the Rainier Cable Commission, April 27, 1994.
- d. Minutes of the meeting of the Tacoma Planning Commission, May 4, 1994.
- e. Minutes of the meeting of the Tacoma-Pierce County Board of Health, April 7, 1994.

Deputy Mayor Miller moved that the Consent Agenda, including first reading of Ordinance No. 25512 and Resolution Nos. 32616 and 32617, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda was declared approved.

Deputy Mayor Miller moved to suspend the rules to consider Resolution No. 32627. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32627

Expressing the intent to negotiate an interlocal agreement with the City of Fife to assume sewerage responsibilities for the city of Fife.

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

Council Member De Forrest moved to suspend the rules to consider Substitute Resolution No. 32627. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Mayor Moss proclaimed the day of June 2, 1994, to be "Tahoma Center Day," and presented the proclamation to Ms. Patricia Diller and Ms. Lynn Magnusson, of the Tahoma Center.

Mayor Moss called on Ms. Galina Vedmetskaia, of Tacoma's Sister City, Vladivostok, Russia. Ms. Vedmetskaia introduced the members of the Vladivostok delegation, which included Deputy Mayor Valentine Sysoev; James Alloway, of Research Triangle Institute; Jury Masleev; Galina Vishniakov; Nadezhda Schapkova; Olga Litinenko; and Natalia Derevjahkina.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 24613

Amending Chapter 13.06 of the Official Code to reclassify the property located at South 30th and Tyler Streets north and east of Center Street and south and west of State Route 16 (SR-16) from a "R-3" Two- and Three-Family Dwelling District to a "R-4-L" Low-Density Multiple-Family Dwelling District to construct a 60-unit apartment complex with off-street parking for 90 vehicles. (John Dobler; File No. 120.1299)

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. 25504

Amending Section 1.24.940 of the Official Code to include violation of the Ethics Code as grounds for disciplinary action.

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. 25505

Amending Title 11 of the Official Code relative to enforcement of penalties for civil infractions regarding the refusal to sign citations and failure to respond or appear in court.

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.

Amended Substitute Ordinance No. 25506

Amending Title 11 of the Official Code relative to the regulation for transporting hazardous materials and petroleum products.

Deputy Mayor Miller moved to suspend the rules to consider Substitute No. 2 of Ordinance No. 25506. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans stated that he would like to see, on page 2, line 22, after the words "for such deliveries," the words "and pick ups." He also stated that on page 2, line 24, following the word "deliveries," the words "or pick ups" should be added.

Council Member Crowley moved to continue Substitute No. 2 of Ordinance No. 25506 to the meeting of June 7, 1994. Seconded Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Substitute No. 2 of Ordinance No. 25506 will be considered at the regular City Council meeting of June 7, 1994.

Ordinance No. 25508

Authorizing the execution of a grant agreement with the U.S. Department of Housing and Urban Development in the amount of \$87,000; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing the execution of

agreements with Martin Luther King Ecumenical Center, Greater Lakes Mental Health Center, Faith Homes, Metropolitan Development Council, AIDS Housing Association and the Tacoma Rescue Mission for the 1994 Emergency Shelter Grant Program.

Mayor Moss moved to continue Ordinance No. 25508 to the meeting of June 7, 1994. Seconded Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of June 7, 1994.

Ordinance No. 25509

Authorizing the execution of a Partnership Agreement with the U.S. Department of Housing and Urban Development; and depositing in and appropriating \$1,231,000 from the Miscellaneous Trust Summary Fund for the 1994 HOME 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. 25510

Authorizing the execution of a loan agreement with Dyno Overlays, Inc. and appropriating \$350,000 from the UDAG Grant Trust Account to facilitate economic development.

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.

Substitute Ordinance No. 25511

Amending Chapter 6.76 of the Official Code relative to the sale and discharge of fireworks in the city.

Council Member De Forrest moved to suspend the rules to allow public testimony on final reading of the Ordinance. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

Albert McGregor	Resident
Karen Gower	Representing the fireworks industry
Wayne Bates	3828 South J Street
Naomi Bates	3828 South J Street
Angie Cribenou	38th Street District

Roll call vote was taken, resulting as follows:

Ayes: 3 -- Crowley, De Forrest and Kirby.

Nays: 6 -- Baarsma, Evans, McGavick, Miller, Silas and Mayor Moss.

The Substitute Ordinance was declared failed.

Mayor Moss called on Mr. Jack Morris, former property owner on the Thea Foss Waterway, and presented him with a Certificate of Recognition for establishing an engineering scholarship at Washington State University for a Native American student with the proceeds from the sale of his property.

FIRST READING OF ORDINANCES:

Ordinance No. 25498 (Continued from the meeting of May 10, 1994.)

Amending Section 8.01.010 of the Official Code for a mandatory jail term upon a third domestic violence offense within a two-year period.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Ordinance No. 25498. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

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Speaking to the Council were:

Keith Galbraith	Executive Director, Family Renewal Center
Justine Archer	3904 East T Street
Fiatagata Timali	WSU Cooperative Extension & Human Rights Commission
Mary East	Executive Director, Phoebe House
John Heath	206 South 11th Street
Rickie (no last name given)	Victim of domestic violence
Sister Beverly Bentley	Member of Tacoma Dominicans
Michelle Murray	38th Street District resident

Council Member Kirby requested that all Council Members' names appear as sponsors to this Ordinance.

Speaking to the Council was:

Linda McNairy	5701 South 7th Street
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The Substitute Ordinance was set over for final reading to June 7, 1994.

Council Member De Forrest moved to recess from 7:20 p.m. to 7:30 p.m. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted.

Council recessed at 7:20 p.m. and reconvened at 7:30 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 7:33 p.m.)

This is the date set for a public hearing on the Six-Year Comprehensive Street Program for 1995-2000 and the Amended 1994 Street Program.

Mayor Moss called for testimony.

Speaking to the Council were:

Tim Strege	Representing Tacoma-Pierce County Small Business Incubator
Carla Gramlich	President, Tacoma Wheelmen's Bicycle Club
Dick Bartells	Chair, Environmental Commission

There being no further testimony, Mayor Moss declared the public hearing closed at 8:03 p.m.

Ordinance No. 25513

Amending Chapter 13.06 of the Official Code to reclassify the property located east of Union Avenue, approximately 400 feet north of South 23rd Street from a "R-2" One-Family Dwelling District to a "C-1" Commercial District to allow the construction of a 5,000 square foot bank. (Columbia Bank; File No. 120.1377)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Crowley. 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. 25514

Appropriating \$85,082.49 from the Labor Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for the recovery of first quarter 1994 underwriting losses.

The Ordinance was set over for final reading to June 7, 1994.

Ordinance No. 25515

Accepting donations in the amount of \$30,236.41 from various parties; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the DARE program.

The Ordinance was set over for final reading to June 7, 1994.

Ordinance No. 25516

Amending the legal description of Ordinance No. 25466 relative to vacating a portion of South 28th Street between Cushman and Sheridan Avenues.

The Ordinance was set over for final reading to June 7, 1994.

Ordinance No. 25517

Amending Chapters 1.23 and 13.06 and repealing Chapter 13.03 of the Official Code relative to the jurisdictions of the Hearing Examiner and the appellate jurisdiction of the City Council.

The Ordinance was set over for final reading to June 7, 1994.

Rick Rosenblatt, Deputy City Clerk, stated that the title for Ordinance No. 25518 was inadvertently omitted from the Agenda. He indicated that the Ordinance was printed on pages 104 to 111 of the Council Agenda. However, the Ordinance title was not printed on the Agenda that was mailed to the public and, therefore, it would need to be brought back before the Council for first reading at the June 7, 1994 Council meeting.

Ordinance No. 25519

Accepting \$12,000 from the Washington State Energy Office; depositing in and appropriating said sum from the Miscellaneous Special Revenue Summary Fund for the Commute Trip Reduction plans and programs.

The Ordinance was set over for final reading to June 7, 1994.

Ordinance No. 25520

Depositing in and appropriating \$50,000 from the Miscellaneous Grants Summary Fund and authorizing the execution of an interlocal agreement with the University of Washington for the planning and development of the University of Washington Tacoma campus.

The Ordinance was set over for final reading to June 7, 1994.

Ordinance No. 25521

Amending Chapter 12.08 of the Official Code relative to increases of sanitary sewer and storm drainage rates.

Speaking to the Council were:

Dick Bartells

Chair, Environmental Commission

Stan Naccarato	President, Naccarato Group
Evan McCord	Eastside Neighborhood Council
Casey Cochrane	Representing Tacoma-Pierce County Chamber of Commerce
Graham Reed	Nalley's Fine Foods
Kathleen Skrinar, M.D.	Resident

The Ordinance was set over for final reading to June 7, 1994.

RESOLUTIONS:

Purchase Resolution No. 32618

Awarding contracts to:

1. S.N.R. Construction Design, on their bid of \$70,520 for 1994 citywide sidewalks and curb ramps - Work Order Nos. GD7320, GD7330, SA1080 - Specification No. G-214-94;
2. S.N.R. Construction Design, on their bid of \$22,474 for sidewalk reconstruction in the Stadium/Wedge area - Work Order Nos. GD7320, SA1080 - Specification No. G-216-94;
3. Monarch Development, Inc., on their bid of \$37,643.01 for sanitary sewer extension in the alley between Windom and Warner Streets from South 30th Street north approximately 345 feet - L.I.D. No. 3951 - Specification No. G-208-94;
4. Auburn Chevrolet - GEO, on their bid of \$71,012.74 for four 3/4-ton, gas-powered pickup trucks - Sole Source;
5. Brodsky's of Tacoma, in the amount of \$42,411.30 to extend their contract for Police Department uniforms - Specification No. G-049-93; and
6. Sam's Tire Service, in the amount of \$135,000 to increase their Purchase Order for tires and tubes - Washington State Contract No. 1-89.

Deputy Mayor Miller moved that the Purchase Resolution, including waiving formal bidding procedures on Item No 4, 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 No. 4, was declared adopted.

Deputy Mayor Miller moved to suspend the rules to consider Resolution No. 32623. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32623

Authorizing the execution of a Purchase and Sale Agreement with Great Western Bank in the amount of \$760,000 for the acquisition of the Center Plaza Building located at 733 Market Street.

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. 32619

Authorizing the sale and issuance of 1994 Limited Tax General Obligation Building and Refunding Bonds in the amount of \$10,500,000 and fixing certain terms of such bonds for the acquisition and renovation of the Center Plaza Building and the rehabilitation of the Municipal Building.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Resolution No. 32619. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 32620

Authorizing the execution of an interlocal agreement with the Tacoma Housing Authority to provide advice on affirmative action MBE/WBE equal employment opportunity regulations.

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

Speaking to the Council were:

Bill Factory
Tim Strege

Eastside resident
Tacoma-Pierce County Small Business
Incubator

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

Resolution No. 32621

Authorizing the execution of real estate contracts with J. Brett and Kimberly S. Rutherford, in the amount of \$12,000; Sager Construction, Inc., in the amount of \$32,600; Northwest Contemporary Homes, in the amount of \$23,600; and Miller Building Enterprises, Inc., in the amount of \$10,000 for the sale of surplus L.I. Guaranty Fund properties.

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

Deputy Mayor Miller announced that he would abstain from consideration of this matter and left the Council Chambers.

Voice vote was taken and carried, with Deputy Mayor Miller abstaining. The Resolution was declared adopted.

Resolution No. 32622

Directing the Planning Commission to review proposed changes to the Land Use Regulatory Code regarding the definition of "family" living in single-family dwelling units and to provide a recommendation by August 1, 1994.

Mayor Moss moved to continue Resolution No. 32622 to a date to be determined. Seconded Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32622 will be considered at a date to be determined.

Resolution No. 32624

Authorizing the submittal of a grant proposal to the Conservation Futures Program of Pierce County for the acquisition of approximately 10.6 acres of open space property located on Pioneer Way near the confluence of Swan and Clear Creeks.

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

Resolution No. 32625

Approving the One-Year Community Development Plan for July 1, 1994 through June 30, 1995.

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. 32626

Approving an amendment to the Municipal Authority's Charter and further to change the name of the Municipal Authority to the Tacoma Community Redevelopment Authority.

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

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Moss moved to excuse Council Member Silas from the remainder of the City Council meeting. Seconded by Deputy Mayor Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss announced that the Council meeting of May 31, 1994 was canceled and that the next regularly scheduled meeting of the City Council would be held on June 7, 1994, at 5:00 p.m. in the City Council Chambers.

Mayor Moss announced that the City of Destiny award presentations would be held on Tuesday, June 14, 1994, at 6:00 p.m., in the City Council Chambers.

Mayor Moss stated that the Council shared in Council Member Baarsma's recent loss and wished him well.

Deputy Mayor Miller made comments and a report on his recent trip to Germany that he took with the City Manager and the Public Works Director. He stated they had received reports from 14 different countries and many locales on their efforts on redevelopment of industrial sites. He reported on the use of public development authorities.

Deputy Mayor Miller stated there would be a reception this Thursday evening at the Union Station honoring Mayor Moss. He stated the public was invited to attend.

Council Member Evans stated he had received a communication from Dr. Brad Patterson, regarding the Tacoma Narrows Airport Parcel B lease. He requested that this be printed for all Council Members and that it be examined.

Council Member Baarsma stated that the fireworks issue posed some issues. He stated that two years ago there was a commitment on the part of the City to work with community service organizations to explore innovative ways to assist them in their fundraising efforts. He requested some follow through on the part of the City on this matter. He related the discussions that the Mayor and Council Members had had with the citizens in possibly being more innovative in celebrating the Fourth of July at the neighborhood level. He requested that the City Manager put a group together to find ways to do this.

Council Member Kirby stated that he had received publicity and credit for the proposal before the Council on the Three Strikes Domestic Violence Ordinance. He stated that he had handed this assignment to staff and expressed his thanks and appreciation to the staff involved in this, in particular, Chris Bacha, Cheryl Carlson, the City Manager, Pat Bosmans, and Heidi Horst. He also gave thanks to Kyle Crews of the City Attorney's Office.

Council Member De Forrest noted that there was not a City Council meeting next week; however, he stated there was a study session on May 31, 1994, at 5:00 p.m., in the sixth-floor conference room, in the Municipal Building.

Council Member De Forrest then reported on his trip to Charleston, South Carolina for the Community-Oriented Policing Conference. He stated it was a good program and many good ideas were shared. He spoke regarding some of the activities in the area and indicated that Charleston, South Carolina had had a recent crime incident and within a 24-hour period the Mayor announced a commitment to hire 10 more officers to assist in law enforcement efforts. Council Member De Forrest stated that in the next budget session he would be requesting 55 more police officers to be hired by the City.

Mayor Moss expressed his gratitude to the Council and staff for their patience and understanding during these long Council meetings and their dealing with the difficult issues before the Council.

On proper motion, the meeting was adjourned at 10:14 p.m.


HAROLD G. MOSS, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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