

CITY COUNCIL MINUTES

City Council Chambers
March 29, 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 Kirby.

Mayor Moss proclaimed the month of April 1994, to be "Child Abuse Prevention Month" and presented the proclamation to Mr. Adrien Johnson.

Mayor Moss moved to recess to Executive Session to discuss pending litigation, the session not to exceed 15 minutes. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:10 p.m. and reconvened at 5:35 p.m.

Approval of the minutes of the Tacoma City Council meeting of March 22, 1994.

RESOLUTIONS:

Resolution No. 32556

Setting Tuesday, April 12, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council regarding the 1994-1995 Proposed Statement of Community Development Objectives and Projected Use of Funds for the 20th Year Community Development Block Grant Program.

Resolution No. 32557

Setting Tuesday, April 19, 1994, at approximately 6:00 p.m. as the date for a public hearing by the City Council concerning the proposed sale of a 40-foot wide strip of property located at North 31st and Shirley Streets to Bruce Steel.

Resolution No. 32558

Approving the final plat of YOACHIM'S 2ND ADDITION located on South Ferdinand Street from South 58th Street to approximately 930 feet south for 34 residential building lots. (Delta Developments, Inc.; File No. 125.320A)

APPEAL:

Obren and Helen Keckemet, appealing the decision of the Hearing Examiner relative to a Wetland/Stream Development Permit to allow the demolition of an existing single-family residential structure and the construction of two new, single-family residences located within a wetland/stream area and the placement of fill within a small portion of the stream and associated wetlands located west of North Carr Street and north of North 26th Street. (Donald F. McKay; File No. 110.031)

Setting Tuesday, April 26, 1994, at approximately 6:00 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, March 29, 1994.
- b. Minutes of the meeting of the Civil Service Board, March 7, 1994.
- c. Minutes of the meeting of the Tacoma Planning Commission, March 9, 1994.
- d. Minutes of the board meetings of the Tacoma Employees' Retirement System, December 16, 1993 and January 27, 1994.
- e. Minutes of the meeting of the Human Rights Commission, February 17, 1994.
- f. Minutes of the meeting of the Tacoma Public Library Board of Trustees, February 16, 1994.

Council Member Silas moved to adopt the Consent Agenda, including Resolution Nos. 32556, 32557 and 32558; and that page 10 of the March 22, 1994 Council minutes be amended to reflect that under Resolution No. 32554, Council Member Kirby made the motion to adopt and not Council Member Miller. Seconded by Council Member De Forrest. Voice vote was taken and carried. The Consent Agenda including Resolution Nos. 32556, 32557, 32558 and amendment of the March 22, 1994 Council minutes were declared approved.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25420

Vacating a portion of South 69th Street between South Tacoma Way and the Burlington Northern Railroad Right-of-Way to combine the vacated area with the abutting properties. (Robert L. Stein; File No. 124.988)

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. 25459

Providing for the levy of the seventh year assessment for the Downtown Business Improvement Area (BIA); approving the BIA annual budget and work program; and appropriating \$432,940 for project activities; and declaring an emergency making necessary the passage of this ordinance.

Council Members Crowley and Miller announced that they would abstain from consideration of this matter and left the Council Chambers.

Roll call vote was taken, resulting as follows:

Ayes: 7 -- Baarsma, De Forrest, Evans, Kirby, McGavick, Silas, and Mayor Moss.

Nays: 0.

Abstaining: 2 -- Crowley and Miller.

The Substitute Ordinance was declared passed.

Council Members Crowley and Miller returned to the Council Chambers.

Mayor Moss moved to suspend the rules to consider Resolution No. 32563. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32563

Authorizing the extension of the agreement with the Local Development Council for the administration of the Business Improvement Area for the period May 1, 1994 through April 30, 1995.

Council Members Crowley and Miller announced that they would abstain from consideration of this matter and left the Council Chambers.

Council Member Baarsma moved to continue Resolution No. 32563 to the meeting of April 5, 1994. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32563 will be considered at the regular City Council meeting of April 5, 1994.

Council Members Crowley and Miller returned to the Council Chambers.

Ordinance No. 25464

Amending the Pay and Compensation Plan to create the classification and rate of pay for the position of Land Use Planner.

Council Member Miller moved to continue Ordinance No. 25464 to a date to be determined. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25467

Appropriating \$30,000 from the Visitor and Promotion Fund unreserved fund balance; transferring and appropriating said sum from the Tacoma Dome Operating Fund for advertising the Tacoma Rockets' home games.

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. 25468

Vacating a portion of the west 50 feet of Cedar Street north of North 33rd Street to combine the vacated area with abutting properties. (John and Christine Wolfe; File No. 124.993)

Council Member Miller moved to concur in the recommendations of the Hearings 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. 25469

Vacating a portion of South Lawrence Street north of South 14th Street and two adjacent alleys for expansion of the new Franklin Elementary School. (Tacoma School District No. 10; File No. 124.992)

Council Member 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.

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

Ordinance No. 25470

Amending Chapter 1.06 of the Official Code by repealing and reenacting Section 1.06.228 relative to claims for damages against the City to comply with state laws.

The Ordinance was set over for final reading next week.

Ordinance No. 25471

Depositing in and appropriating \$2,000,000 from the Miscellaneous Grants Summary Fund; and authorizing the execution of grant award contracts with the U.S. Department of Housing and Urban Development for the Neighborhood Business Revitalization and the Eastside Homeownership Programs.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32549 (Continued from the meeting of March 22, 1994.)

Authorizing the execution of Amendment No. 1 to the lease agreement with Lake Cushman Resort Company for operating and maintaining a public hunting and fishing lodge and resort.

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

Purchase Resolution No. 32559

Awarding a contract to:

J. J. Sprague, Inc., on their bid of \$74,184 for the placement of pavement on the alleys between Anderson and Oakes Streets from North 15th to North 17th Streets; Fife and Oakes Streets from North 11th to North 12th Streets; North 8th and North 9th Streets from Lawrence to Warner Streets; and North 12th and North 13th Streets from Verde to Cheyenne Streets, L.I.D. Nos. 8560, 8565, 8571 and 8572 - Specification No. G-204-94.

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

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, was declared adopted.

Resolution No. 32554 (second reading)

Amending Rule 5(d) of the Rules of Procedure of the Council to delete the submittal of grant applications from the Consent Agenda.

6

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

Resolution No. 32560

Authorizing the release of an easement to clear the title on the property located in the vicinity of 112th Street East and Canyon Road.

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

Resolution No. 32561

Authorizing the release of an easement to clear the title on the property located in the vicinity of the intersection of Lincoln Avenue and Blair Waterway.

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

Resolution No. 32562

Expressing support of the Bonneville Power Administration's recommendation to terminate the Washington Public Power Supply System's Nuclear Plants 1 and 3.

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

Resolution No. 32564

Authorizing the purchase of property located at 2528 South M Street, in the amount of \$3,500 for conveyance to the Municipal Authority for the Land Bank Program.

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

Resolution No. 32565

Authorizing the purchase of property located at the northeast corner of East 32nd and N Streets, in the amount of \$13,950 for open space.

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

Council Member De Forrest moved to continue Resolution No. 32565 to the meeting of April 5, 1994. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32565 will be considered at the regular City Council meeting of April 5, 1994.

Resolution No. 32566

Authorizing the execution of an amendment to the agreement with Telcom Management Concepts, Inc., in the amount of \$19,000 for expert telecommunication services in 1994.

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

PUBLIC HEARINGS AND APPEALS: (Begin at 7:15 p.m.)

- a. Oakland Madrona Neighborhood Group and Jan Bejarano, appealing the decision of the Hearing Examiner relative to a Wetland Development Plan and site plan to construct three, three-story, twelve-plexes for a total of 36 apartment units located at the property south of South 29th Street between South Proctor and Adams Streets. (Len Zickler/AHBL, Inc.; File Nos. 110.033 and 127.319)

Council Members Silas and Kirby disclosed that they had met the appellant, Jan Bejarano, at a Neighborhood Council meeting and their affiliation will not impact their decision on the appeal.

Mr. Rod Kerslake, Hearing Examiner, spoke regarding his decision relative to the Wetland Development Permit of Len Zickler/AHBL, Inc.

Ms. Jan Bejarano, representing Oakland Madrona Neighborhood Group, presented reasons for the appeal.

8

Mr. Bill Lynn, attorney representing the applicant, spoke in support of the Hearing Examiner.

Mayor Moss moved to concur in the findings, conclusions and recommendations of the Hearing Examiner and deny the appeal. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

- b. This is the date set for a public hearing by the City Council on a draft ordinance to amend Sections 13.06.275 and 13.06.280 of the Official Code to eliminate the prohibition of dry cleaning in "C-1" Commercial and "C-P-N" Planned Neighborhood Shopping Center Districts.

There were no speakers before the Council.

The hearing was declared closed at 8:10 p.m.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, announced that applications for the City of Destiny awards are available in the Community Relations and City Clerk's divisions of the General Services Department, and at all Tacoma libraries. The deadline for application submittal is April 25, 1994.

Mr. Corpuz thanked Tom Benston, Special Assistant to the City Manager's Office this past quarter. Ms. Cheryl Carlson from Legal will be next quarter's special assistant.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

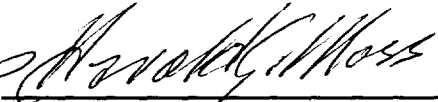
Council Member Evans also thanked Tom Benston for his efforts this past quarter.

Council Member Baarsma expressed concerns about the City's budgetary status which was discussed at the Council's workshop last week. Council Member Baarsma indicated that he hoped these issues could be worked out in an open and responsive process.

Council Member Crowley thanked Dwight Faust for organizing the Council workshops on Friday and Saturday last week.

Mayor Moss announced that interested citizens are invited to attend a Town Hall meeting on Wednesday, March 30, at 7 p.m. at Truman Middle School, 6501 North 23rd Street.

On proper motion, the meeting was adjourned at 8:20 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK

Q:\Minutes\Council\CM032994