

# CITY COUNCIL MINUTES

City Council Chambers  
February 27, 1996

The meeting was called to order at 5:13 p.m.

Present on roll call: 9 - Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

The Flag Salute was led by Deputy Mayor Silas.

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## CONSENT AGENDA

### PETITION:

AustinCina Architects, Inc./John Manuel requesting the reclassification of the property located on South 30th Street between Warner and Alder Streets from a "R-3" Two- and Three-Family Dwelling District to a "M-1" Light Industrial District to allow for the construction of an eye specialist clinic and office space. (AustinCina Architects, Inc./John Manuel; File No. REZ96-00004)

For referral to the Hearing Examiner.

### RESOLUTIONS:

#### Resolution No. 33308

Setting Tuesday, April 2, 1996, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of 35th Street NE east of Browns Point Boulevard in the vicinity of the Tacoma Public Library's Kobetich Branch. (Mr. Ed Veeder; File No. 124.1030)

#### Resolution No. 33309

Setting Tuesday, April 2, 1996, at 1:30 p.m., as the date for a hearing by the Hearing Examiner on the request to vacate the easterly 11.5 feet of South J Street between South 17th and South 19th Streets abutting existing hospital facilities. (St. Joseph Hospital; File No. 124.1029)

Resolution No. 33310

Setting Tuesday, March 12, 1996, at approximately 6:00 p.m., as the date for a public hearing by the City Council on the policies and studies for the Police Department's personally-assigned vehicle program.

Resolution No. 33311

Approving the final plat for HAMPSTEAD GREEN IV, located in the vicinity of 20th Avenue SW in Federal Way and 26th Street NE in the City of Tacoma, for the development of a 10-lot subdivision. (John Bargren/Dick Butko; File No. 125.340A)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner agenda for February 27, 1996.
- b. Minutes of the meeting of the Tacoma-Fuzhou Sister City Committee, January 17, 1996.
- c. Minutes of the meeting and study session of the Public Utility Board, January 24, 1996.
- d. Minutes of the meeting of the Human Rights Commission, January 18, 1996.
- e. Total Services Delivery Report for the Tacoma-Pierce County Humane Society, October 1995.
- f. Statements by City employees disclosing remote interests pursuant to Tacoma Municipal Code 1.46.030(O) as follows:

<u>Name</u>	<u>Affiliation</u>
Dolores I. Silas	RSP, Inc.

Council Member Miller moved that the Consent Agenda, including Resolution Nos. 33308 through 33311, be approved. Seconded by Council Member Crowley. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 33308 through 33311, was declared approved.

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**REGULAR AGENDA**

FINAL READING OF ORDINANCES:

Ordinance No. 25848

Amending the Municipal Code by repealing and reenacting Chapter 1.23 relative to the Hearing Examiner's authority and procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

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Council Member De Forrest moved to continue Ordinance Nos. 25848 and 25851 through 25856 to March 5, 1996. Seconded by Council Member Kirby.

Roll call vote was taken, resulting as follows:

Ayes: 1 -- De Forrest.

Nays: 8 -- Baarsma, Crowley, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

The motion was declared failed.

Roll call vote was taken on Ordinance No. 25848, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25851

Amending Chapter 13.04 of the Municipal Code relative to platting and subdivisions to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25852

Amending Title 13 of the Municipal Code by creating a new Chapter 13.05 relative to land use permit procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25853

Amending Chapter 13.06 of the Municipal Code relative to land use permit processes, permitting certain uses which meet development standards, to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25854

Amending Chapter 13.10 of the Municipal Code and the Master Program for Shoreline Development relative to shoreline management procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25855

Amending Chapter 13.11 of the Municipal Code relative to critical area preservation permit procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

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Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25856

Amending Chapter 13.12 of the Municipal Code relative to environmental code procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25857

Accepting donations in the amount of \$11,680.09; depositing in and appropriating said sum from the Miscellaneous Trust Fund to support the D.A.R.E. program.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25858

Accepting \$8,000 from the Department of Social and Health Services; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide health care outreach activities to families with children; and authorizing the execution of an amendment to the interlocal agreement with the Department of Social and Health Services, Medical Assistance Administration for said purpose.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25859

Providing for the formation of L.I.D. No. 2627 for the placement of a two-inch asphalt surface treatment with storm drainage on South G Street from South 60th to South 61st Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25860

Providing for the formation of L.I.D. No. 3955 for construction of a sanitary sewer on North 48th Street from Winnifred Street to Highland Avenue.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

Ordinance No. 25861

Providing for the formation of L.I.D. No. 8590 for the placement of permanent pavement with storm drainage on South Fawcett Avenue from Division Lane to South 36th Street.

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Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Crowley, De Forrest, Evans, Kirby, McGavick, Miller, Silas, and Mayor Ebersole.

Nays: 0

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25849 (Continued from the meeting of February 20, 1996)

Amending the Municipal Code by creating a new Chapter 1.70 relative to the City Council quasi-judicial appeal procedures to implement requirements of Engrossed Substitute House Bill 1724 - Regulatory Reform, adopted by the Washington State Legislature in 1995.

Council Member Miller moved to continue Ordinance No. 25849 to the meeting of March 5, 1996. Seconded by Council Member Crowley. Voice vote was taken and carried with Council Member De Forrest voting in opposition.

The Ordinance was continued to the meeting of March 5, 1996.

Ordinance No. 25862

Vacating a portion of the alley between South Tacoma Way and Washington Street and extending from South 48th to South 50th Streets to allow consolidation of the property. (SBP Liquidating Trust; File No. 124.1025)

Deputy Mayor Silas moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Crowley. 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. 25863

Authorizing the execution of a grant award agreement with the State Office of Archaeology and Historic Preservation in the amount of \$8,000; appropriating said sum from the Miscellaneous Grants Summary Fund for the research, documentation and implementation of an archaeological component.

The Ordinance was set over for final reading next week.

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Ordinance No. 25864

Accepting, depositing and appropriating \$124,102 from the Miscellaneous Grants Summary Fund; and authorizing the execution of an agreement with the Pierce County Department of Aging and Long Term Care to provide various services for case management, senior citizens, mental health information and assistance services.

The Ordinance was set over for final reading next week.

Ordinance No. 25865

Authorizing the execution of a cooperative agreement with the Department of Housing and Urban Development in the amount of \$47,800; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for intake services for housing discrimination charges and related staff training.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 33281 (Continued from the meeting of February 13, 1996.)

Authorizing the execution of an agreement with the Metropolitan Park District, in the amount of \$200,000, for the purchase of the Harmon property located at 1933 Dock Street.

Council Member De Forrest moved to postpone Resolution No. 33281 until such time as the bond counsel arrives or to the end of the meeting. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Began at approximately 5:55 p.m.)

This is the date set for a public hearing by the City Council to consider the intent to levy the ninth annual assessment on properties within the Downtown Business Improvement Area for the period of May 1, 1996, through April 30, 1997.

Council Member Miller excused himself from the hearing and left the Chambers.

Speaking before the Council was:

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<u>Name</u>	<u>Address</u>
Mark Lewington	President, Local Development Council

The hearing was declared closed at 6:07 p.m.

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**RESOLUTIONS:**

**Purchase Resolution No. 33312**

Awarding a contract to:

E. J. Rody & Sons, Inc., in the amount of \$86,883.74, for emergency repair of a force main from Sanitary Sewer Pump Station No. 4102, intersection of East Alexander and Lincoln Avenues - Emergency Purchase Order No. E-51349.

Council Member Evans moved to adopt the Purchase Resolution. Seconded by Deputy Mayor Silas.

Council Member Miller moved to waive formal bidding procedures. Seconded by Council Member De Forrest.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures, was declared adopted.

**Resolution No. 33313**

Authorizing the execution of an Historic Preservation Special Valuation Covenant between the Tacoma Landmarks Preservation Commission and Stanley Talcott for the Agnew House at 605 South G Street.

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

The Resolution was declared adopted.

Council Member Miller moved to suspend the rules to consider Resolution No. 33281. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 33281 (Continued from the meeting of February 13, 1996.)**

Authorizing the execution of an agreement with the Metropolitan Park District, in the amount of \$200,000, for the purchase of the Harmon property located at 1933 Dock Street.

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

Speaking before the Council was:

<u>Name</u>	<u>Address</u>
Hugh Spitzer	Foster, Pepper, and Shefelman

Roll call vote was taken, resulting as follows:

- Ayes: 7 -- Baarsma, Crowley, Evans, McGavick, Miller, Silas, and Mayor Ebersole.  
 Nays: 2 -- De Forrest and Kirby.

The Resolution was declared adopted.

Resolution No. 33314

Approving the design concept for the I-705 pedestrian overpass; and authorizing the execution of an architectural and engineering consultant services agreement with ABKJ, in the amount of \$700,000, for the preparation of construction documents for the overpass.

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

Speaking before the Council were:

<u>Name</u>	<u>Address</u>
Mr. David Allen	International Museum of Modern Glass
Skip Vaughn	7634 South Fife Street
Phyllis Barrett	912 South Cushman

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

Resolution No. 33315

Placing a moratorium on initiating new notices for hazardous sidewalk repairs or replacement until further action by the City Council.

Council Member Kirby moved to suspend the rules to consider Substitute Resolution No. 33315. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council Member Kirby moved that the Substitute Resolution be adopted. Seconded by Council Member De Forrest.

Roll call vote was taken, resulting as follows:

Ayes: 3 -- De Forrest, Kirby, and Mayor Ebersole.

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

The Substitute Resolution was declared failed.

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UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. announced that Dan Voelpel and the Community Relations staff received a plaque from the Grand Award this week in the 15th Annual City Hall Public Information competition for their work on the Juvenile Curfew. He announced that the Community Relations Division won the highest award in this national competition due to the breadth of the campaign, the video releases, the public service announcements, the translation into five languages, and also tickets for the local theaters and theme parks. Mr. Corpuz reported that there is a 30% reduction in juvenile arrests as a result of this and stated that we view this as a very positive effort as part of the campaign to reduce crime in the City of Tacoma. He then congratulated Dan and the Community Relations staff for their excellent work.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma reported that the hearing on personally assigned vehicles was rescheduled to the March 5, 1996, study session. He stated that the Consultants and Interim Police Chief Monner will speak on what they expect to see with the demonstration program, the issue of costs, benefits and recommendations for the next step. He then reported that he and Council Member Crowley were invited to participate with the Interim Police Chief in a TV Tacoma program on March 7 in which questions will be answered regarding the personally assigned police vehicles and to discuss issues with anyone who wishes to call in. Council Member Baarsma also stated that on March 12 there will be a public hearing at the City Council meeting on

this issue. He then stated that on March 19 a Resolution will be before the Council as to whether to proceed with the demonstration program.

Council Member Kirby announced that he had the pleasure to represent the City of Tacoma at the Bluegrass music festival held at the Sheraton Hotel. He continued by describing the atmosphere and music and stated he had a great time. He then requested that staff respond in the Friday to the concerns of the Debartolo Corporation, owners of the Tacoma Mall.

Council Member Miller stated that he would like the Public Works Department to investigate the condominium project responsible for posting advertisements on several utility poles and street signs on Bridgeport Way. He also expressed his discontent over the use of the Martin Luther King Housing Development Association for a personal crusade to block the jail development. Council Member Miller then congratulated the City of Lakewood for being our newest city in the county. He stated that he looks forward to an excellent working relationship between both councils and between the staff members. Council Member Miller finally stated that it is appropriate to ask questions from the dais as long as they are kept on point of the issue and not on personalities. He stated that he noticed a growing tendency of individuals from the dais to abuse staff either through direct comment or innuendo and thinks that this is inappropriate and unfair to staff. He also stated that staff is outstanding and excellent in the work that they do for the City of Tacoma and that they have the best interest of the City at heart.

Deputy Mayor Silas requested information be provided at the study session on the number of police cars presently going home, the number going out of the City and a breakdown of costs as far as the factor is concerned.

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On proper motion, the meeting was adjourned at 9:05 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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