

CITY COUNCIL MINUTES

City Council Chambers
November 15, 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 Silas.

Mayor Moss called on Mr. Jim Harris, Vladivostok Sister City Committee, who then introduced Mr. Sergei Savinskii of the City of Vladivostok, Russia. Mr. Sergei Savinskii, head of the Society for Friendship with Tacoma and representing the business community leaders from Vladivostok, spoke regarding his trip to Tacoma.

Mayor Moss called on Assistant Police Chief Monner who introduced Constable Slade, Tasmanian State Police, who spoke to the Council regarding his trip to Tacoma to study community oriented policing that could be used in Tasmania, Australia.

Mayor Moss proclaimed November 15, 1994 to be "Community Education Day" and presented the proclamation to Ms. Mary Ann Jones.

Approval of the minutes of the Tacoma City Council meeting of November 1, 1994.

RESOLUTIONS:

Resolution No. 32815

Setting Tuesday, January 10, 1995, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate Skagit Place and King Place in the Lincoln Heights Addition. (COSTCO Wholesale Corporation; File No. 124.1007)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, November 15, 1994.
- b. Minutes of the meeting of the Citizens' Affirmative Action Advisory Committee, October 18, 1994.
- c. Minutes of the meeting of the Tacoma Planning Commission, October 17, 1994.
- d. Minutes of the meeting of the Tacoma Transportation Committee, October 13, 1994.
- e. Minutes of the meeting of the Landmarks Preservation Commission, October 26, 1994.
- f. Minutes of the meeting of the Fire Safety Education Advisory Committee, October 26, 1994.
- g. Total Services Delivery Report for the Tacoma-Pierce County Humane Society, August 1994.
- h. Preliminary Biennial Budget for the City of Tacoma 1995-1996.
- i. Preliminary Biennium Budget for Tacoma Public Utilities for 1995-1996.

Deputy Mayor Miller moved that the Consent Agenda be approved. Seconded by Council Member Evans.

Council Member Baarsma moved to correct the City Council Minutes of November 1, 1994, on page 2, to insert the words "and paid for" following the word "sponsored," and to correct the spelling of the prefecture to read: "Aomori." Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared approved.

Voice vote was taken and carried. The Consent Agenda, as amended, was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 32816

Appointing citizens to the Tacoma Urban Network.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Exhibit "A." Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Miller moved that the Resolution, as amended, be adopted. Seconded by Council Member Evans.

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Council Member Baarsma made comments regarding the Tacoma Urban Network. He then stated that Rose Marie Raudebaugh, Jake Fey, and Dr. George Tanbara were nominated as non-fiduciary members and that John Briehl was nominated as a fiduciary member.

Voice vote was taken and carried. The Resolution, as amended, was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 25616

Amending Chapter 13.06 of the Official Code to reclassify the property located in the half-block west of South Thompson Avenue from South 38th to South 40th Streets and in the half-block south of South 40th Street from South Thompson Avenue to South G Street from a "R-4" Multiple-Family Dwelling District and a "C-1" Commercial District to a "R-2SRD" Residential Special Review District to be consistent with the Generalized Land Use Plan. (City of Tacoma; File No. 120.1370)

Roll call vote was taken, resulting as follows:

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

Nays: 1 -- De Forrest.

The Ordinance was declared passed.

Substitute Ordinance No. 25629

Creating Chapter 8.108 of the Official Code relative to curfew hours for minors.

Deputy Mayor Miller moved to suspend the rules to consider Substitute No. 2 of Ordinance No. 25629. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Miller moved to amend page 8 on line 3 to strike the words "as deemed appropriate" and following the word "appear" would be added the words "or should the officer otherwise deem appropriate." Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

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 Substitute No. 2 of Ordinance No. 25629, as amended, was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25630

Amending Chapter 13.06 of the Official Code to reclassify the property located at 407 South G Street from a "R-5" Multiple-Family Dwelling District to a "R-5T" Residential Commercial Transitional District to operate a manuscript library. (Developing Services, Inc.; File No. 120.1387)

Deputy Mayor Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Members Evans.

Deputy Mayor Miller declared that he was familiar with the applicant, but his familiarity with the applicant would not affect his decision making process in any way.

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 25631

Vacating a portion of East D Street between East 68th and East 69th Streets, East West Street between East D and East E Streets and portions of adjacent streets for construction of 18 single-family building sites. (Jeffrey W. Edwards; File No. 124.1006)

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 25632

Amending Chapters 1 and 13 of the Official Code relative to shoreline management to achieve consistency with the Master Program for Shoreline Development, the Thea Foss Waterway Design and Development Plan and other elements of the City's Land Use Management Plan.

Council Member De Forrest moved to amend page 33, line 23 to strike the words "Tacoma Outboard Association" and the parenthesis. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma moved to amend Ordinance No. 25632 by amending Sections 13.10.090 and 13.10.175.B.4 of the **Land Use Regulatory Code** to prohibit hotel/motel/boatel development in the "S-6" Ruston Way Shoreline District specifically by adding the words "Prohibited Use Activities" to page 41, line 12 after the words "Development Activities," by adding a new Section F. Prohibited Use Activities at page 44, line 21 to state, "Hotel/Motel/Boatel Development shall be prohibited except landward beyond a line located 150 feet from the OHWM northwesterly 2,155 feet only," and re-letter the sections from subsection F to G, G to H, and H to I. Finally at page 90, line 9, by amending subsection (2) to read "S-6" Shoreline District - Ruston Way: Hotel/Motel/Boatel development shall be prohibited except landward beyond a line located 150 feet from the OHWM northwesterly 2,155 feet only. Seconded by Council Member Evans.

Speaking to the Council were:

Dan Mulholland
Anita W. Preston

Metropolitan Park Board Commission
Old Tacoma resident

Roll call vote was taken on the motion, resulting as follows:

Ayes: 5 -- Baarsma, De Forrest, Evans, Kirby, and McGavick.

Nays: 4 -- Crowley, Miller, Silas, and Mayor Moss.

The motion was declared adopted.

The amended Ordinance was set over for final reading on November 29, 1994.

Council Member Kirby moved to suspend the rules to consider Ordinance No. 25633 next and then the public hearing. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.



Ordinance No. 25633

Adopting amendments to the Land Use Management Plan, pursuant to the Growth Management Act of the State of Washington, including the Generalized Land Use Plan, Housing Plan and Program, Transportation Plan and Program, Capital Facilities Plan and Program, Environmental Policy Plan, Master Program for Shoreline Development, Thea Foss Waterway Design and Development Plan, and Recreation and Open Space Facilities Plan.

Council Member Kirby moved: (A) To amend the description and site map for the Wapato Hill property within the *Recreation and Open Space Facilities Plan* to indicate the intended future use of the entire site for recreation and open space purposes, as shown on Exhibit A. (B) To amend the *Generalized Land Use Plan Map*, the official land use map of the City on file in the City Clerk's office, and its depiction within the *Generalized Land Use Plan* and all other elements of the *Land Use Management Plan* by modifying the intensity designation for an area on the property commonly referred to as the Wapato Hills site and generally encompassing approximately 56 acres on the easterly border of the site from "Medium Intensity" to "Other Low Intensity," as provided on Exhibit B. (C) To amend the inventory of open space facilities within the *Capital Facilities Program* to add the Wapato Hills open space, 80-acre site, as provided on Exhibit C. Seconded by Council Member De Forrest.

Speaking to the Council were:

Skip Vaughn	Chair, South Tacoma Neighborhood Council
Brian Ebersole	State Representative, South Tacoma/South End
Chris Piper	6024 South Prospect Street
Laura Vaughn	7634 South Fife
Jan Bejarano	Oakland-Madrona Neighborhood Group
Joseph Fortier	525 Broadway
Steve Fisher	5440 South State
Colin Overland	6047 South Junett
Kathryn Collier	Resident
Dan Mulholland	South Tacoma Advisory Council
Arnold Thompson	5633 South Fife
Mike Miner	6602 South Wapato
Thelma Gilmur	Tahoma Audubon Society
Carl Scheuerman	6811 South Wapato

Rosa Franklin

Washington State Senator

Roll call vote was taken on the motion, resulting as follows:

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

Nays: 0.

The motion was declared adopted.

Council Member De Forrest moved that the amendments to the *Recreation and Open Space Facilities Plan*, the *Generalized Land Use Plan Map*, and the *Capital Facilities Program* regarding Wapato Hills remain in effect until June 1, 1995, or until the *Comprehensive Plan* is amended in 1995, unless modified by the City Council upon recommendation of Wapato Hills Ad Hoc Task Force. Seconded by Council Member Kirby.

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

Speaking to the Council were:

Jan Bejarano

3023 South Durango

Skip Vaughn

Arlington Residential Coalition

The Ordinance was set over for final reading on November 29, 1994.

Mayor Moss moved to take a short recess. Seconded by Council Member De Forrest. Voice vote was taken and carried.

Council recessed at 8:50 p.m. and reconvened at 9:09 p.m.

PUBLIC HEARINGS AND APPEALS: (Began at 9:10 p.m.)

This is the date set for a public hearing to consider the biennial budget for the City of Tacoma for 1995-1996.

Mayor Moss announced that the purpose of the public hearing is to review the *1995-1996 Preliminary Biennial Budget* for the Tacoma Public Utilities and General Government departments. He stated that copies of the *1995-1996 Preliminary Biennial*

Budget are available in the back of the Council Chambers. He also announced that this is a regular advertised public hearing and that notice was duly published and should be incorporated by reference in the record. He then called on Mr. Ray Corpuz who reviewed the preliminary biennial budget for the General Government departments. Mr. Corpuz reviewed the key features of the budget proposal, including future directions. He then turned the presentation over to Judith Shoudy, Budget Officer, who reviewed the budget information in more detail. Ms. Shoudy then turned the budget presentation over to Mr. Ken Turner, Department of Public Utilities, who reviewed the preliminary biennial budget for 1995-1996 for the Department of Public Utilities. Mr. Turner reviewed the budgets of the Light Division, Water Division, and the Belt Line Railway.

Speaking to the Council were:

Carl Scheuerman	Planning Commission
Craig Flamme	Planning Commission
Kiliemah Alexander	Artist in Residence Program
Carolina Yatsukawa	Artist in Residence Program
Nicci Cheralier	Artist in Residence Program
Roberta Combs	Human Rights Commission
Robert Kirshenbaum	School Counselor/Arts Proponent
Carla Gramlich	3218 North 28th
Bob Arrington	Washington State Department of Agriculture, Weights and Measures
Jenny Pasco	President, Board of Directors, Daffodil Festival
Chuck Mazza	President-Elect, Daffodil Festival
David Fischer	Managing Director, Tacoma Little Theater
Bob Bruback	Board of Trustees, Broadway Center for the Performing Arts
Julia Garnett	Cultural Council of Greater Tacoma
Dan Senn	Tacoma Artist
Penelope Loucas	Volunteer Member of Tacoma Arts Commission
Tony Ginn	Executive Director, Al Davies Boys and Girls Club

There being no further testimony, the hearing was declared closed at 10:31 p.m.

RESOLUTIONS:

Resolution No. 32812 (Continued from the meeting of November 8, 1994.)

Adopting amendments to the Legislative Policy Manual for the 1995 session of the Washington State Legislature.

Deputy Mayor Miller moved to continue Resolution No. 32812 to the meeting of November 29, 1994. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32812 will be considered at the regular City Council meeting of November 29, 1994.

Resolution No. 32814 (Continued from the meeting of November 8, 1994.)

Approving the Tacoma Community Redevelopment Authority's establishment of the Housing Development Committee and Economic Development Committee.

Deputy Mayor Miller moved to continue Resolution No. 32814 to the meeting of November 29, 1994. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32814 will be considered at the regular City Council meeting of November 29, 1994.

Resolution No. 32817

Authorizing the execution of Amendment No. 2 to the Master License Agreement with Tacoma Hockey Enterprises, Inc., to change the financial terms of the agreement to relieve the impact the Seattle Sonics may have on Tacoma Hockey Enterprises, Inc.

Deputy Mayor Miller moved to remove Resolution No. 32817 from the Agenda. Seconded by Council Member De Forrest. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 32817 was removed from the Agenda.

Resolution No. 32818

Authorizing the execution of an agreement with ALPHA Engineering Group in the amount of \$131,230 for engineering services for restoring the track and bridges on a portion of the Tacoma Eastern Railway.

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

Resolution No. 32819

Authorizing the execution of an amendment to the agreement with the Hilltop Home Ownership Development Center in the amount of \$293,681 for affordable low-income housing.

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

Speaking to the Council was:

Darel Grothaus

Executive Director, Hilltop Home Ownership
Development Center

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

Resolution No. 32820

Authorizing the purchase of 1994 Refuse Utility Revenue Bonds in an amount not to exceed \$23,000,000; and fixing certain terms of the Bonds for repaying a portion of outstanding bond anticipation notes and financing certain capital improvements to the Refuse Utility.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Resolution No. 32820. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Miller moved that the Substitute Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried, with Council Member De Forrest voting nay. The Substitute Resolution was declared adopted.

Resolution No. 32821

Authorizing the purchase of 1994 Refuse Utility Revenue Bond Anticipation Notes in the amount of \$20,000,000; and fixing certain terms of said Notes for repaying a portion of outstanding bonds and revenue anticipation notes.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Resolution No. 32821. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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Deputy Mayor Miller moved that the Substitute Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried, with Council Member De Forrest voting nay. The Substitute Resolution was declared adopted.

Resolution No. 32822

Directing the City Manager to form an ad hoc task force to study opportunities and alternatives for open space, recreation, and possible commercial, residential and other development uses for the Wapato Hills property and to provide a report and recommendation to the City Council by May 1, 1995.

Deputy Mayor Miller moved to suspend the rules to consider Substitute Resolution No. 32822. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

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

UNFINISHED BUSINESS:

Council Member De Forrest stated that he had received a call from Mr. Peter Epperson, who at the last Council meeting talked about the IAC conversion plan. Mr. Epperson claimed he didn't have the opportunity to talk to the Resolution, as amended. Mr. Epperson told Council Member De Forrest he reviewed the video tape of the meeting and thought he was correct. Mr. Epperson didn't think the Council adopted the Resolution, but only the amendment. Council Member De Forrest stated he had passed this information to the City Attorney and asked her to comment.

Patricia Bosmans, City Attorney, stated that she reviewed the actions taken by the Mayor and Council on that Resolution. She stated she was satisfied that the intent of the Council was satisfied through the Mayor's actions.

Council Member De Forrest stated that Council did not want to postpone action on the Resolution because the IAC was going to meet on November 18, 1994, and there was an agreement with staff that Council would take action before the Metropolitan Park Board did. However, he noted that the Metropolitan Park Board didn't take action at its meeting last night. He stated he wasn't sure how they could take action before November 18 unless they called a special meeting. He noted that it may get postponed until next spring.

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Council Member Baarsma moved to direct the Planning Commission to undertake a study of the Oakland-Madrona Neighborhood to look at land use designations, zoning alternatives, and development standards, and to report findings to the City Council by April 1, 1995. Seconded by Council Member De Forrest.

Council Member Baarsma spoke to his motion. Discussion followed on the motion, the introduction of new material on the Agenda, and the problems with the land use matters in the area.

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

Council Member Baarsma moved to impose a moratorium on building and development permits within the Oakland-Madrona Neighborhood until plan and zoning modifications are completed, but no later than May 15, 1995, unless extended, and to have a public hearing before the City Council concerning the moratorium within sixty (60) days. Seconded by Council Member Silas.

Council Member Baarsma spoke to his motion. Discussion followed on the motion, the moratorium and its impact, the legal means of imposing the moratorium, and the actions available to the Council.

Roll call vote was taken, resulting as follows:

Ayes: 4 -- Baarsma, De Forrest, Evans, and Kirby.

Nays: 5 -- Crowley, McGavick, Miller, Silas, and Mayor Moss.

The motion was declared failed.

Deputy Mayor Miller stated that last week the Council dealt with the Accessory Dwelling Units and left a number of instructions with staff to bring it back to Council. He stated that in the Friday Letter Council received the document back on Accessory Dwelling Units. He said he had one problem and that was on the ownership issue. A motion was made to change the language from living in the unit to maintaining their residency. He noted that residency was corrected on page 5, line 18, from occupancy, but on line 15, occupancy was left in. He stated that he believed the intention of the Council was that, as was line 15, that the property owner must maintain his or her residency in the building or the Accessory Dwelling Unit, as stated later in the Ordinance. He said he would like to see this corrected.

REPORTS BY CITY MANAGER:

None.


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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans stated that the Seattle Express was kicked off by Pierce Transit as their first official run. He noted that it had been running for awhile. He stated that it's already filled to capacity. He said all the new buses are now overfilled, making 74 trips a day. He stated it was the first piece of the regional transportation system. He commended the Pierce Transit Board and staff for rectifying a rather dismal situation and making a triumph of the beginning of this system. He noted that people were getting off the buses and thanking the drivers today for the great trip in the new buses.

Mayor Moss stated that the City Council meeting of November 22 had been canceled and Council would again meet on November 29. He also indicated the Council would meet tomorrow night at 5:00 p.m. for the budget hearing.

On proper motion, the meeting was adjourned at 11:40 p.m.



HAROLD G. MOSS, MAYOR

ATTEST: 

GENELLE BIRK, CITY CLERK

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