

CITY COUNCIL MINUTES

City Council Chambers
August 29, 1989

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

Present on roll call: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Deputy Mayor Hyde. Absent: 1 - Mayor Sutherland. (Mayor Sutherland arrived at 5:40 p.m.)

The Flag Salute was led by Council Member Warnick.

Deputy Mayor Hyde introduced five members from Troop 90 of the Boy Scouts, LPS Sponsor, and stated that they were working on a communication merit badge.

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

Approval of the minutes of the regular meeting of August 15, 1989.

RESOLUTIONS:

Resolution No. 30550

Authorizing the submittal of a grant application in the amount of \$777,805.00 to the Environmental Protection Agency for the construction of a wastewater collection and transport system at Salmon Beach.

Resolution No. 30551

Authorizing the submittal of a grant application in the amount of \$10,000.00 to the National Association of Service and Conservation Corps for initial planning for the Urban Corps Expansion Project.

Resolution No. 30552

Authorizing the submittal of a grant application in the amount of \$34,556,600.00 to the State Transportation Improvement Board for various arterial street improvements.

APPEALS:

- a. Tacoma Place Associates appealing the decision of the Hearing Examiner to deny the request for a special exception for signs to locate a third freestanding sign at the Tacoma Place Shopping Center. (Klein/Northwestern Restaurants, Inc.; File No. 131.22)

Setting Tuesday, September 26, 1989, at approximately 5:30 p.m. as the date for hearing by the City Council.

- b. Terrence N. Turner appealing the denial of his request for a guard license by the Department of Tax and License. (File No. G-15787)

Setting Thursday, September 21, 1989, at 2:30 p.m. as the date for hearing by the Hearings Examiner.

ASSESSMENT ROLLS:

The Director of Public Works presents the Assessment Rolls for the following:

L.I.D. No. 2605 for the placement of 2-inch asphalt surface treatment with structural section and storm drainage in Bismark Street, from East "B" Street to East "D" Street.

L.I.D. No. 2606 for the placement of 2-inch asphalt surface treatment in Highland Street from South 18th Street, south 195 feet, more or less, "I" Street from East 65th Street to East 66th Street, "K" Street from East 51st Street to East 52nd Street, "M" Street from South 62nd Street to South 64th Street, East 37th Street from "K" Street to Howe Street and Division Lane from Tacoma Avenue, west 175 feet, more or less.

Setting Monday, September 25, 1989, at 5:00 p.m. as the date for hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, August 29, 1989.
- b. Minutes of the meeting of the Human Rights Commission, July 27, 1989.
- c. Minutes of the meeting of the Public Utility Board, July 26, 1989.
- d. Minutes of the meeting of the Tacoma Beautification Committee, May 17, 1989.
- e. Minutes of the meeting of the Tacoma Planning Commission, July 17, 1989.
- f. Minutes of the meeting of the Urban Waterfront Committee, July 26, 1989.
- g. Public Utilities Budget Performance Analysis Second Quarter of 1989.
- h. Tacoma Planning Commission 1988 Annual Report.

Council Member Vialle moved that the Consent Agenda, including Resolution Nos. 30550, 30551, and 30552, be approved. Seconded by Council Member Moss.

Council Member Vialle moved to suspend the rules to consider Substitute Resolution No. 30552. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council Member Mykland moved to approve Substitute Resolution No. 30552. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

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

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

FINAL READING OF ORDINANCES:

Ordinance No. 22223

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of South 80th Street extended and South Fife Street extended from a "R-2" One-Family Dwelling District to a "PDB" Planned Business Development District for the development of a ten-acre planned business development district. (Washington Diversified Investment Corporation; File No. 120.930A)

Roll call vote was taken, resulting as follows:

Ayes: 8 – McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 0.

Absent: 1 – Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24395

Vacating portions of North 22nd Street, Visscher Street, and the alleys between Pearl and Defiance Streets from North 22nd Street to Westgate Boulevard to combine the vacated rights-of-way with the abutting properties for a proposed residential, office, and retail development. (W. Towne Collins; File No. 124.886)

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24412

Vacating South 54th Street from Tacoma Mall Boulevard east to the I-5 Freeway to provide private access to the abutting properties and allow future development consistent with the developing character of the neighborhood. (Robert C. Young; File No. 124.885)

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 1 - Mykland.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24416

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of South 80th Street and Sprague Avenue from a "R-2" One-Family Dwelling District to a "M-1" Light Industrial District to allow the development of a 24,000 square foot storage warehouse addition. (Mira Properties, Inc./Bekins Moving Company; File No. 120.1279)

Roll call vote was taken, resulting as follows:

Ayes: 5 - McElliott, Moss, Nielsen, Stenger, and Warnick.

Nays: 2 - Mykland and Vialle.

Abstaining 1 - Hyde.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24417

Repealing Chapter 7.18 of the Official Code relating to police and the impounding of vehicles.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24418

Amending Section 8.12.010 of the Official Code regarding intimidation with a deadly weapon to bring the Code into compliance with State law.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24419

Amending Chapter 1.24 of the Official Code to add Section 1.24.575 regarding the Electrical Trades Apprenticeship Program.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick and Deputy Mayor Hyde.

Nays: 0.

Absent: 1 - Mayor Sutherland.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24420 (Continued from the meeting of August 15, 1989.)

Appropriating \$100,000.00 from the General Fund for a user fee/cost allocation study and authorizing the execution of an agreement with David M. Griffith and Associates for such purposes.

The Ordinance was set over for final reading on September 12, 1989..

Ordinance No. 24421

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of South 74th Street and Madison Street from a "C-2" Commercial District and a "R-2" One-Family Dwelling District to a "M-1" Light Industrial District to allow a mixed use development. (Rasmussen & Hobbs; File No. 120.1276)

Council Member Nielsen 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. 24422

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Sprague Avenue between South 56th and South 64th Streets from a "R-2" One-Family Dwelling District to a "R-3-PRD" Planned Residential Development District to allow the development of 138 residential units on approximately 23 acres. (Schurgin Development Companies; File No. 120.1281)

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. 24423

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Sprague Avenue between South 56th and South 64th Street from a "R-2" One-Family Dwelling District to a "CPC" Planned Commercial Shopping Center District to allow development of a 650,000 square foot shopping center on approximately 56 acres. (Schurgin Development Companies; File No. 120.1282)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Mykland. 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. 24424

Appropriating \$2,998.21 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc. for the recovery of underwriting losses for the second quarter of 1989.

The Ordinance was set over for final reading September 12, 1989.

PUBLIC HEARINGS AND APPEALS: (Began at 5:50 p.m.)

This is the date set for hearing by the City Council on draft amendments to Chapter 13.06 of the Official Code regarding exemptions from view sensitive overlay zoning districts.

Cindy Huff of the Planning Department made a presentation to the Council regarding this matter.

Mayor Sutherland read a letter from the Old Town Improvement Club, Inc., into the record.

Speaking to the Council was William Lynn, Attorney, representing Block Brother Industries, Inc.

There being no further testimony, the public hearing was declared closed at 6:00 p.m.

RESOLUTIONS:

Purchase Resolution No. 30553

Awarding contracts to:

1. Air Mac of Washington on their bid of \$11,599.13 for two electric-powered four-wheel utility vehicles - Specification No. G-060-89;
2. Stacy Plumbing Company in the amount of \$6,500.00 to increase their open purchase order for plumbing and building equipment, fixtures and supplies;
3. Pavemark Corp. on their bid of \$11,730.00 for alkyd/meleic thermoplastic pavement marking material - Specification No. G-058-89; and
4. Rejecting all bids for Tacoma Dome gutter repair - Specification No. G-231-89.

Mayor Sutherland stated that there was a Substitute Exhibit "A" for Purchase Resolution No. 30553 which would include Item No. 5, S. G. Taylor Construction, Inc., on their bid of \$242,523.05 for safety modifications to Automotive Shop 3. Mayor Sutherland moved the adoption of the Purchase Resolution, including Substitute Exhibit "A." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to waive formal bidding procedures on Item No. 2. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30554

Authorizing the execution of a lease agreement with the Federal Aviation Administration for the relocation of the Center Field Wind Mast at the Tacoma Narrows Airport.

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

Resolution No. 30555

Adopting the Policy on Acquisition and Deaccession of Works of Art regarding the acquisition, acceptance and disposition of art in the City's collection.

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

Resolution No. 30556

Authorizing the execution of an agreement with Robert J. Backstein of Preston, Thorgrimson, Ellis and Holman in the amount of \$30,000.00 to represent the City in its lawsuit against the State regarding the reimbursement of costs incurred in the implementation of the domestic violence program imposed by Initiative 62.

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

Resolution No. 30557

Authorizing the execution of an agreement with Alan R. Momohara in the amount of \$11,040.00 to conduct a Work Force Utilization and Availability Analysis to describe and analyze areas in which the City is deficient in the utilization of minority groups and women.

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

Resolution No. 30558

Authorizing an amendment and extension of the contract with Robert E. Mack from August 30, 1989 to December 31, 1989, for the coordination of legislative liaison activities for the balance of 1989.

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

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick said that in the packet received from the City Manager was a communication with regard to the negotiations taking place between the Chief of Police and the school district about the liaison program. It indicated that the Council had some prior knowledge and discussion about this; however, he stated he had no recollection of this. He expressed his concerns that the Joint Municipal Action Committee had not been involved in the discussion. He said he would appreciate the City Manager advising him as to what has taken place and requested a meeting between the staff of the Police Department who are involved in this, as well as the school personnel, and the Council so that the Council can find out if this is what the City wants to do. He said he was not sure that it made sense to discontinue the liaison program despite the pressures that the Council has for police personnel in the streets. He maintained that this is a very desirable program and should be carefully reviewed prior to taking any action.

Council Member Mykland said that he didn't receive any prior notice either. He had asked about a recommendation from Chief Fjetland about an ordinance or resolution change regarding the policy of hiring in the police department and wondered when the Council would receive that. The City Manager replied that he couldn't give him the exact date but it is on the way.

Council Member Vialle said she'd just like to second Council Member Warnick's comment about the Joint Municipal Action Committee because she didn't have any recollection of that either. She had a discussion today with Chief Fjetland but is still not satisfied and thinks the Council needs to sit down and understand what the ramifications are.

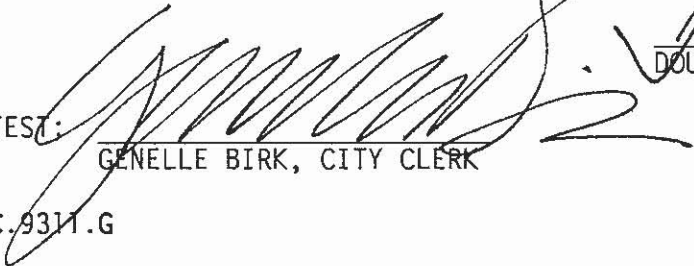

Council Member Vialle said that the northeast corner of Sixth and Jackson is evidently going to be used as a staging for the West Slope sewer construction. She stated that it is currently zoned "R-2." She said it has already been fenced off and pipe is laying there and she has had about six calls in the last 24 hours. She stated she drove by there today and the dust was so thick into that intersection it was very difficult to see. Another thing she didn't think was appropriate was the response back from one of the staff of "So what if it's 'R-2' we're going to let it go anyway." She said she thought the Council needed to have that looked at and also that if they're going to use it as a staging area then the dust needs to be taken care of in a

big hurry because there are houses directly across the street on both sides of that area plus the fact that it's covering that intersection, which is a rather large busy intersection, with a large dust cloud every time they are running equipment in there even at 4:30 p.m. this afternoon when she went by. She would appreciate the City Manager getting some action on that.

Council Member McElliott commented further and supported Mr. Warnick's concerns regarding the liaison program.

Mayor Sutherland asked the City Manager if it would be appropriate or possible to have a Public Works' neighborhood discussion on this interceptor line as it comes through from down below at Sixth Avenue. He said he had had several of his neighbors ask him about what the status is and what's going to happen to the street. He stated that such a meeting may be very helpful to the people that are going to be affected by this major construction project.

On proper motion, the meeting was adjourned at 6:20 p.m.

 ATTEST: _____ DOUG SUTHERLAND, MAYOR

 GENELLE BIRK, CITY CLERK

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