

Corrected
05-29-90

CITY COUNCIL MINUTES

City Council Chambers
May 22, 1990

The meeting was called to order at 5:07 p.m.

Present on roll call: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, and Mayor Vialle. Absent: 1 - Warnick. (Council Member Warnick arrived at 5:08 p.m.)

The Flag Salute was led by Deputy Mayor Stenger.

Council Member Warnick arrived at 5:08 p.m.

C O N S E N T A G E N D A

Approval of the minutes of the meetings of May 8 and May 15, 1990.

ORDINANCES:

Ordinance No. 24647

Authorizing the acceptance of labor and materials for construction projects to enhance the image and beauty of the City of Tacoma during the Goodwill Games from Bruce Anderson, students and teachers at Lincoln Tree Farm; Mr. Bartroff and Lincoln High School Wood Shop students; Randy Lippold and McIlvaigh Middle School Wood Shop students; Tim Shaffer and Foss High School Wood Shop students; Don Keppler and the Lincoln High School Forestry Class; Don Roberts and the Clover Park VTI Landscaping Class; Larry Johnson and the Clover Park VTI Greenhouse and Nursery Class; Fred Hall and the Lincoln High School Secondary Education Welding Class; Woodworth & Company, Inc.; Don Johnson and Landscape Bark Company; Minotti Excavation; Tucci & Sons, Inc.; and Jerry Walter and H & B Top Soil.

Ordinance No. 24648

Authorizing the acceptance of donated billboard space from Sun Outdoor Advertising and Ackerley Communications of the Northwest, Inc. to be used to welcome visitors to Tacoma during the Goodwill Games and promote the community.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, May 22, 1990.
- b. Minutes of the meetings of the Tacoma Municipal Authority, March 12, and April 19, 1990.
- c. Minutes of the meeting of the Public Utility Board, April 25, 1990.
- d. Minutes of the meetings of the Citizens' Affirmative Action Advisory Committee, February 14, and April 11, 1990.
- e. Minutes of the meeting of the Civil Service Board, April 2, 1990.
- f. Citizens' petition stating that no apartments, high rises or duplexes be built on "J" Street between South 41st and 43rd Streets.
- g. Tacoma-Pierce County Humane Society & S.P.C.A., total service delivery reports for February and March, 1990.
- h. Monthly Financial Reports of the Belt Line Division, Light Division, Water Division, Data Processing Division, Fleet Services Fund and Self-Insurance Claim Fund, March 1990.

Council Member Evans requested that Ordinance No. 24648 be removed from the Consent Agenda and put on as a first reading of Ordinance on the regular agenda.

Mayor Vialle stated that there were no representatives from Sun Outdoor Advertising or Ackerley Communications. She stated it would be better to continue the item for one week and have representatives present at that time.

Council Member Evans moved to remove Ordinance No. 24648 from the Consent Agenda and continue it on the regular Agenda for one week to the meeting of May 29, 1990. Seconded by Deputy Mayor Stenger.

Mayor Vialle requested that representatives from Sun Outdoor Advertising and Ackerley Communications be present to answer questions of Council at next week's meeting.

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

Ordinance No. 24648 will be considered at the Council Meeting of May 29, 1990.

Council Member Evans moved that the Consent Agenda, as amended, be approved. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The Consent Agenda, as amended, was declared approved.

Mayor Vialle recognized the individuals and groups contributing labor and materials for the Goodwill Games under Ordinance No. 24647. She presented them with Certificates of Appreciation from the City, signed by the Mayor.

R E G U L A R A G E N D A

COMMUNICATIONS:

Hearing Examiner recommending formation of L.I.D. No. 8538 for the construction of permanent pavement with storm drains on Portland Avenue from 11th Street north 1,530 feet. (Simpson Tacoma Kraft Company)

Rod Kerslake, Hearing Examiner, stated that yesterday he had received a letter from the sponsor of the L.I.D., Simpson Tacoma Kraft Company, that requested that the Council not proceed with L.I.D. No. 8538. He stated that it would be the Hearing Examiner's recommendation now that L.I.D. No. 8538 not be formed and that Council concur with this recommendation.

Mayor Vialle moved to concur in the recommendations of the Hearing Examiner that L.I.D. No. 8538 not be formed. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to suspend the rules to consider Resolution No. 30907. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to adopt Resolution No. 30907. Seconded by Council Member Moss.

Resolution No. 30907 was read into the record.

Mayor Vialle stated that the Mayor and all Council Members would be sponsoring this Resolution.

RESOLUTION NO. 30907

REQUESTED BY THE TACOMA CITY COUNCIL

A resolution condemning the advocacy of white supremacy.

WHEREAS this nation is grounded upon the self-evident truth that all men are created equal, and

WHEREAS the strength and vigor of our community are based upon principles of equal justice under law, equality of opportunity, and freedom from discrimination, and

WHEREAS, in recent weeks, certain individuals identified as members of the "Aryan Nation," a so-called "white supremacy" organization, were arrested on charges that they sought to perpetrate violent crimes against members of the minority communities of Tacoma and of our neighboring cities, and

WHEREAS the concept of crimes of violence against individuals on the basis of their status as a member of a particular racial, ethnic, religious, or sexual group is not only heinous and despicable, but violates the basic, fundamental political and moral values upon which our country was founded, and

WHEREAS the City Council has expressed the community's dedication and commitment to the values of its citizens by declaring as a misdemeanor the malicious harassment of any person because of that person's race, color, religion, ancestry, or national origin; and it is the intent of the City Council to reaffirm the community's dedication and commitment to the values of equality and freedom from threats or insecurity due to the status of any individual as a member of a particular race, religion, life-style, or personal convictions; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City Council does hereby reject and condemn the bigotry and violence advocated by the "Aryan Nation" organization;

BE IT FURTHER RESOLVED:

That the Tacoma Human Rights Commission, with or without outside resources, should expeditiously, and not later than June 22, 1990, recommend legislative, educational, and/or institutional actions that this community might take to strengthen our commitment to the freedom, equality, and security of our citizens;

BE IT FURTHER RESOLVED:

That the City of Tacoma calls on all citizens to join together in denying to any hate group any opportunity to engage in violent racism, and to decry and condemn the advocacy of bigotry and hate.

Council Member Evans moved to amend page 1, line 22, to insert the words "sexual orientation" before the word "or." Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

Rebecca Summers

Chair, Human Rights Commission

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Resolution as amended, was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24371

Vacating a portion of the I-5 "turned-back" area on the easterly side of the Freeway between South 48th and South 49th Streets. (Pacific Commercial Investments, Inc.; File No. 124.883)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24627

Vacating portions of South 30th Street and Gunnison Street at the southerly end of Snake Lake to unify Park District property. (Metropolitan Park District; File No. 124.911)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24628

Vacating East "R" Street between Harrison and Morton Streets to combine the area with the abutting park and open space properties. (Metropolitan Park District; File No. 124.910)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24624 (Continued from the meeting of May 15, 1990.)

Granting a franchise to Sol-Pro, Inc., for the operation of a standard gauge railroad track across a portion of Alexander Avenue near the 1800 block.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 24642

Authorizing the execution of an agreement with the State of Washington for a grant from the Local Development Matching Fund to create a development entity for the Union Station District; accepting a \$25,000.00 grant from the State of Washington; and depositing said sum in the Community Development Grants Summary Fund; appropriating said sum for the Union Station Project; approving an amendment to the 1989-90 15th Year Community Development Final Statement of Objectives and Use of Funds to add the Union Station Project; and appropriating \$36,780.00 from the Community Development Grants Summary Fund as a match for the State Grant.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24644

Authorizing the City Attorney to prosecute an action in Superior Court under the right of eminent domain to construct remedial measures upon and obtain the right of access to property located at the northeast corner of the Tacoma Landfill.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24645

Appropriating and transferring \$80,000.00 from the Tacoma Dome Operating Fund and \$80,000.00 from the General Fund to the Cumulative Reserve Tacoma Dome Fund; and appropriating \$60,000.00 from the Cumulative Reserve Tacoma Dome Fund for Dome roof cleaning.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 24646

Amending Ordinance No. 24053 to establish student/off-hour monthly parking rates and event parking rates for the Park Plaza North and Park Plaza South Parking Facilities.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, Miller, Moss, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 2 - McElliott and Mykland.

The Ordinance was declared passed.

Ordinance No. 24649

Approving and confirming the Assessment Roll for L.I.D. No. 5683 for the installation of water mains and fire hydrants in East "M" Street from East 34th Street to the alley north of East 32nd Street.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24650

Approving and confirming the Assessment Roll for L.I.D. No. 5677 for the installation of water mains and fire hydrants in Canyon Road from 128th Street East to 192nd Street East and in 192nd Street East from Canyon Road to approximately 1,200 feet west and within the 23-lot plat of Frederickson Industrial Park.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24651

Appropriating \$24,374.42 from the Labor-Management Health Care Trust Fund to pay Washington Dental Service for recovery of underwriting losses for 1989.

The Ordinance was set over for final reading next week.

PUBLIC HEARINGS AND APPEALS: (Begin at 5:36 p.m.)

This is the date set for a public hearing to consider interim policies to amend the "Generalized Land Use Plan" to provide for additional review of "R-1" and "R-2" zoned properties when being considered for other zoning.

Donna Stenger, Planning Department, made a presentation regarding the proposed interim policies.

Council Member Miller spoke regarding his proposed Substitute Resolution No. 30901.

Virginia Taylor, Planning Commission, spoke regarding the recommendations of the Planning Commission regarding the proposed policies.

Speaking to the Council were:

W. G. Vanghan	7634 South Fife (Arlington Coalition)
W. G. "Gerry" Bott	Former Tacoma City Council Member
Christopher Vaughan	101 East 26th Street
Kevin Foley	Investco Financial Corp.
Ed Savage	Northeast Tacoma resident
Paul Meneghel	1239 South Verde Street

There being no further testimony, Mayor Vialle declared the public hearing closed at 6:17 p.m.

Deputy Mayor Stenger moved to suspend the rules to consider Substitute Resolution No. 30901. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Stenger moved to adopt Substitute Resolution No. 30901. Seconded by Council Member Warnick. Mayor Vialle and Council Members Moss and Mykland discussed the possibility of having a sign erected on the property when a Land Use Rezone was filed indicating that this property would be considered for certain usages. Also, they discussed extending the notification requirement to a 1,000-foot radius, and possibly lowering the density allowed on property properly zoned.

Deputy Mayor Stenger moved to consider Substitute Resolution No. 30901. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Substitute Resolution No. 30901

Adopting the interim policies to amend the "Generalized Land Use Plan" to provide additional review of property zoned "R-1" or "R-2" One-Family Dwelling District when being considered for other zoning.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle.

Nays: 3 - McElliott, Moss and Warnick.

The Substitute Resolution was declared adopted.

Ordinance No. 24652

Accepting \$10,000.00 from the Mervyn's Corporation, depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the Washington State Child Care Resource and Referral Network; and authorizing the execution of an agreement with the Washington State Child Care Resource and Referral Network to provide support services to Tacoma-Pierce County Child Care Resource and Referral Service.

The Ordinance was set over for final reading next week.

Ordinance No. 24653

Amending Chapter 6.64 of the Official Code by creating a new section to provide for a natural gas use tax, effective July 1, 1990.

The Ordinance was set over for final reading next week.

Ordinance No. 24654

Appropriating \$56,000.00 from the Capital Improvement Fund and transferring \$50,000.00 into the Tacoma Dome Operating Fund; appropriating \$50,000.00 from the Tacoma Dome Operating Fund for constructing sidewalks on South "G" Street; and transferring \$6,000.00 from the Capital Improvement Fund to the Baseball Park Operating Fund; appropriating \$6,000.00 from the Baseball Park Operating Fund to erect a fence at Cheney Stadium, and declaring an emergency making necessary the passage of this ordinance.

Deputy Mayor Stenger moved to suspend the rules to consider Substitute Ordinance No. 24654. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend line 4 and line 12 to delete the word "south" and insert the word "east." Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 24655

Amending the Annual Budget of the City of Tacoma for fiscal year 1990 to reflect appropriation adjustments to the preliminary budget relative to several funds.

Mayor Vialle moved to amend Ordinance No. 24655 to add item No. 8, Airport Fund, \$28,000. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance, as amended, was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30898

Awarding contracts to:

1. Varian Instrument Group, on their bid of \$54,359.79 for an atomic absorption spectrophotometer with zeeman back ground correction - Specification No. G-049-90;
2. Robert R. Christensen d.b.a. Roval Enterprises, in the amount of \$15,136.00 for a personal services contract - Single Source;
3. Bruning Company, in the amount of \$13,000.00 to increase their contract for the annual supply of blueprint paper; and
4. R.E.P., Inc., in the amount of \$15,000.00 for electrical wiring repair at the City of Tacoma Asphalt Plant - Emergency Contract.

Deputy Mayor Stenger moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on item Nos. 2 and 4. Seconded by Council Member Warnick.

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

Resolution No. 30899

Authorizing the updating of the Deferred Compensation Plan to comply with current Internal Revenue Service Tax Codes.

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

Resolution No. 30900

Authorizing the execution of a renewal agreement with the Morning News Tribune for advertising services from May 23, 1990 to May 23, 1991.

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

Council Member Nielsen moved to amend Resolution No. 30900 on lines 3 and 17 to delete the word "morning" and insert the word "Tacoma." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution, as amended, was declared adopted.

Resolution No. 30901 was considered earlier in the meeting.

Resolution No. 30902

Confirming the action taken by the City Council at the meeting with initiating parties on May 8, 1990 regarding the proposed annexation of property located in the vicinity of Marine View Drive and Hylebos Creek. (William K. and Camille M. Fjetland d.b.a. B & L Trucking and Construction Company, Inc.)

Council Member 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. 30904

Supporting Recommendation No. 6 of the Report of the Tacoma-Pierce County Chamber of Commerce Waterfront Task Force document entitled "The Waterfront Revisited" and joining the Chamber of Commerce in urging the Metropolitan Park District to relocate its headquarters to a Foss Waterway or Ruston Way location.

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

Council Member Mykland requested that his name be added as a sponsor to this Resolution.

Speaking to the Council were:

Lamoyne Rhea

Dan Mulholland

Tacoma-Pierce County Chamber of
Commerce
Metropolitan Park Board

Council Member Miller moved to amend Resolution No. 30904 to include Schuster Parkway as a potential site. Seconded by Council Member Evans. Voice vote was taken and carried, with Council Member McElliott voting nay. The motion was declared adopted.

The Resolution was declared adopted.

Resolution No. 30905

Directing a review of funding, policies, and procedures of the Community Development Block Grant Program and the Urban Policy Committee.

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

Deputy Mayor Stenger moved to amend Resolution No. 30905 on page 3, line 1, to strike the words "from 15" and insert the words following "11" "as positions expire." Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend Resolution No. 30905 on page 3, line 15, to add a new item No. 3 (and renumber the remaining items): An inventory of low- and moderate-income housing areas throughout the City for potential inclusion in NSA designation. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30906

Authorizing reimbursement of \$49,932.00 to Tacoma Electric Supply Inc., for relocation of an existing 24-inch sanitary sewer trunk line at 1311 South Tacoma Way.

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

Resolution No. 30907 was considered earlier in the Council meeting.

UNFINISHED BUSINESS:

Council Member Warnick moved to reconsider Ordinance No. 24591. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24591

Amending Chapter 1306 of the Official Code to reclassify the property located on the west side of South Puget Sound Avenue, north of South 76th Street, from a "R-2" One-family Dwelling District to a "C-2" Commercial District to allow the expansion of a retail auto sales lot (Robert L. Larson; File No. 120.1294).

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

Ayes: 6 - Evans, Miller, Moss, Nielsen, Stenger, and Warnick.

Nays: 3 - McElliott, Mykland, and Mayor Vialle.

The Ordinance was declared passed.

Council Member Warnick moved to reconsider Resolution No. 30890. Seconded by Council Member Miller. Voice vote was taken and carried with Council Members Moss and Mykland voting nay. The motion was declared adopted.

Resolution No. 30890

Authorizing the waiver of residency requirements for Mark B. Gamble, Thermal Plant Supervisor.

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

Ayes: 5 - McElliott, Miller, Nielsen, Warnick, and Mayor Vialle.

Nays: 4 - Evans, Moss, Mykland, and Stenger.

The Resolution was declared passed.

REPORTS BY CITY MANAGER:

Ray Corpuz, Jr., City Manager, commented on the excellent state of the City speech that Mayor Vialle presented at the recent Downtown Tacoma Rotary meeting.

He also requested an Executive Session to discuss litigation and property acquisition.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle and Council Member Moss requested that the City Manager review the possibility of extending the land use notification requirements to a 1,000-foot radius, requiring the erection of signs on areas for land use changes, and reducing the density allowed within certain residential areas.

Council Member Nielsen stated that this could be included on the June 26 study session with the Council.

Mayor Vialle requested that Council be provided with a copy of Seattle's legislation on this particular matter.

Council Member Warnick discussed the problems of possible decline of the quality of education in Tacoma and asked that the staff bring a program to the Council of combining legislators and educators to discuss this problem.

Council Member Miller seconded Council Member Warnick's concerns regarding the potential decline of education in Tacoma, especially in the area of music and arts.

Discussion followed regarding education costs, quality, and problems in Tacoma.

Deputy Mayor Stenger stated that there may be an opportunity for further discussion of this matter on the Pierce County Action Agenda. He stated that the School District staff and board should be included in any future discussions. He also noted that Tacoma has been seriously restricted in funding levels, as a result of the state levy lid.

Council Member Warnick noted that the PLU women's softball team had taken second place in the national women's softball tournament.


Council Member Warnick stated that the Tacoma Tigers were still number one in their league. He also commented on the coverage in the News Tribune of the Tacoma Tigers team.

Mayor Vialle moved to recess to Executive Session to discuss litigation and property acquisition. The session not to exceed 40 minutes. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 8:03 p.m. and reconvened at 8:43 p.m.

On proper motion, the meeting was adjourned at 8:44 p.m.

ATTEST:


KAREN VIALLE, MAYOR


GENELLE BIRK, CITY CLERK

WPC.1257G.