

CITY COUNCIL MINUTES

City Council Chambers
September 15, 1992

The meeting was called to order by Mayor Vialle at 5:20 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas, and Mayor Vialle. Absent: 1 - Nielsen

The Flag Salute was led by Council Member Moss.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of September 1 and 8, 1992

PETITIONS:

Kuon Sun Lim and Chhivlin Sek Lim, requesting a reclassification of the property located at 4002 Portland Avenue from a "R-2" One-Family Dwelling District and a "R-3" Two- and Three-Family Dwelling District to a "C-1" Commercial District. (Kuon Sun Lim and Chhivlin Sek Lim; File No. 120.1356)

CRS Corporation, requesting a reclassification of the property located at North 17th Street and Union Avenue from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District for a proposed 12,000 square foot attorney/medical office building. (CRS Corporation; File No. 120.1357)

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 31887

Setting Tuesday, October 27, 1992, at 1:30 p.m. as the date for a hearing by the Hearings Examiner on the request to vacate the alley between J and K Streets from South 5th Street to Sixth Avenue. (MultiCare Construction Services; File No. 124.963)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, September 15, 1992.
- b. Minutes of the meeting of the Commission on Children, Youth and Families, August 6, 1992.
- c. Minutes of the meeting of the Municipal Authority, Economic Development, August 13, 1992.
- d. Amended minutes of the meeting of the Tacoma Arts Commission, July 21, 1992.
- e. Tacoma Employees' Retirement System, Board of Administration, report of purchases and sales of investments, July 1992.
- f. Minutes of the meeting of the Tacoma Transportation Committee, July 9, 1992.
- g. Minutes of the meeting of the Charter Review Committee, August 17, 1992.

Deputy Mayor Mykland moved that the Consent Agenda, including Resolution No. 31887, be approved. Seconded by Council Member.

Council Member Baarsma moved that on page 8 after item 4 of the September 8, 1992 minutes be amended to add a statement that Council Member Baarsma requested that the concerns as expressed by his colleagues, Council Members Evans, McElliott and Deputy Mayor Mykland, be included in the bill of particulars. Seconded by Mayor Vialle. Voice vote was taken and the motion carried.

Voice vote was taken on the Consent agenda as amended, including Resolution No. 31887 and the motion carried. The amended Consent Agenda was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of a suggestion award.

Mayor Vialle presented a suggestion award to Mr. Johnnie Williams for his suggestion on improving refuse vehicle maintenance.

Mayor Vialle moved to suspend the rules to move to the Unfinished Business portion of the agenda to reconsider the appeal of the Arlington Residential Coalition and the U.S. Air Force that was considered at Council meeting of September 8, 1992. Seconded by Deputy Mayor Mykland. Voice vote was taken and the motion carried.

UNFINISHED BUSINESS:

Reconsideration of the appeal of the Arlington Residential Coalition and the United States Air Force on the decision of the Hearings Examiner relative to the reclassification of the property located on the northwest corner of the intersection of South 80th and South Pine Streets from a "R-4-L" Low Density Multiple-Family Dwelling District to a "R-3-PRD" Planned Residential Development District to allow the construction of 445 residential units. (Investco Corporation; File Nos. 120.1298 and 127.305)

Deputy Mayor Mykland moved to suspend the rules to reconsider the appeal of Arlington Residential Coalition and the United States Air Force. Seconded by Council Member Evans. Voice vote was taken and the motion carried.

Mayor Vialle moved to overrule the Hearings Examiner and uphold the appeal because the site is not unique, and the density proposed is inconsistent with the density designation set forth in the General Land Use Plan and the South Tacoma Plan. Seconded by Council Member Baarsma.

Roll Call was taken resulting as follows:

Ayes: 6 - Baarsma, Evans, McElliott, Mykland, Silas and Mayor Vialle.

Nays: 2 - Miller and Moss.

Absent: 1 - Nielsen.

FINAL READING OF ORDINANCES:

Ordinance No. 25175 (Continued from the meeting of September 8, 1992.)

Amending Chapter 12.10 of the Official Code to add a temporary surcharge on water rates effective October 1, 1992 through May 31, 1993 and specify surcharge exemptions.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas and Mayor Vialle.

Nays: 0

Absent: 1 - Nielsen

Ordinance No. 25182

Amending Chapter 13.06 of the Official Code to establish a "M-3" Heavy Industrial Zoning District for the recently-annexed 712 acres in the Port Industrial area. (City of Tacoma; File No. 120.1348)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas and Mayor Vialle.

Nays: 0

Absent: 1 - Nielsen.

Ordinance No. 25183

Authorizing a temporary interest-bearing loan from the Equipment Rental Capital Outlay Fund to the Union Station Fund in the amount of \$1.5 million; appropriating said sum from the Union Station Fund for renovation of the Tacoma Union Station; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas and Mayor Vialle.

Nays: 0

Absent: 1 - Nielsen.

Ordinance No. 25184

Appropriating \$15,000 from the Visitor and Convention Promotion Sub-Fund of the Special Revenue Summary Fund for partially funding the international affairs activities of the Economic Development Division; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, and Silas.

Nays: 0

Absent: 2 - Nielsen and Mayor Vialle.

Ordinance No. 25185

Approving and confirming the Assessment Roll for L.I.D. No. 2614 for the placement of a 2-inch asphalt surface treatment on West Street from McKinley Avenue west 200 feet and South 16th Street from Titlow to Crystal Springs Road.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Ordinance 25185. Seconded by Mayor Vialle. Voice vote was taken and the motion carried.

Roll call vote was taken on the Substitute Ordinance 25185, resulting as follows:

Ayes: 7 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, and Silas.

Nays: 0

Absent: 2 - Nielsen and Mayor Vialle.

Ordinance No. 25186

Approving and confirming the Assessment Roll for L.I.D. No. 8536 for the construction of permanent pavement with storm sewer in North 40th Street from North Bennett to Shirley Streets and East G Street from East 25th to East 26th Streets.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Ordinance 25186. Seconded by Council Member Silas. Voice vote was taken and the motion carried.

Roll call vote was taken on Substitute Ordinance 25186, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas and Mayor Vialle.

Nays: 0

Absent: 1 - Nielsen.

Ordinance No. 25187

Approving and confirming the Assessment Roll for L.I.D. No. 8541 for placement of 2-inch asphalt surface treatment on the alley between North 35th and North 36th Streets from North Proctor to North Adams Streets and the alley between East 62nd and East 63rd Streets from East S to East T Streets.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance 25187. Seconded by Council Member Moss. Voice vote was taken and the motion carried.

Roll call vote was taken on Substitute Ordinance 25187, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Silas and Mayor Vialle.

Nays: 0

Absent: 1 - Nielsen.

PUBLIC HEARING:

This is the date set for a public hearing relative to the "Urban Growth Study Area Technical Report.

Speaking before the Council were:

Gretchen Wilbert	Mayor of Gig Harbor
Jan Scholenberg	3211 Military Road E.
Clark Davis	South Peninsula Association
Jim Sherrill	Parkland Light and Water Co.
Dan Hare	Gig Harbor resident
Tom Morfee	Peninsula Neighborhood Association
Gary Robertson	Gig Harbor resident
Leigh Golston	Gig Harbor resident
Richard Yasger	Peninsula Neighborhood Association
Hank Searls	Gig Harbor resident
Charles Carlson	Peninsula Neighborhood Association
Marilyn Priem	Gig Harbor resident
Helen Nupp	Gig Harbor resident
Teresa Stover	Gig Harbor resident
Lois Hartwig	Gig Harbor resident
M. Davis	Gig Harbor resident
Therese Johnson	Gig Harbor resident
Molly Edmond	Lakewood resident
Louise Batchelor	Tacoma resident
Harold Asmussen	Gig Harbor resident
Eugene Raymoor	resident
Don Siper	Gig Harbor resident
Mike Baum	resident
Steve Green	Gig Harbor resident
Corrine Gruver	Gig Harbor resident
Mack Polehamus	Gig Harbor resident

The hearing was declared closed at 7:25 p.m.

The Council recessed at 7:25 p.m. and reconvened at 7:50 p.m.

Mayor Vialle moved to suspend the rules to consider Resolution 31888 prior to the reading of Ordinance No. 25188. Seconded by Council Member Moss. Voice vote was taken and the motion carried.

Resolution No. 31888

Creating eight independent Neighborhood Councils and a coalition of the independent Neighborhood Councils to be known as the Community Council.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Resolution 31888. Seconded by Council Member Evans. Voice vote was taken and the motion carried.

Deputy Mayor Mykland moved to adopt Substitute Resolution No. 31888. Seconded by Council Member Baarsma. Voice vote was taken and the motion carried.

The Substitute Resolution was declared adopted.

FIRST READING OF ORDINANCES

Ordinance No. 25188

Amending Title 1 of the Official Code by adding Chapter 1.45 to create a Neighborhood Councils Program.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance 25188. Seconded by Council Member Baarsma. Voice vote was taken and the motion was declared adopted.

Speaking before the Council was:

Louise Batchelor

Resident

The Substitute Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 31870 (Continued from the meeting of September 1, 1992.)

Authorizing the execution of a lease agreement with W. E. Aerotech Services, Inc. for Parcel C at the Tacoma Narrows Airport.

Deputy Mayor Mykland moved to remove Resolution 31870 from the agenda. Seconded by Council Member Evans. Voice vote was taken and the motion carried.

The Resolution was removed from the agenda.

Resolution No. 31889

Submitting amendments to Article II, Section 2.4 of the City Charter to the voters at the November 3, 1992 general election to provide for the declaration of an emergency or disaster by the City Council.

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

Resolution No. 31890

Submitting amendments to Article II, Section 2.13 of the City Charter to the voters at the November 3, 1992 general election to allow the City Clerk to publish summaries of ordinances in accordance with state law.

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

Roll call vote was taken, resulting as follows:

Ayes: 0

Nays: 7 - Baarsma, Evans, McElliott, Moss, Mykland, Silas and Mayor Vialle.

Absent: 2 - Miller and Nielsen.

The Resolution failed.

Resolution No. 31891

Submitting amendments to Article III, Section 3.8 of the City Charter to the voters at the November 3, 1992 general election to provide for a Planning Commission membership of nine voting members to include one member from each of the five Council districts and one member from each of the four following areas; the development community, environmental community, public transportation and a designee with a background in architecture, historic preservation and urban design.

Speaking before the Council was:

Louise Batchelor

Resident

Mayor Vialle moved to adopt Alternate 2 of Resolution 31891. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend Alternate 2 of Resolution 31891 by amending lines 17 through 19 to read as follows: "One member shall be appointed by the City Council for each of the five council districts. The Council shall appoint to the four remaining positions an individual from each of the following:...". Seconded by Council Member Evans. Voice vote was taken and the motion carried.

The Amended Alternate 2 of Resolution 31891 was declared adopted.

Resolution No. 31892

Submitting amendments to Article IV, Section 4.17 of the City Charter to the voters at the November 3, 1992 general election to provide for the consolidation of some General Government and Department of Public Utilities functions and services.

Speaking before the Council were:

Barbara Bichsel	Chair, Public Utility Board
Peter Rasmussen	Tacoma-Pierce County Chamber of Commerce
Bob Gee	Tacoma-Pierce County Municipal League
Louise Batchelor	Resident
Ted Coates	Director, Public Utility Department
Dawn Lucien	Public Utility Board Member
Joe Eikens	IBEW 483
George Pilant	Charter Review Committee
Clyde Hupp	Central Labor Council
Bill Oltman	Charter Review Committee

Deputy Mayor Mykland moved to adopt Alternate 1 of Resolution 31892. Seconded by Mayor Vialle. Voice vote was taken and carried with Council Member McElliott voting in opposition.

Resolution No. 31893

Submitting amendments to Article V, Section 5.4 of the City Charter to the voters at the November 3, 1992 general election to change the lines of the election districts as prescribed by state law.

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

The Council recessed at 10:10 p.m. and reconvened at 10:20 p.m.

Resolution No. 31894

Submitting amendments to Article V, Section 5.4 of the City Charter to the voters at the November 3, 1992 general election to provide for nomination and election of five Council members by district, with the Mayor and three Council positions nominated and elected at large.

Speaking before the Council was:

Linda McNairy Resident

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

Roll call vote was taken, resulting as follows:

Ayes: 5 - Baarsma, McElliott, Mykland, Silas and Mayor Vialle.

Nays: 2 - Evans and Moss

Absent: 2 - Miller and Nielsen.

Resolution No. 31895

Submitting amendments to Article V, Section 5.6 of the City Charter to the voters at the November 3, 1992 general election to provide for the printing of candidates' statements in some convenient form and mailed to each individual place of residence.

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member Baarsma.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Baarsma, Evans, McElliott, Mykland, Silas and Mayor Vialle.

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Nays: 1 - Moss

Absent: 2 - Miller and Nielsen.

Resolution No. 31896

Submitting amendments to Article VI, Section 6.1 of the City Charter to the voters at the November 3, 1992 general election to include event workers in the Department of Public Assembly Facilities in the unclassified service.

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

Resolution No. 31897

Submitting amendments to Article VI, Section 6.3 of the City Charter to the voters at the November 3, 1992 general election eliminating the citizenship requirement and the restriction against employees holding appointive or elected office outside the City of Tacoma.

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

Resolution No. 31898

Submitting amendments to Article VI, Section 6.7 of the City Charter to the voters at the November 3, 1992 general election to prohibit discrimination and allow for affirmative measures to remedy discrimination.

Deputy Mayor Mykland moved to adopt Alternate 1 of Resolution 31898. Seconded by Mayor Vialle. Voice vote was taken and the motion was declared adopted.

Mayor Vialle moved to amend Alternate 1 of Resolution 31898 by striking the phrase "NONDISCRIMINATION." Seconded by Council Member Evans. Voice vote was taken and the motion was declared adopted.

The Amended Alternate 1 of Resolution 31898 was declared adopted.

Resolution No. 31899

Submitting amendments to Article VI, Section 6.11 of the City Charter to the voters at the November 3, 1992 general election to provide for the filling of vacancies on the Civil Service Board, removal of appointed members for cause, and allow for a civil service hearings examiner and provide for rules of procedure.

Deputy Mayor Mykland moved to adopt Alternate 2 of Resolution 31899. Seconded by Mayor Vialle. Voice vote was taken and the motion was declared adopted.

Mayor Vialle moved to amend Alternate 2 of Resolution 31899 by replacing the language in section (d)(1) to read, "adopt and observe fair and reasonable rules for notice and evidence." Seconded by Deputy Mayor Mykland. Voice vote was taken and the motion was declared adopted.

The Amended Alternate 2 of Resolution 31899 was declared adopted.

Resolution No. 31900

Submitting amendments to Article VI, Section 6.14 of the City Charter to the voters at the November 3, 1992 general election to require the City Council to establish and maintain a comprehensive plan and to propose civil service and personnel rules.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Alternate 2 of Resolution 31900. Seconded by Council Member Baarsma. Voice vote was taken and the motion was declared adopted.

Deputy Mayor Mykland moved to adopt Substitute Alternate 2 of Resolution 31900. Seconded by Council Member Moss. Voice vote was taken and the motion was declared adopted.

The Substitute Alternate 2 of Resolution 31900 was declared adopted.

Resolution No. 31901

Submitting amendments to Article VII, Section 7.11 of the City Charter to the voters at the November 3, 1992 general election to conduct "call for bids" in compliance with Washington state law.

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

Resolution No. 31902

Submitting amendments to Article IX, Section 9.8 of the City Charter to the voters at the November 3, 1992 general election to provide for gender neutral language.

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

Resolution No. 31903

Submitting to the electors of the city of Tacoma for their adoption or rejection of amendments to the Tacoma City Charter at the general election of November 3, 1992.

Mayor Vialle moved to amend Resolution 31903 to delete lines 24 - 26, replace "14" with "13" propositions on line 24 of page 3 and line 10 of page 7, renumber the propositions on pages 4 - 6, and change the ballot title for Section 3.8 (d) to read, "(d) a designee with a background in architecture, historic preservation and/or urban design, per Resolution 31891?" Seconded by Council Member Baarsma. Voice vote was taken and the motion was declared adopted.

The amended Resolution 31903 was declared adopted.

Resolution No. 31904

Authorizing the execution of a quit claim deed to Edwin N. and Barbara J. Brown in exchange for a storm sewer access and maintenance easement in Northeast Tacoma.

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

Resolution No. 31905

Authorizing the execution of an agreement with Joseph M. Zorc & Associates in the amount of \$100,000 for legal services.

Mayor Vialle moved that the Resolution be adopted. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 31908

Authorizing the execution of an agreement with Kinko's Copies in the amount of \$5,000 for advertising space in the Tacoma Dome.

Mayor Vialle moved that the Resolution be adopted. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 31906

Authorizing the execution of an agreement with Tacoma School District No. 10 in the amount of \$300,000 for the development of the Manitou School project.

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

Resolution No. 31907

Authorizing the execution of an agreement with Easter Seals Society of Washington in the amount of \$39,563 to administer the Access Modification Program.

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

Resolution No. 31909

Authorizing the execution of an agreement with MedAR, Inc., in the amount of \$60,000 for temporary billing services for Emergency Medical Service.

Deputy Mayor Mykland moved to continue Resolution 31909 to the meeting of September 22, 1992. Seconded by Council Member Baarsma. Voice vote was taken and the motion was declared adopted.

The Resolution will be considered at the September 22, 1992 meeting.

Resolution No. 31910

Authorizing the execution of Amendment No. 2 to Amendment No. 62 to the Neighborhood Preservation Program with the Municipal Authority for the renovation of the Jefferson Apartment project.

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

Resolution No. 31911

Authorizing the execution of Amendment No. 2 to the lease agreement with the United States of America General Services Administration relative to the Union Station project.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution 31911. Seconded by Deputy Mayor Mykland. Voice vote was taken and the motion was declared adopted.

Mayor Vialle moved to adopt Substitute Resolution 31911. Seconded by Deputy Mayor Mykland. Voice vote was taken and the motion was declared adopted.

The Substitute Resolution was declared adopted.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, informed the Council that a written report on labor negotiations will be sent to the Council soon.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Mykland moved to excuse the absences of Council Members Miller and Nielsen. Seconded by Council Member Silas. Voice vote was taken and the motion carried.

Mayor Vialle announced that the Council meeting of September 22, 1992 will be held at the Tacoma Dome Exhibition Hall starting at 5:00 p.m. followed by the Summer Library Reading Awards.

Deputy Mayor Mykland moved to approve Council Member Miller's trip to Russia. Seconded by Mayor Vialle. Voice vote was taken and the motion was declared adopted.

On proper motion, the meeting adjourned at 11:45 p.m.



KAREN L. R. VIALLE, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK