

CITY COUNCIL MINUTES

City Council Chambers  
November 3, 1987

The meeting was called to order at 5:09 p.m.

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Stenger.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of October 27, 1987.

FIRST READING OF ORDINANCES:

Ordinance No. 23969

Accepting surplus medical examination equipment donated by William W. Brand, M.D., for use by the Special Operations Unit of the Tacoma Police Department.

RESOLUTIONS:

Resolution No. 29820

Setting Tuesday, December 8, 1987, at 9:30 a.m. as the date for a public hearing by the Hearings Examiner on the request to vacate a portion of East "C" Street north of Puyallup Avenue. (Dorothy E. Smalling; File No. 124.861)

Resolution No. 29821

Setting Tuesday, January 5, 1988 at 1:30 p.m. as the date for a public hearing by the Hearings Examiner on the request to vacate a portion of Junett Street in the vicinity of South 48th Street. (John A. Dobler; File No. 124.860)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, November 3, 1987.
- b. Minutes of the meeting of the Tacoma Beautification Committee, September 16, 1987.
- c. Minutes of the meeting of the Tacoma Planning Commission, October 5, 1987.
- d. Citizens' petition requesting denial of a debris burning permit in the Hestridge development area near South 27th Street.
- e. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., September 1987.

NOTE: If the microfilmed document is less clear than this notice, it is due to the quality of the original document.

Council Member Nielsen moved that the Consent Agenda, including first reading of Ordinance No. 23969 and adoption of Resolution No. 29820 and No. 29821, be approved. Seconded by Council Member Mykland.

Council Member Stenger stated that he had a question regarding the citizen's petition requesting denial of a debris burning permit in the Hestridge Development area. He requested information from the Fire Department on the permit procedure.

Damon Herd, Fire Department, reviewed the procedures for issuance of a City burning permit and stated that, to date, no one had applied for a burning permit for the Hestridge Development.

Council discussion followed regarding the options and alternatives for disposal of the brush.

Mayor Sutherland requested that the City Attorney's Office conduct legal research for the Council, prior to permit issuance, relative to the alternatives available to the City.

Mayor Sutherland acknowledged receipt of the citizens' petition and indicated that the issue should be dealt with when the matter was appropriately before the Council and staff.

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

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Mayor Sutherland proclaimed the week of November 1 - 8, 1987 to be "Tacoma Rescue Mission 75th Anniversary Week," and presented the proclamation to Joe Ellis of the Tacoma Rescue Mission.

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REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 23965 (Continued from the meeting of October 27, 1987.)

Amending Chapter 8 of the Official Code to create a new section entitled, "Sexual Assault" to allow certain sexual violations to be prosecuted as sexual assault instead of simple assault.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23965 - Substitute No. 2. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 23921

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

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23956

Amending Chapter 13.06 of the Official Code to reclassify the property located north of South 96th Street between Steele and Hosmer Streets from a "C-P-N" Planned Neighborhood Shopping Center District and a "R-4-L-PRD" Multiple-Family Planned Residential Development District to a "R-2-T" Residential-Commercial Transitional District to allow for additional free standing signage for the site. (Michael L. Smith for Group Health Cooperative Puget Sound; File No. 120.1205)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23957

Amending Chapter 13.06 of the Official Code to reclassify the property located on the north side of South 96th Street between South Steele and Hosmer Streets from a "C-P-N" Planned Neighborhood Shopping Center District to a "C-1" Commercial District to allow for additional free standing signage for the site. (Oscar T. Hokold; File No. 120.1222)

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23968

Amending Section 12.08.350 of the Official Code relative to sewage disposal and drainage to update the rate table for "in lieu of assessment" charges.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23969

Authorizing the execution of a grant award contract with the Department of Housing and Urban Development for \$245,000.00; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund to continue implementation of the Rental Rehabilitation Program.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23970

Vacating a portion of South 13th and Villard Streets and the adjacent alley to construct a new church facility. (Tacoma Central Seventh Day Adventist Church; File No. 124.847)

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Hyde. 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. 23971

Amending Chapter 1.24 of the Official Code relative to the personnel rules to add language stating that information concerning an examination process and exam be available to all applicants.

The Ordinance was set over for final reading next week.

Ordinance No. 23972

Amending Chapter 13.06 of the Official Code to establish the "MC" Mixed Commercial District.

The Ordinance was set over for final reading next week.

Ordinance No. 23973

Appropriating \$76,764,404.00 from the Sewer Utility Fund for the construction of the Secondary Treatment Facilities Marine Outfall at the Central Treatment Plant and the secondary treatment facilities at the North End Treatment Plant.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 29822

Awarding contracts to:

1. Allied Construction on their bid of \$66,817.91 for the Portland Avenue and East 40th Street stormwater facility improvement - Specification No. G-264-87; and
2. VIA GEO Resources Inc., in the amount of \$30,000.00 to increase their contract for diesel fuel #2 - Pierce Transit Specification No. PT-19-86.

Council Member Nielsen moved that the Purchase Resolution be adopted. Seconded by Council Member Warnick.

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

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Resolution No. 29823

Authorizing negotiations with any interested party for the sale of the Water Division's Mapato Hills property.

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.

Resolution No. 29824

Approving and authorizing the acknowledgment of acceptance of a license with the Federal Energy Regulatory Commission to add hydroelectric generating capacity to the Corps of Engineers' Mynoochee Flood Control Dam.

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

Resolution No. 29825

Authorizing the execution of an agreement with Pierce County providing for the discharge of Western Slopes sewage into the County's Chambers Creek Treatment Plant or the upgrading of the City's Western Slope Treatment Plant to provide secondary treatment.

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

Resolution No. 29826

Authorizing the City Treasurer to sell the Tacoma Boatbuilding Company common stock owned by the City of Tacoma and deposit the proceeds in the appropriate utility services accounts.

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

Deputy Mayor Rasmussen moved to continue Resolution No. 29826 to the meeting of November 10, 1987. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows:

Ayes: 4 - Moss, Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 5 - Hyde, McElliott, Mykland, Stenger, and Warrnick.

The motion was declared failed.

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

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Resolution No. 29827

Petitioning the Legislature of the State of Washington for coverage of the City of Tacoma Employees' Retirement System under Chapter 192, Washington State Laws of 1987 to provide for the portability of retirement benefits.

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

Resolution No. 29828

Authorizing the execution of an agreement with Wilburn R. Burk in the amount of \$21,400.00 to manage and operate the Tacoma Municipal Building Parking Lot adjacent to the Tacoma Municipal Building through October 29, 1988.

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. 29829

Adopting the policy statement for the Fourteenth Year Block Grant Program for implementing Community Development activities during the fiscal years 1988-1989.

Deputy Mayor Rasmussen moved that the Resolution be adopted. Seconded by Council Member Harnick. 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 pending litigation, the session not to exceed 30 minutes. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:56 p.m. and reconvened at 6:26 p.m.

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Resolution No. 29830

Authorizing the execution of an amendment to the interlocal government agreement with Pierce County, the Port of Tacoma, the City of Fife, and the City of Puyallup which provides for negotiating efforts with the Puyallup Indian Tribe to extend the agreement through March 31, 1988.

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

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Speaking to the Council was:

Bill Factory

President, Eastside Improvement Group

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Moss, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 2 - McElliott and Mykland.

The resolution was declared adopted.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Hyde requested that the Public Works Department look into the problem of silting on the West Slope area and the potential problems regarding the burn in the Westridge development area. He indicated that sedimentation was found in the basin and stream area near Day Island and expressed his concerns regarding this.

Mayor Sutherland moved that settlement of the claim of C & S Enterprises be authorized in accordance with the recommendations of the City Attorney. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting was adjourned at 6:43 p.m.

ATTEST.

  
GENELLE BIRK, CITY CLERK

  
DOUG SUTHERLAND, MAYOR

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