



# City Council Minutes

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City Council Chambers, 747 Market Street, First Floor, Tacoma, Washington 98402

December 14, 1999

The meeting was called to order at 5:12 p.m.

Present on roll call: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole. Absent: 1 – Deputy Mayor Kirby. (Deputy Mayor Kirby arrived at 5:22 p.m.)

The Flag Salute was led by Council Member De Forrest.

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## CONSENT AGENDA

Approval of the minutes of the City Council study session of December 7, 1999.

## RESOLUTIONS

### **Resolution No. 34608**

Setting Tuesday, January 18, 2000, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Sheridan Avenue, north of South 38<sup>th</sup> Street. (Royal A. Gove Masonic Association; File No. 124.1106.)

### **Resolution No. 34609**

Setting Monday, January 10, 2000, at 5:00 p.m., as the date for a hearing by the Hearing Examiner on LID No. 2633 for the placement of two-inch asphalt surface treatment with storm drainage on Wilkeson Street from South 42<sup>nd</sup> to South 43<sup>rd</sup> Streets; on Hosmer Street from South 45<sup>th</sup> to South 46<sup>th</sup> Streets; and on North 33<sup>rd</sup> Street from Verde to Cheyenne Streets.

**Resolution No. 34610**

Setting Monday, January 10, 2000, at 5:00 p.m., as the date for a hearing by the Hearing Examiner for LID No. 8626 for the placement of permanent pavement with storm drainage on 39<sup>th</sup> Avenue NE from 33<sup>rd</sup> Street NE to Browns Point Boulevard; and on Harrison Street from East K to East L Streets.

**Resolution No. 34611**

Approving the final plat for MEADOW RIDGE ESTATES, a 37-lot subdivision located south of 19<sup>th</sup> Street Northeast, between 65<sup>th</sup> Avenue Northeast and 67<sup>th</sup> Place Northeast. (Landmark Homes; File No. PLT99-00014.)

**ITEMS FILED IN THE OFFICE OF THE CITY CLERK**

- a. Minutes of the Landmarks Preservation Commission, November 17, 1999.
- b. Minutes of the Tacoma-Pierce County Board of Health, November 3, 1999.
- c. Minutes of the Urban Policy Committee, October 14, 1999.
- d. Citizens' petitions regarding the D.A.R.E. program.
- e. Citizens' petitions regarding emergency and essential services.
- f. Citizens' petitions regarding the Destination Downtown rezoning.
- g. Report of the Director of Finance, October 1999.

Council Member Crowley moved that the Consent Agenda, including Resolution Nos. 34608 through 34611, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda, including Resolution Nos. 34608 through 34611, was declared approved.

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**REGULAR AGENDA**

**ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS**

**Resolution No. 34612**

Appointing Mr. Tony Hudson to the Tacoma Public Library Board of Trustees, effective December 14, 1999, for a term to expire August 3, 2001.

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

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**FINAL READING OF ORDINANCES**

**Ordinance No. 26549**

Authorizing the acceptance of various donations, reimbursements, and fees; depositing in and appropriating the dollar amounts from various funds.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

**Ordinance No. 26550**

Authorizing an interfund loan, in the amount of \$175,000, from the General Fund to the Airport Enterprise Fund; and appropriating said sum from the Airport Operating Fund for the Tacoma Airport.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

**Ordinance No. 26551**

Authorizing an interfund loan, in the amount of \$450,000, from the Capital Improvements Summary Fund to the Tacoma Eastern Railroad Acquisition and Operating Fund; and appropriating said sum for construction of a rail-loading facility upon railroad right-of-way owned by the City.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

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**Substitute Ordinance No. 26552**

Authorizing Parking System Services to set parking rates for all City parking facilities.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Kirby

The Substitute Ordinance was declared passed.

**Ordinance No. 26553**

Amending Chapter 1.12 of the Municipal Code to implement rates of pay and compensation for represented and unrepresented employees, and changes in classification to reflect the organizational structure.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Baarsma, Crowley, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 1 – De Forrest

Absent: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

**Ordinance No. 26554**

Authorizing the acceptance and execution of a Local Law Enforcement Block Grant award contract with the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$833,380, to reduce crime and improve public safety; transferring \$92,598 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$925,978 from the Miscellaneous Grants Summary Fund for the provision of activities under said grant projects.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

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(Deputy Mayor Kirby arrived here at 5:22 p.m.)

**Ordinance No. 26555**

Adopting amendments to the Land Use Management Plan, the Comprehensive Plan, the Capital Facilities Program 2000-2005, Community Facilities Policy Plan, Generalized Land Use Plan, Northeast Tacoma Plan, Transportation Program, Neighborhoods and Downtown Tacoma, and rescinding the Central Business District (CBD) Plan: CBD Core, the Central Business District Plan: Greater CBD, the Union Station District Master Plan, the Pacific Avenue Design Study and the Central Business District Plan and Program.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

Abstaining: 1 – Deputy Mayor Kirby

The Ordinance was declared passed.

**Amended Substitute Ordinance No. 26556**

Amending Title 13 of the Municipal Code, Land Use Regulatory Code, relative to zoning by adding and deleting certain described property from zoning classifications, deleting two zoning districts, and adding a new chapter establishing four new zoning classifications and regulations, modifying sign regulations for the Downtown area and amending Chapter 13.07 of the Municipal Code rescinding streetscape guidelines for Pacific Avenue.

Mayor Ebersole moved to amend Substitute Ordinance No. 26556 to change the name of the zoning district by striking “South Downtown (SD)” and replacing it with “Warehouse/Residential (WR).” Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller moved to amend page 73, Section 13.06A.040, Downtown District and Uses, Section, F3b by adding the language “drive-through uses that are not located within a building, but are located within 100 feet of a light rail street, shall be allowed only if the project proponent agrees to submit to the design review in accordance with procedures, standards and criteria for drive-through uses to be adopted by the City Council. Drive-through uses shall not be allowed until after April 10, 2000, to allow time for adoption of design review procedures, standards and criteria for drive-through uses by the City Council.” Seconded by Council Member Baarsma.

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Speaking before the Council were:

<b>Name</b>	<b>Address/Affiliation</b>
Liz Heath	Resident
Sondra Percell	Resident
Jim Castino	Architect, Pacific Design Group
Carolyn Lake	Representing Property Owners

Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken on Substitute Ordinance No. 26556, as amended, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

The Amended Substitute Ordinance was declared passed.

**Ordinance No. 26557**

Amending the Municipal Code by repealing Section 2.02.100 in its entirety and by repealing Chapter 2.09 in its entirety and re-enacting a new Chapter 2.09 with 18 sections numbered 2.09.010 through 2.09.180; thereby modifying the fees charged by the Public Works Department for permits and services.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

Absent: 1 – Miller

The Ordinance was declared passed.

**Ordinance No. 26558**

Accepting a donation of land from Mr. John Slipp, located near South 17<sup>th</sup> and Crystal Springs, for Open Space purposes.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Phelps, Silas, and Mayor Ebersole

Nays: 0

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Absent: 1 – Miller

The Ordinance was declared passed.

**Ordinance No. 26559**

Authorizing an interfund loan, in the amount of \$5,000,000, from the General Fund to the Capital Improvements Summary Fund; and appropriating said sum from the Capital Improvements Summary Fund for property acquisition and preconstruction services for the Tacoma Convention Center.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Crowley, Kirby, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 1 – De Forrest

The Ordinance was declared passed.

**Substitute Ordinance No. 26560**

Amending Chapter 1.06 of the Municipal Code to consolidate Tacoma Public Utilities Real Estate Management activities under the General Government General Services Director.

Roll call vote was taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

The Substitute Ordinance was declared passed.

**FIRST READING OF ORDINANCES**

**Ordinance No. 26562**

Authorizing the execution of the Pierce County Enhanced 9-1-1 Telephone System Public Safety Answering Point Participation Agreement for the year 2000; accepting \$148,891.20 from Pierce County; depositing in and appropriating said sum from the E911 Fund for the Fire Department’s Emergency Communication System.

The Ordinance was set over for final reading on January 4, 2000.

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Council Member Miller moved to recess for a period not to exceed 15 minutes. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

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The City Council recessed at 5:52 p.m. and reconvened at 6:07 p.m.

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**RESOLUTIONS**

**Purchase Resolution No. 34613**

Awarding contracts to:

1. ABM Janitorial Services, in the amount of \$320,668.56, to renew its contract for janitorial services – Specification No. F-005-98; and
2. Condon Brothers, Inc., on its bid of \$289,196.30, for Tacoma Rail Mountain Division Spanaway Lumber Siding – Specification No. G-250-99.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman

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

**Resolution No. 34614**

Authorizing the execution of an agreement with StaffPro Security, Inc., to extend the term of the agreement, and provide increases in hourly billing rates for security and guest services personnel at the Tacoma Dome Facilities, effective January 1, 2000.

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

**Resolution No. 34615**

Authorizing the execution of an agreement with Full House Entertainment, in the amount of \$175,000, for a three-year term, to assist in obtaining major events for the community and provide expert services and assistance with facility sponsorships and advertising sales.

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

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**Resolution No. 34616**

Authorizing the execution of a Purchase and Sale Agreement with Anderson & Sons, Inc., in the amount of \$97,000, for the sale of a portion of the Cushman Hydroelectric Project Transmission Line Right-of-Way.

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. 34617**

Authorizing the partial release of a sewer easement between South K and L Streets south of 94<sup>th</sup> Street to clear title to the property.

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. 34618**

Authorizing the release of a sewer easement at the northeast corner of South 58<sup>th</sup> and Durango Streets to clear title to the property.

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. 34619**

Authorizing the partial release of a sewer easement at 1666 South 60<sup>th</sup> Street to clear title to the property.

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. 34620**

Approving the Airport Master Plan for the Tacoma Narrows Airport.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Paul McCormick	Gig Harbor Resident

Voice vote was taken and carried. The Resolution was declared adopted.

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**Resolution No. 34621**

Authorizing the execution of an agreement with Catapult Software Training Center, in the amount of \$14,000, for a total of \$39,000, for computer software training classes.

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. 34622**

Authorizing the execution of a Purchase and Sale Agreement with Byron Ellingson Family Limited Partnership, LLC, in the amount of \$270,000, for the purchase of the Waddell Building, located at 1502 Pacific Avenue, for the new Tacoma Convention Center.

Council Member Crowley moved that the Resolution be adopted. Seconded by Council Member McGavick. Voice vote was taken and carried, with Council Member De Forrest voting in opposition. The Resolution was declared adopted.

**Resolution No. 34623**

Authorizing the execution of a property exchange agreement with Kathy Lopez and Barbara Richards, doing business as the Running Wolf Smoke Shop, pursuant to Substitute Resolution No. 33634.

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

Speaking before the Council were:

<u>Name</u>	<u>Address/Affiliation</u>
Doug Delin	3536 East Roosevelt
Tore Sleveland	Resident
Hayes Alexander	Member, Northeast Neighborhood Council
Marlene Iceberg	1455 East 34 <sup>th</sup> Street
Linda Rider	President, Eastside Neighborhood Group 2208 East Sherman
Tim Gilman	1629 East 35 <sup>th</sup> Street
Marion Weed	Northeast Resident

Council Member De Forrest moved to postpone authorization of the execution of the property exchange agreement under Resolution No. 34623 until such time as the owners and the local developer have developed an action plan. Seconded by Deputy Mayor Kirby. Voice vote was taken and failed with Council Member De Forrest voting in favor of the motion.

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Roll call vote was requested and taken, resulting as follows:

Ayes: 6 – Baarsma, Crowley, McGavick, Miller, Phelps, and Silas

Nays: 3 – De Forrest, Kirby and Mayor Ebersole

The Resolution was declared adopted.

Council Member De Forrest stated that he would like to change his vote to the prevailing side and make notice of reconsideration of Resolution No. 34623 for the next meeting of the City Council.

Roll call vote resulted as follows:

Ayes: 7 – Baarsma, Crowley, De Forrest, McGavick, Miller, Phelps, and Silas

Nays: 2 – Kirby and Mayor Ebersole

The Resolution was declared adopted.

**Resolution No. 34624**

Authorizing the execution of an agreement between the City, the Foss Waterway Development Authority (FWDA) and the Metropolitan Park District to transfer parcels of property to the FWDA for redevelopment purposes, and terminating the Public Facility and Shoreline Lands Holding Trust Agreement.

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. 34625**

Authorizing the execution of a Memorandum of Understanding with K.S. Tacoma Hotel, L.P. to begin the application process to provide a HUD Section 108 Loan of approximately \$3.2 million to ensure the feasibility of the planned Sheraton Hotel expansion.

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

Speaking before the Council was:

<u>Name</u>	<u>Address/Affiliation</u>
Phyllis Barrett	912 South Cushman

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

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Council Member Miller moved to suspend the rules to consider an additional Resolution No. 34627. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

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**Resolution No. 34627**

Directing the Planning Commission to conduct a review and develop recommendations for procedures, standards, and criteria for design review of drive through uses that may located within 100 feet of light rail streets in the Warehouse/Residential District in Downtown Tacoma, and present said recommendations to the City Council no later than March 15, 2000.

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

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Council Member Miller moved to suspend the rules to consider an additional Resolution No. 34626. Seconded by Council Member Crowley. Voice vote was taken and carried. The motion was declared adopted.

**Resolution No. 34626**

Authorizing the execution of a Designated Government Access Programming Provider Agreement with the Rainier Communications Commission and the Regional Media Center to deliver the Pierce County government access channel to the City's Master Control Center.

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

Roll call vote was requested and taken, resulting as follows:

Ayes: 9 – Baarsma, Crowley, De Forrest, Kirby, McGavick, Miller, Phelps, Silas, and Mayor Ebersole

Nays: 0

The Resolution was declared adopted.

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**UNFINISHED BUSINESS**

None

**REPORTS BY CITY MANAGER**

City Manager Ray E. Corpuz Jr. requested authorization to grant a permanent residency waiver for Ms. Cynthia L. Winder to fill the position of Administrative Services Manager I, in the Human Resources Department, Tacoma Public Utilities.

Council Member Crowley moved to authorize the City Manager to grant a permanent residency waiver for Ms. Cynthia L. Winder, to fill the position of Administrative Services Manager I, in the Human Resources Department, Tacoma Public Utilities. Seconded by Deputy Mayor Kirby. Voice vote was taken and carried

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with Council Members De Forrest and McGavick voting in opposition. The motion was declared adopted.

Mr. Corpuz then congratulated each one of the outgoing Council Members for their successful terms of office. He also thanked them for the contributions they made to the City of Tacoma, making this City a better place to live, work and play. He stated that he is proud and honored to have served with each and everyone of the City Council Members.

**COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL**

Council Member Phelps congratulated and wished Pacific Lutheran University luck in their pursuit to a National Championship.

Council Member McGavick congratulated the Tacoma Economic Development Department for producing a publication for a walking tour of the Historic Union District.

Council Member Miller acknowledged the Council Members elect in the audience.

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Council Member Crowley moved to authorize payment of the City's deductible of \$1 million in full and final settlement in the case of Dryden v. City of Tacoma. Seconded by Council Member McGavick. Voice vote was taken and carried. The motion was declared adopted.

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Council Member De Forrest announced that a Holiday Open House will be held at Police Sector 4, 3524 East McKinley Avenue, on Wednesday, December 15, 1999.

The Mayor and Council Members paid tribute to outgoing Council Members Baarsma, Miller and Silas.

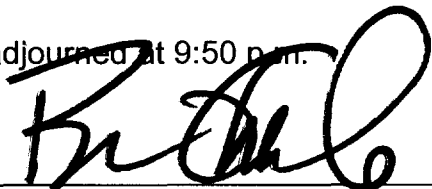
Council Member De Forrest thanked Deputy Mayor Kirby for doing a great job as Deputy Mayor this past year.

Mayor Ebersole announced that the City Council meetings and study sessions of December 21 and 28, 1999 have been canceled and that the next regularly scheduled City Council meeting and study session will be on Tuesday, January 4, 2000.

Mayor Ebersole extended his thanks to the Council Members whose terms would expire at the end of 1999. He stated that he believes they will continue to work for the betterment of the community.

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On proper motion, the meeting was adjourned at 9:50 p.m.

  
BRIAN EBERSOLE, MAYOR

ATTEST:   
RICK ROSENBLADT, CITY CLERK

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