

CITY COUNCIL MINUTES

City Council Chambers  
August 18, 1987

The meeting was called to order at 5:08 p.m.

Present on roll call: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Harnick, and Mayor Sutherland. Absent: 2 - Hyde and Deputy Mayor Rasmussen. Deputy Mayor Rasmussen arrived at 5:12 p.m.

The Flag Salute was led by Council Member Stenger.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of August 11, 1987.

APPEALS:

Galaxy Restaurant (File No. T-47869-B) appealing the denial by the Department of Tax and License for application for a Dance Hall License.

Setting Thursday, October 15, 1987 at 9:30 a.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, August 18, 1987.
- b. Minutes of the meeting of the Civil Service Board, June 15, 1987.
- c. Minutes of the meeting of the Policy Review Committee, May 28, 1987.
- d. Citizens Petition of the Upper Tacoma Residential Community relative to increased crime in the residential area, August 11, 1987.

Council Member Nielsen moved that the Consent Agenda be approved. Seconded by Council Member Mykland. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.409 to allow construction of a storm water drainage system with an outfall to the Tacoma Narrows for an existing parking lot located on the east side of Tacoma Narrows between Point Defiance Park and the Narrows Bridge. (Salmon Beach Improvement Club, Inc.; File No. 141.409)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Harnick. Roll call vote was taken, resulting as follows: Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Harnick, and Mayor Sutherland. Nays: 0. Absent: 2 - Hyde and Deputy Mayor Rasmussen. The motion was declared adopted.

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.395 to allow development of a public waterfront park including beach, shoreline access, picnic area, pedestrian paths and parking located on the easterly side of Ruston Way between Wheatland and Marshall Streets. (Metropolitan Park District; File No. 141.395)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Harnick, and Mayor Sutherland. Nays: 0. Absent: 2 - Hyde and Deputy Mayor Rasmussen. The motion was declared adopted.

- c. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.408 to allow development of a tallow holding/transfer facility including improvements located between the Hylebos Waterway and Marine View Drive, approximately 2-1/4 miles southeasterly of East 11th Street. (Pacific Northwest Terminals; File No. 141.408)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Harnick. Roll call vote was taken, resulting as follows: Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Harnick, and Mayor Sutherland. Nays: 0. Absent: 2 - Hyde and Deputy Mayor Rasmussen. The motion was declared adopted.

Deputy Mayor Rasmussen arrived at 5:12 p.m.

- d. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.412 to allow construction of a temporary pipeline for loading tallow onto ships for an existing tallow holding/transfer facility located adjacent to Commencement Bay between the Port of Tacoma Road extended and Berth D, Terminal 7 in Sitcum Waterway. (Pacific Northwest Terminals; File No. 141.412)

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. Roll call vote was taken, resulting as follows: Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland. Nays: 0. Absent: 1 - Hyde. The motion was declared adopted.

- e. Hearings Examiner recommending modification of the site plan and conditions of the Concomitant Zoning Agreement implementing an approved rezone by deleting condition E and amending condition B of the Concomitant Zoning Agreement to allow continued use of the portable classroom building on the site. (Tacoma Urban League; File No. 120.1036A)

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 23914 (Continued from the meeting of August 11, 1987)

Authorizing the execution of a contract amendment with the Pierce County Area Agency on Aging to provide reimbursement for services rendered to senior citizen case management clients; accepting \$18,500.00 from the Pierce County Area Agency on Aging; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$18,500.00 from the Miscellaneous Grants Summary Fund for said purpose.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23914. Seconded by Council Member Nielsen. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Substitute Ordinance was declared passed.

Ordinance No. 23766

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of East 72nd and "I" Streets from an "R-2" One-Family Dwelling District, to an "R-2-T" Residential-Commercial Transitional District, a "C-2" Commercial District, and an "R-3-PRD" Planned Residential Development District to allow the sale of gasoline at a proposed convenience store, a 40-unit apartment complex in a planned residential development district, and a 20-foot rear yard variance for a proposed commercial building. (Dennis Davenport; File Nos. 120.1165, 121.1052, 127.257, and 130.2769)

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Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger,  
Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23901

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southwest corner of South 72nd and Hosmer Streets from a "CFV" Freeway Commercial Vehicular Services District and an "R-2" One-Family Dwelling District to a "C-1" Commercial District and an "R-2" One-Family Dwelling District for the construction of a convenience grocery store and new pump islands for a gas station. (Barghausen Consulting Engineering, Inc.; File No. 120.1202)

Roll call vote was taken, resulting as follows:

Ayes: 1 - McElliott, Moss, Nielsen, Rasmussen, Stenger,  
Warrnick, and Mayor Sutherland.

Nays: 1 - Mykland.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23915

Amending Ordinance No. 23809 and fixing certain terms of the City of Tacoma Sewer Revenue Refunding bonds authorized therein.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger,  
Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23916

Amending Chapter 10.22 of the Official Code relative to barricade procedures for construction and maintenance work sites.

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Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23917

Amending Chapter 11.18 and 11.32 of the Official Code relative to vehicle licenses, size, weight and load.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23918

Accepting donations of \$5,300.00 from Pacific Northwest Bell, Rainier Bancorporation, Sam's Tire, Seafirst Bank, Pedersen's Farms, Pierce County Medical Bureau, Inc., Puget Sound National Bank, Roman Meal Company, the Tacoma News Tribune, Olympic Savings Bank and Sunrise Rotary, depositing said sum in and appropriating from the Miscellaneous Grants Summary Fund for Senior Citizens Awareness Day; and accepting a donation of \$25.00 from the estate of Nora Hushagen, depositing said sum in and appropriating from the General Fund for the Senior Citizens Red Cross Emergency Fund.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23919

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of Sprague Ave. and South 70th Streets extended east from an "C-F-V" Freeway Vehicular Services District and "C-P-N" Planned Neighborhood Shopping Center District to an "C-2" Commercial District to allow construction of a single story retail building. (Frank Mitchell; File Nos. 120.1215 and 130.2871)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. 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. 23920

Amending Chapter 13.06 of the Official Code to reclassify the property located in the area bounded by White and Steele Streets on the west, the alley between North 29th and North 30th Streets on the south, Ruston Way on the north, and Starr Street on the east from an "C-2" Commercial District to a "C-2-SRD" Commercial Special Review District. (City of Tacoma; File No. 120.1212)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Harnick. 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. 23921

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of South Orchard Street southerly of South 40th Street extended from an "R-2" One-Family Dwelling District and an "C-1" Commercial District to an "M-1" Light Industrial District for development of an industrial park and light industrial office/warehouse complex. (Land Partnership IV; File No. 120.1217)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. 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. 23922

Vacating the alley between South 48th and South 49th Streets from Mason Avenue to Stevens Street to combine the vacated area with the abutting property on

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the north to provide a landscaped "buffer" between a proposed apartment complex and the single-family homes along the south. (Fircrest Homes Company; File No. 124.836)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Harnick. 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. 23923

Creating the Parking Garages Enterprise Fund, depositing \$258,000.00 in and appropriating from the Parking Garages Enterprise Fund to operate the three Downtown parking garages.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 29720 (Continued from the meeting of August 11, 1987)

Appointing Hal Nielsen to the Economic Development Corporation of Pierce County for a three-year term beginning September 15, 1987.

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

Purchase Resolution No. 29721

Awarding contracts to:

1. Professional Services Unlimited, Inc., on their bid of \$12,902.40 for security guard service for the Tacoma Landfill - Specification No. G-063-87;
2. Standard Parts Corporation, on their bid of \$14,978.90 for automotive filters - Specification No. G-054-87;
3. Jones-Goodell, in the amount of \$25,000.00 for annual maintenance repair of the fireboats - Single Source; and
4. Smith Tractor and Equipment in the amount of \$14,469.51 for repair of fire damage on a John Deere Scraper - Emergency Contract.

Deputy Mayor Rasmussen moved that the Purchase Resolution be adopted and to waive the formal bidding procedures on Purchase Items No. 3 and 4. Seconded by Council Member Nielsen.

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Voice vote was taken and carried on the Purchase Resolution with Council Member Moss abstaining. The Purchase Resolution was declared adopted.

Resolution No. 29722

Approving the preliminary plat of Yoachim's 2nd Addition for the subdivision of a parcel of land into 34 lots in the vicinity of South 58th and Ferdinand Streets. (Corner Associates; File No. 125.288)

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

Resolution No. 29723

Authorizing the execution of Amendment No. 1 to the agreement with Mason County Public Utilities District No. 3 for realignment of the centerline of the existing easement along the City's Potlatch Transmission Line right-of-way.

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

Resolution No. 29724

Authorizing the execution of a Release of Easement no longer needed by the City to Brenmor Development Corporation in the vicinity of East 72nd and Interstate 5.

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

Resolution No. 29725

Authorizing the transfer to the Department of Public Works of a 60-foot wide right-of-way for the southerly extension of Madison Street near South 74th Street.

Council Member Nielsen moved that the Resolution be adopted. Seconded by Council Member Harnick. Voice vote was taken and carried with Deputy Mayor Rasmussen abstaining. The Resolution was declared adopted.

Resolution No. 29726

Authorizing the exchange of the City's high elevation land for Plum Creek Timber Company's low elevation land in the Green River Watershed.

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

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**Resolution No. 29727**

Authorizing the execution of agreements with specific agencies selected to implement certain public service programs.

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

**Resolution No. 29728**

Authorizing the closure of American Lake Boulevard where it intersects with South 66th Street for a 90 day trial period.

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

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Mayor Sutherland moved to recess to Executive Session to discuss litigation and real estate matters, the session not to exceed fifteen minutes. Seconded by Council Member Mykland. Voice vote was taken and carried.

Council recessed to Executive Session at 5:48 p.m. Mayor Sutherland announced at 6:04 p.m. that the Executive Session would last another fifteen minutes.

Council reconvened at 6:21 p.m.

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**PUBLIC HEARINGS AND APPEALS: (Begin at 6:22 p.m.)**

This is the date set for hearing the appeal of Eric T. Blitz on the decision of the Hearings Examiner relative to the request for a Shoreline Management Substantial Development Permit to allow the proposed development of a restaurant with associated parking and landscaping in the vicinity of Sixth Avenue extended and the Burlington Northern Railroad right-of-way, west of Seashore Drive. (Michael Ebert; File No. 141.396)

Ms. Patricia Lantz, Attorney representing Michael Ebert, made a presentation to the Council regarding the appeal.

Mr. Eric Blitz made a presentation to the Council and his reasons for the appeal.

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Mr. David Akana, Hearings Examiner, made a presentation to the Council on his findings.

Council Member Mykland moved that, based upon discussion heard tonight, the Council not hear this appeal. Seconded by Council Member Moss. Voice vote was taken and carried with Council Member Harnick voting Nay. The motion carried.

This item will be a Study Session item scheduled for Tuesday, September 1, 1987.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Mykland moved to excuse Council Member Hyde from tonight's meeting. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to approve the settlement and transfer to People's Mortgage Company of certain interest or rights of the City pertaining to the UDAG loan previously made to Tacoma Hotels, Inc., as recommended by legal counsel for the City, and that the City Manager be authorized to execute such documents of transfer in form as approved by the City Attorney as may be necessary to effectuate such settlement and transfer. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting was adjourned at 6:55 p.m.

ATTEST:

  
GENELLE BIRK, CITY CLERK

  
DOUG SUTHERLAND, MAYOR

HPC.2154.8

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