

## CITY COUNCIL MINUTES

City Council Chambers  
July 26, 1994

The meeting was called to order at 5:05 p.m.

Present on roll call: 8 - Baarsma, Crowley, De Forrest, Evans, McGavick, Miller, Silas, and Mayor Moss. Absent: 1 - Kirby (Council Member Kirby arrived at 5:07 p.m.)

The Flag Salute was led by Council Member Baarsma.

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Council Member Kirby arrived at 5:07 p.m.

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## CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of July 19, 1994.

### RESOLUTIONS:

Resolution No. 32702

Setting Tuesday, August 30, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council regarding proposed amendments to the Land Use Management Plan.

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

- a. Hearing Examiner Agenda for Tuesday, July 26, 1994.
- b. Minutes of the meeting of the Tacoma-Pierce County Board of Health, June 2, 1994.
- c. Minutes of the meeting of the Tacoma Community Redevelopment Authority, June 30, 1994.
- d. Minutes of the meeting of the Tacoma Arts Commission, June 13, 1994.
- e. Minutes of the meeting of the Civil Service Board, June 20, 1994.
- f. Monthly Financial Reports for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund, Self-Insurance Claim Fund and Geographic Information System Fund, May 1994.

Deputy Mayor Miller moved that the Consent Agenda, including Resolution No. 32702, be approved. Seconded by Council Member De Forrest. Voice vote was taken and carried. The Consent Agenda was declared approved.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:**

Presentation of suggestion awards.

Mayor Moss presented cash awards and certificates to Mr. Frederick May and Mr. David Roose for their suggestions. Then Mayor Moss and Deputy Mayor Miller presented cash awards and certificates to Mr. Alan Olsen and Mr. Richard Fisk for their suggestions.

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**COMMUNICATIONS:**

- a. City Attorney submitting the Decision of the City Council in the matter of the appeal of William Ostruske relative to a Shoreline Management Substantial Development/Conditional Use Permit No. 141.534 to allow the development of an over-water, single-story, single-family, pile-supported residence with an attached carport and deck at 1516 Wilton Road. (George Lund; File No. 141.534)

Deputy Mayor Miller moved to amend page three of the Decision of the City Council by changing the fourth condition to read: "4. The applicant (Lund) shall adhere to a five foot setback along the property line shared with Ostruske, which takes into account the information provided to the City Council regarding the property deeded to Ostruske." Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to adopt the drawing marked as Exhibit 1 (on file in the Clerk's Office) showing the westerly extension by the Hearing Examiner to allow the northwest corner of the footprint to come to a point in the same plane as the westerly wall of the Ostruske residence. Seconded by Council Member Crowley. Voice vote was taken and carried with Deputy Mayor Miller voting in opposition. The motion was declared adopted.

Council Member De Forrest moved to suspend the rules to allow for reconsideration of this matter. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to immediately reconsider this matter. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Evans moved to adopt the drawing marked as Exhibit 1 (on file in the Clerk's Office) showing the westerly extension by the Hearing Examiner to allow the northwest corner of the footprint to come to a point in the same plane as the westerly wall of the Ostruske residence. Seconded by Council Member McGavick.

Roll call vote was taken, resulting as follows:

Ayes: 2 – De Forrest and Evans.

Nays: 7 – Baarsma, Crowley, Kirby, McGavick, Miller, Silas, and Mayor Moss.

The motion was declared failed.

Council Member Evans moved to remand this matter back to the Hearing Examiner for clarification. Seconded by Council Member Baarsma. Council Members Evans and Baarsma withdrew the motion.

Deputy Mayor Miller moved to concur in the Decision of the Council as amended. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

- b. Hearing Examiner recommending that L.I.D. No. 6971 for the installation of streetlighting along Vassault Street from North 28th to Viewmont Streets not be formed.

Deputy Mayor Miller moved to concur in the recommendations of the Hearing Examiner. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 25544

Providing for the formation of L.I.D. No. 8579 for the placement of permanent pavement with storm water drainage on East G Street from East 40th to East 43rd Streets.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Silas, and Mayor Moss.

Absent: 1 -- Evans.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25545

Amending Section 8.70.020 of the Official Code relative to the jurisdiction of the Municipal Court to allow the Court to assess punishment, after imposition of sentence for a period not to exceed two years as permitted under state law.

The Ordinance was set over for final reading next week.

Ordinance No. 25546

Amending Section 8.70.010 of the Official Code relative to the jurisdiction of the Municipal Court to increase the maximum fine for disorderly conduct from \$500 to \$5,000 and the imprisonment term from six months to one year as permitted by state law.

The Ordinance was set over for final reading next week.

Ordinance No. 25547

Submitting a proposition to the voters at a special municipal election on September 20, 1994 to levy an additional regular property tax for emergency medical care or services; requesting the Pierce County Auditor to find an emergency to conduct said election; and declaring an emergency making necessary the passage of this ordinance.

Speaking before the Council were:

Gary Conklin	Resident
Pat McElligott	Resident

The Ordinance was set over for final reading next week.

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Interviews of candidates for a vacant Planning Commission position were conducted in the Council Chambers at 7:30 p.m.

Candidates Mr. Hal Nielsen, Mr. J. David Swindale and Ms. Kazu Quaranto, were interviewed by the Council. Mayor Moss indicated that Mr. Harold H. Bond, the fourth candidate, was not in attendance.

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Mayor Moss moved to recess to Executive Session to evaluate the qualifications of candidates for appointment to a public office, the session not to exceed 10 minutes. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted. Council recessed to Executive Session at 8:10 p.m. and reconvened at 8:25 p.m.

Council Member Silas moved to direct staff to prepare a resolution appointing Kazu Quaranto to the Planning Commission representing District 3 through December 31, 1996. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

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Ordinance No. 25548

Establishing the "Tacoma Eastern Railroad Acquisition and Operating Summary Fund" for all transactions related to the acquisition, rehabilitation and operation of the Tacoma Eastern Railroad; transferring \$600,000 from the Capital Improvement Summary Fund to said fund; accepting \$1,150,000 from the State of Washington, \$300,000 from the Port of Tacoma and \$1,250,000 from private sources; depositing in and appropriating \$3.3 million from said fund for the acquisition of certain segments of railroad track between Tacoma and Chehalis.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 32699 (Continued from the meeting of July 19, 1994.)

Establishing various projects and programs including the Geographic Information System; Marine View Drive Improvement; Pioneer Way and River Road Improvement; Public Safety Streetlighting; Ornamental Series Streetlighting; Hazardous Sidewalk Replacement; Pavement Management System; North 21st Street Bridge; and Fire Station No. 12 as Major Independent Construction Projects or Federally-Funded

Projects or Programs as special projects of limited duration for the hiring of temporary employees.

Deputy Mayor Miller moved to continue Resolution No. 32699 to the meeting of August 9, 1994. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32699 will be considered at the regular City Council meeting of August 9, 1994.

Resolution No. 32701 (Continued from the meeting of July 19, 1994.)

Authorizing the execution of a license agreement with the Seattle SuperSonics, Inc. for the use of the Tacoma Dome for the Seattle SuperSonics home games for the 1994-1995 National Basketball Association season.

Deputy Mayor Miller moved to continue Resolution No. 32701 to August 2, 1994 or to a date to be determined. Seconded by Council Member Silas.

Council Member De Forrest moved to remove Resolution No. 32701 from the agenda. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted. The Resolution was removed from the agenda.

Purchase Resolution No. 32703

Awarding contracts to:

1. Utility Service Co., Inc., on their bid of \$36,252.36 for emergency repairs to electric pumps at the Cleveland Way Pump Station - Purchase Order No. E-47450; and
2. Monarch Development, on their bid of \$160,253.68 for two-inch asphalt pavement - L.I.D. Nos. 2618, 2621, 2622, 2623 and 2624 at South 67th Street from Tyler to Monroe Streets; Monroe Street from South 67th to South 69th Streets; Monroe Street from South 66th to South 67th Streets; South 67th Street from Monroe to Madison Streets; and Tacoma Avenue South from South 92nd to South 94th Streets - Specification No. G-213-94.

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

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.

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**Resolution No. 32704**

Authorizing the execution of an agreement with Theodore A. Anderson in the amount of \$152,536.67 for the purchase of a 9.92-acre site in King County for the filtration and fish rearing facilities near the Green River Watershed.

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. 32705**

Authorizing the execution of an easement to James and Marilyn Berry and Timothy and Lesa Tweet across Water Division property at Kapowsin to provide permanent access to the adjacent property and allow the subdivision of the property into 20-acre parcels.

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. 32706**

Proclaiming support for and encouraging the Washington State Congressional delegation to support the Natural Disaster Protection Act.

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.

**Resolution No. 32707**

Authorizing the execution of an agreement with Merritt+Pardini in the amount of \$80,000 for expert architectural services relative to the relocation of Fire Station No. 12.

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

**Resolution No. 32708**

Authorizing the execution of an amendment to the Public Facility Development and Shoreline Lands Holding Trust Agreement with the Metropolitan Park District to provide for the acquisition of the Albers Mill property at 1821 Dock Street as part of Trust Properties.

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

Resolution No. 32709

Adopting "TACOMA TOMORROW: The Strategic Plan for Tacoma City Government" as the Strategic Plan of the City of Tacoma for 1994-1996.

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. 32710

Authorizing the execution of an agreement with People Employment and Renewal Services in the amount of \$86,190 for the Eastside Small Business Incubator Project.

Speaking before the Council was:

Tim Strege

Eastside Small Business Incubator Project

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

Resolution No. 32711

Authorizing the execution of Amendment No. 95 to the Neighborhood Preservation Program Agreement with the Tacoma Community Redevelopment Authority in the amount of \$195,060 for implementation of the Local Homestead Program.

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

Resolution No. 32712

Authorizing the execution of Amendment No. 96 to the Neighborhood Preservation Program Agreement with the Tacoma Community Redevelopment Authority to provide for the transfer of the ownership of five homes located in the Hilltop neighborhood to the Martin Luther King Housing Development Association for rehabilitation and sale for first-time home buyers.

Speaking before the Council was:



Alberta Canada

Martin Luther King Housing  
Development Association

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. 32713

Authorizing the execution of Amendment No. 97 to the Neighborhood Preservation Program Agreement with the Tacoma Community Redevelopment Authority in the amount of \$150,000 for implementation of the Rental Rehabilitation Program.

Council Member Evans moved that the Resolution be adopted. Seconded by Deputy Mayor Miller. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 32714

Authorizing the execution of agreements with various agencies in the amount of \$407,470 for the 20th-Year Community Development Block Grant programs to provide housing related community services to Tacoma residents.

Deputy Mayor Miller moved to continue Resolution No. 32714 to the meeting of August 2, 1994. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32714 will be considered at the regular City Council meeting of August 2, 1994.

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UNFINISHED BUSINESS:

Deputy Mayor Miller moved to suspend the rules to consider Resolution No. 32700 regarding the appointment of committees to write for and against statements in the voters' pamphlet in The Medic One levy. Seconded by Council Member Silas.

Deputy Mayor Miller moved to amend Resolution No. 32700 to remove the name of Lonnie Hampton and replace it with Robert Bowers. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Miller moved to adopt Resolution No. 32700, as amended. Seconded by Council Member Baarsma. Voice vote was taken and carried. The amended Resolution was declared adopted.

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, thanked all the volunteers who helped to make this year's Ethnic Fest a success. Mr. Corpuz reported that over 10,000 people participated in the event.

Mr. Corpuz announced that Wednesday's CityLine topics included Total Quality Management by Juli Daniel and Ken Karch during the first half hour of the show. For the second half hour, Council Member Kirby, Acting City Attorney Pat Bosmans and Assistant City Attorney Heidi Horst will be discussing the "Three Strikes You're In" ordinance.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Miller indicated that earlier this evening, Dan Voelpel, Community Relations Officer, received news that the Mariners will be scheduling nine home games in Cheney Stadium. Deputy Mayor Miller then commented on the press release that the City will be updating its Municipal Code to remove mundane and inoperative items. Deputy Mayor Miller asked staff to provide information on whether the ordinance regarding warning of police lookouts is one of a constitutional issue and if it was enforceable.

Council Member Silas indicated she would like to have issues such as the process for hearing appeals and parliamentary procedures examined.

Council Member McGavick replied that Council Member De Forrest has been assisting the Council with parliamentary procedures and that Deputy Mayor Miller continues to remind the Council on how to proceed with various items on the agenda.

Council Member De Forrest welcomed the Sounders to the Tacoma Dome on July 30. Council Member De Forrest suggested that a letter be sent to the Mayor of Seattle and the King County Executive and their Councils offering Tacoma's assistance to the citizens of King County with the emergency situation they are currently experiencing. Council Member De Forrest also noted that the editorial on the Channel 7 news today suggested that the outdoor stadium for the Mariners should be a joint venture between Tacoma and Seattle and asked staff to look into this. Council Member De Forrest stated that he also heard the news that the City was updating its ordinances

and commented on the 1913 ordinance regarding the delivering of liquor to a fire scene.

Council Member Kirby announced that a meeting of the Council's Public Safety Committee will be held on August 9, 1994 at 3:00 p.m. in the 12th Floor Conference Room of the Municipal Building. He stated that the purpose of the meeting will be to discuss the proposed curfew ordinance and that the meeting is open to the public. He requested that proper notice be given of the meeting.

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On proper motion, the meeting was adjourned at 9:46 p.m.

  
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HAROLD G. MOSS, MAYOR

ATTEST:   
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GENELLE BIRK, CITY CLERK