

CITY COUNCIL MINUTES

City Council Chambers
May 10, 1994

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

Present on roll call: 1 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, and Mayor Moss. Absent: 1 - Silas.

The Flag Salute was led by Council Member Crowley.

Approval of the minutes of the Tacoma City Council meeting of May 3, 1994.

RESOLUTIONS:

Resolution No. 32601

Setting Tuesday, May 17, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council on the Neighborhood Innovation Grant Program.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Tacoma Planning Commission, April 18, 1994.
- b. Minutes of the meeting of the Airport Advisory Committee, April 21, 1994.
- c. Minutes of the meeting of the Tacoma Public Library Board of Trustees, March 16, 1994.
- d. TCI Cablevision of Washington, Inc. Statement of Gross Receipts for Year Ended December 31, 1993; Financial Statements for December 31, 1993; and Consolidated Financial Statements for December 31, 1993 and 1992.
- e. Volunteer Services Quarterly Report ending March 31, 1994.
- f. Monthly Financial Statements for Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund and Self-Insurance Claim Fund, March 1994.

Mayor Moss moved that the Consent Agenda, including Resolution No. 32601, be approved. Seconded by Council Member Miller. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Moss proclaimed the week of May 15-24, 1994, to be "Public Works Week," and presented the proclamation to Mr. Bill Pugh, Public Works Director.

Mayor Moss proclaimed the weekend of May 13-15, 1994, to be "Emergency 1994 Stop Hunger Weekend" and presented the proclamation to Mr. David Ottey.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25489

Authorizing the sale and issuance of 1994 Electric System Revenue and Refunding Bonds in an amount not to exceed \$250,000,000 for additions and improvements to the electric system.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 25489. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Substitute Ordinance was declared passed.

Ordinance No. 25490

Accepting \$1,000 from TCI Cablevision of Washington, Inc.; depositing in and appropriating said sum from the General Fund for the National Academy of Cable Programming's Annual Local CableACE Awards Ceremony on May 24, 1994.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Ordinance was declared passed.

Ordinance No. 25491

Authorizing the sale and issuance of 1994 Limited Tax General Obligation Building and Refunding Bonds in the amount of \$10,500,000 for acquiring and rehabilitating the Center Plaza Building and rehabilitating the Municipal Building.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 25491. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Substitute Ordinance was declared passed.

Ordinance No. 25492

Providing for the formation of L.I.D. No. 2624 for the placement of two-inch asphalt surface treatment and facilities for storm drainage on Tacoma Avenue South from South 92nd Street south to the dead-end.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Ordinance was declared passed.

Ordinance No. 25493

Providing for the formation of L.I.D. No. 8576 for the placement of permanent pavement and storm drainage on South 45th Street from Cedar to Alder Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Ordinance was declared passed.

Ordinance No. 25494

Providing for the formation of L.I.D. No. 8580 for the placement of permanent pavement and storm drainage on Prospect Street from South 8th to South 10th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Ordinance was declared passed.

Ordinance No. 25495

Providing for the formation of L.I.D. No. 8581 for the placement of permanent pavement and storm drainage on the alley between Trafton and Steele Streets from South 8th to South 10th Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Silas.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25496

Vacating portions of South 14th, South 15th, Villard and Baltimore Streets and adjacent alleys between Orchard Street and SR-16 to consolidate the abutting properties to accommodate a new church building, parking, landscaping and related facilities. (Unitarian Association of Tacoma; File No. 124.980)

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

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

Ordinance No. 25497

Amending Chapter 13.06 of the Official Code to reclassify the property located between South 61st and South 64th Streets, extended, approximately 200 feet west of Sheridan Avenue, from a "R-2" One-Family Dwelling District to a "R-2PRD" Planned Residential Development District for the construction of 18 attached single-family dwellings and 5 detached single-family dwellings on separate lots. (Jeff Christensen; File No. 120.1374)

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

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

Ordinance No. 25498

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.

Mayor Moss moved to continue Ordinance No. 25498 to the meeting of May 24, 1994. Seconded Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25498 will be considered at the regular City Council meeting of May 24, 1994.

Council Member De Forrest moved to allow public testimony on Ordinance No. 25498. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council were:

Charlean Eigner
Dawn Bernstein-Strege

Resident
Resident

PUBLIC HEARINGS AND APPEALS: (Began at 6:25 p.m.)

Allan and Nancy Manning, appealing the decision of the Hearing Examiner relative to a Stream Development Permit No. 110.022 on the denial to allow the construction of a single-family residence on the property located at 1216 South Sunset. (Fritz Akker and Allan Manning; File No. 110.022)

Council Member De Forrest moved to recess for five minutes. Seconded by Council Member Kirby. Voice vote was taken and carried. The motion was declared adopted. Council recessed at 6:25 p.m. and reconvened at 6:35 p.m.

Hearing Examiner Pro Tem Wick Dufford spoke regarding his decision relative to the denial of Stream Development Permit No. 110.022.

Mr. Joseph Quinn, attorney representing appellants Allan and Nancy Manning, and Mr. Manning presented reasons for the appeal.

Mr. Chris Britt and Ms. Dawn Bernstein-Strege spoke in support of the Hearing Examiner's decision.

Mayor Moss moved to concur in the Findings, Conclusions and Decision of the Hearing Examiner and deny the appeal. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member De Forrest voting in opposition. The motion was declared adopted.

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RESOLUTIONS:

Purchase Resolution No. 32602

Awarding contracts to:

1. Associated Petroleum Products, on their bid of \$137,838; Pacific Oil Products, on their bid of \$6,000; Conan Fuel Services, on their bid of \$17,200; and Don Small & Sons, on their bid of \$29,600 to extend and increase their contracts for diesel fuel - Washington State Contract No. 254-89;
2. Truck Center Corporation, on their bid of \$88,635.27 for two 11,000 GVW flatbed trucks - Specification No. G-016-94;
3. Northwest Cascade, Inc., on their bid of \$5,579,366.46 for sanitary sewer interceptor relocation and sanitary sewer extension on East 23rd and C Streets to East 21st and L Streets - Specification No. G-200-94; and
4. Auburn Chevrolet-GEO, on their bid of \$128,359.82 for six Chevrolet 3/4 ton, dual-fueled pickup trucks - Sole Source.

Council Member 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.

Resolution No. 32603

Approving the preliminary plat of NORTH PARK for a 23-lot subdivision located between South 61st and South 64th Streets, extended, approximately 200 feet west of Sheridan Avenue. (Jeff Christensen; File No. 125.307)

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

Council Member Miller moved to continue Resolution No. 32603 to a date to be determined when Ordinance No. 25497 to reclassify the affected property is considered for final reading. Seconded Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32603 will be considered at a City Council meeting to be determined.

Resolution No. 32604

Authorizing the execution of the Option to Purchase Agreement with Package Service, Inc. in an amount not to exceed \$510,000 for the Albers Mill site located at 1821 Dock Street.

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

Speaking before Council were:

David Allen
Chase Rynd
Ernie Bianco

Executive Council
Tacoma Art Museum
Children's Museum of Tacoma

Voice vote was taken and carried with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

Resolution No. 32605

Authorizing the execution of an agreement with Hart Crowser, Inc. in the amount of \$3,700,000 for remedial design of the Thea Foss and Wheeler-Osgood Waterways.

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

Resolution No. 32606

Authorizing the submittal of a grant application to the State of Washington Interagency Committee for Outdoor Recreation in the amount of \$210,000 for facilitating the construction of a boat launch facility on the Thea Foss Waterway.

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

Resolution No. 32607

Authorizing the Rainier Cable Commission to investigate and evaluate proposals on basic tier cable rates and increase refunds and charges for associated equipment, installation and services.

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

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, requested Council Members to pick up copies of the fiscal and financial policies and the Strategic Plan revisions, after the Council meeting, for the budget workshop on Thursday, May 12.

Mr. Corpuz encouraged everyone to participate in Carless Commute Week, which will begin next week for two weeks.

Mr. Corpuz announced that the month of May is Asian Pacific Heritage month and encouraged Council to partake in the activities planned.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Moss moved to excuse the absence of Council Member Silas. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss moved to approve Council Member Miller's trip to Germany. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted. Mr. Corpuz indicated that Council Member Miller will be representing the United States along with 17 other representatives to share their experiences in trying to reclaim industrial waterfront land.

Council Member Baarsma regretfully announced that the Seattle Supersonics are now history until next year; however, welcomed them to Tacoma next year.

Council Member Baarsma expressed his gratitude to Charlie Hansen, Fire Prevention Bureau, for the information on the number of fireworks related injuries. Council Member Baarsma indicated that the editorial in today's *Morning News Tribune* suggested that the ban of fireworks continue. Council Member Baarsma stated that there was an average of 23 injuries until the ban took place; and when the ban took place, the injuries totaled 5. Council Member Baarsma indicated that the *Morning News Tribune* promotes the sale of illegal fireworks through promotional ads and

requested that a letter be sent to the Editor of the *Morning News Tribune* suggesting that the *Tribune* not accept advertising that promotes the sale of illegal fireworks.

Council Member Kirby reported that recently his wife and children spent some time on the waterfront and appreciated the work of the Police Department patrolling Ruston Way.

Council Member Evans emphasized that the City should not incur further liability to encourage the use of fireworks.

Council Member De Forrest indicated he had talked to Fire Chief Moore about Charlie Hansen's memo on fireworks. He indicated that a more scientific survey will be put together so that the figures will mean something other than a type of emotional appeal. Council Member De Forrest thanked Peter Luttrupp, Finance Director, for the information on bonds, and thanked Valerie Sivinski, Historic Preservation Officer, for accepting an award on the Union Station project in Olympia.

Council Member Miller reported that earlier Mr. Daniel Peluso spoke to the Council and asked what he could do to involve children in activities. Council Member Miller indicated that Mr. Peluso is putting together a proposal to have two boats take low-income children fishing out of Westport. Council Member Miller indicated that Mr. Peluso is seeking mentors to participate in this activity and encouraged a Council representative to participate. The event is scheduled for June 8.

Council Member McGavick reported that one lesson she has learned while being on this Council is to never be listed as an undecided vote. Council Member McGavick indicated that she received numerous calls to support the ban on fireworks. Council Member McGavick stated that she will be absent at next week's Council meeting and respectfully requested that she be excused.

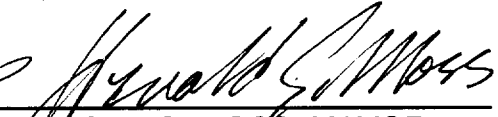
Mayor Moss indicated that he was pleased to witness a man who had been imprisoned for 27 years be elected as President of South Africa.

Council Member Miller moved that a letter of congratulations from the Council be sent to President Nelson Mandela. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Mayor Moss moved to recess to Executive Session not to exceed 45 minutes to discuss pending and potential litigation. Seconded by Council Member Miller. Voice vote was taken and carried. Council recessed to Executive Session at 9:15 p.m. and reconvened at 9:45 p.m.

Mayor Moss announced that a Special Meeting of the Council will be held on Thursday, May 12, 1994 at 5:00 p.m. in the Council Chambers.

On proper motion, the meeting was adjourned at 9:45 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK

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