

CITY COUNCIL MINUTES

City Council Chambers
September 9, 1986

The meeting was called to order at 5:05 p.m.

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

The Flag Salute was led by Council Member Nielsen.

CONSENT AGENDA

Approval of the minutes of the regular meeting of September 2, 1986.

RESOLUTIONS:

Resolution No. 29316

Setting Tuesday, October 28, 1986 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of South 30th Street east from Gove Street. (Diana Jantzen; File No. 124.815)

APPEALS:

The Proctor and Gamble Distributing Company (File No. T-55843) appealing Audit-Assessment Notice AD-5443 of the Department of Tax and License.

Setting Wednesday, October 15, 1986 at 10:00 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, September 9, 1986.
- b. Minutes of the meeting of the Public Utility Board, August 13, 1986.
- c. Minutes of the meeting of the Landmarks Preservation Commission, August 27, 1986.
- d. Minutes of the meetings of the Tacoma Planning Commission, August 4, 1986 and August 18, 1986.
- e. Minutes of the meeting of the Urban Policy Committee, August 20, 1986.
- f. Petition from citizens concerning parking on Broadway between South 6th and South 7th Streets.
- g. Petitions from citizens supporting the decertification of the Pacific Avenue Historic District.
- h. Hearings Examiner Workload Report, Second Quarter of 1986.
- i. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., July 1986.
- j. Report of the Director of Finance, July 1986.

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- k. Volunteer Services Report, Second Quarter of 1986.
- l. Monthly Financial Reports for the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, July 1986.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 29316, be approved. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.353 to allow for expansion and additions to an existing 103-slip marina located between East 15th and 18th Streets on the east side of City Waterway (1616 East "D" Street). (City Marina, Incorporated; File No. 141.353)

Mayor Sutherland moved to remove the Communication item from the agenda. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

The communication item was removed from the agenda.

FINAL READING OF ORDINANCES:

Ordinance No. 23690 (Continued from the meeting of September 2, 1986.)

Establishing interim zoning provisions for certain properties located in the Old Town Commercial District relative to building heights pending completion of a zoning classification study and establishment of a new permanent zoning classification for the area, and declaring an emergency making necessary the immediate passage of this ordinance.

Speaking to the Council were:

Carl Teitge	Planning Commission
Stan Wagoner	President, Old Town Improvement Club
Nick Weinstein	Old Town Property Owner
John Lake	Old Town Resident
Jim Merritt	Architect, Merritt & Pardini
Cheryl Miller	Old Tacoma Improvement Club

Roll call vote was taken, resulting as follows:

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

Nays: 0.

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The Ordinance was declared passed.

Ordinance No. 23693

Authorizing the acceptance of a donation from the Kilworth Foundation in the amount of \$1,000.00; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$1,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$2,000.00 from the Miscellaneous Grants Summary Fund to help defray the cost for an exhibition of art from the St. Martin's Abbey Collection at the Tacoma Art Museum.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23694

Repealing Sections 13.07.170 through Sections 13.07.250 of the Official Code to rescind the Pacific Avenue Special Review District.

Council Member Nielsen made a point of clarification for the record regarding the Planning Commission's recommendation that a photographic record be made of the properties in question.

Council Member Nielsen stated that he had a copy of the Secretary of the Interior's standards for photographic and archeological documentation from the Federal Register (Volume 48, No. 190) and presented this for the record.

Mayor Sutherland gave the reasons for his voting in favor of this matter.

Council Member McElliott spoke in favor of this Ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Council Member Warrick announced that he would abstain from consideration of this matter and left the Council Chambers.

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Ordinance No. 23695

Vacating portions of Normal Street between Minneapolis and Busti Streets to clear an existing encroachment. (Puget Sound Mfg. Co., Inc.; File No. 124.819)

Mayor Sutherland stated that the property in question was owned by Council Member Warrick.

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.

Robert Backstein, City Attorney, stated that Mr. Jack Nicholson had asked to speak to the Council on this matter and that it would be permissible to suspend the rules and hear Mr. Nicholson.

Council Member Hyde moved to suspend the rules to allow Mr. Nicholson to speak to the Council regarding this matter. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

Jack Nicholson

Nicholson Engineering Company

After discussion, Robert Backstein stated that the Council could add to the Hearing Examiner's Conclusion No. 2 that this would not affect Busti Street and that the Hearings Examiner should take into account those concerns if there is ever a request to vacate Busti Street. He also stated that Council could add that this vacation affects only Normal Street and the Hearings Examiner should consider any concerns reflected by Mr. Nicholson when, and if, a vacation ever comes to be, or that this will not set a precedent for any future requests for vacations in that area.

Mayor Sutherland requested this be in writing prior to final reading of the Ordinance.

Robert Backstein stated that this should be added to the Hearings Examiner's report.

Ordinance No. 23696

Authorizing the execution of an amendment to the Grant and Funding Agreement for the Twelfth Year Community Development Block Grant Program with the U. S. Department of Housing and Urban Development in the amount of \$417,000.00; depositing and appropriating \$417,000.00 from the Community Development Grants Summary Fund for the purpose of undertaking and carrying out the Community Development Block Grant Program.

Mayor Sutherland moved to continue Ordinance No. 23696 to the meeting of September 16, 1986. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of September 16, 1986.

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Ordinance No. 23697

Authorizing the transfer of \$93,500.00 from the Contingency Fund to the Tacoma Dome Operating Fund; appropriating \$93,500.00 from the Tacoma Dome Operating Fund for a market analysis, design-build consultant services, traffic analysis and E.I.S. preparation on the proposed Tacoma Dome Convention Center expansion, and declaring an emergency making necessary the passage of this ordinance.

Speaking to the Council was:

Rod Hagenbuch

President, Downtown Tacoma Association

The Ordinance was set over for final reading next week.

Ordinance No. 23698

Authorizing the execution of a grant award contract with the U. S. Department of Housing and Urban Development in the amount of \$19,200.00; depositing and appropriating \$19,200.00 from the Miscellaneous Grants Summary Fund for the administration of housing programs.

The Ordinance was set over for final reading next week.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 23699. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 23699

Authorizing an amendment to the grant award agreement with the Bonneville Power Administration in the amount of \$2,224,463.00 and new grant agreements in the amounts of \$10,183,803.00 and \$285,016.00; depositing and appropriating \$12,693,282.00 from the Miscellaneous Grants Summary Fund for further implementation of the Model Conservations Standards.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Council Member Mykland moved to suspend the rules to consider Resolution No. 29324. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29324

Authorizing the Appointments Committee of the City Council to select a citizens' committee to make recommendations on procedures to follow when emergency situations occur within the City which could cause tensions between various segments of the community.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Deputy Mayor Rasmussen.

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Speaking to the Council were:

Carl Brown	N.A.A.C.P.
The Reverend Leo Brown	Pastor, Tru-Vine Community Church
The Reverend Milton Andrews	Pastor, Hillside Community Church
The Reverend David Alger	Associated Ministries of Tacoma
Delores Silas	N.A.A.C.P.
Lyle Quasim	Chairman, Tacoma-Pierce County Black Collective
Tom Dixon	Tacoma Urban League
Carla Radner	Tacoma Radical Women
Lorenzo Hendricks	Graham Resident
Ford Dumont	Tacoma Citizen

Deputy Mayor Rasmussen moved to amend the Resolution on page 1, line 17, be deleting the words, "of seven persons," and to delete all the language from page 1, line 21 through page 2, line 9, and further to continue the Resolution to the Council meeting of September 23, 1986, so that the replacement language for this section could be developed. Seconded by Council Member Hyde.

Council Member Ladenburg moved to amend the motion by deleting the language on page 1, line 21 through page 2, line 9, and inserting the words:

BE IT FURTHER RESOLVED:

That the committee be charged with the examination and investigation of community relations between the Police Department and the various ethnic communities of Tacoma;

That the committee be formed at the earliest possible date and exist for six months;

That the committee report to the Council its recommendations for possible actions, ordinances, guidelines, et cetera as the committee deems appropriate.

Seconded by Council Member Harnick.

Council Member Harnick suggested that the committee be composed of the Human Relations Commission.

After discussion, it was decided that the committee should be composed entirely of citizens.

Mayor Sutherland stated that the motion in question amended page 1, line 17, by deleting the words: "of seven persons" and also substituted Council Member Ladenburg's language in the motion presented on page 1, line 21 through page 2, line 9. Voice vote was taken and carried on the amended motion. The motion, as amended, was declared adopted.

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

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Council Member Hyde moved to recess to Executive Session to discuss pending litigation. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:30 p.m. and reconvened at 7:55 p.m.

Resolution No. 29312 (Continued from the meeting of September 2, 1986.)

Authorizing the Water Division to construct a water main in the vicinity of Sprague Avenue, south of South 74th Street to serve the new vocational school annex.

Deputy Mayor Rasmussen 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. 29317

Awarding contracts to:

1. Ben-Ko-Matic Company on their bid of \$20,211.42 for one industrial power sweeper - Specification No. G-062-86;
2. NC Machinery Company on their bid of \$72,472.11 for two 13,000 pound forklift trucks - Specification No. G-063-86; and
3. Tennant Company on their bid of \$26,333.36 for one industrial power scrubber - Specification No. G-064-86.

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

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

Resolution No. 29318

Authorizing the execution of a contract with Whitacre Engineers, Inc. to develop plans and specifications for the rehabilitation and reconstruction of structural sidewalks adjacent to the Carlton Hotel located at 1551 Broadway.

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

Resolution No. 29319

Authorizing the execution of Amendment No. 1 to the Agreement for Engineering Services with Black and Veatch Engineers-Architects for the Tacoma Landfill Remedial Investigation/Feasibility Study.

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

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Resolution No. 29320

Authorizing the execution of an amendment to the agreement with Virginia Pace for nutrition services at the Lighthouse Senior Center through December 31, 1986.

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

Resolution No. 29321

Authorizing the execution of an amendment to the interlocal government agreement with Pierce County, Port of Tacoma, City of Fife, and City of Puyallup which provides for the funding of negotiating efforts with the Puyallup Indian Tribe to extend the agreement through September 30, 1986.

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

Council Member McElliott stated that she wished to be present at any future negotiating sessions regarding this issue.

Mayor Sutherland stated that he and Council Member Ladenburg are normally present, along with appropriate staff.

Discussion followed regarding Council Member McElliott's request.

Council Member McElliott requested that she be advised and notified when the negotiating sessions are to take place so that she can attend.

Voice vote was taken and carried, with Council Member Hyde voting Nay. The Resolution was declared adopted.

Resolution No. 29322

Creating a seven-member Tacoma Dome and Convention Center Jury to advise the City Council, City Manager, and the Director of Public Assembly Facilities in matters of planning, operations, and management for the Tacoma Dome.

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

After discussion, Council Member Hyde moved to continue Resolution No. 29322 to the meeting of September 16, 1986. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of September 16, 1986.

Resolution No. 29323

Approving the amended Statement of Objectives and Projected Use of Community Development Block Grant Funds in the amount of \$417,000.00 and authorizing submission of the request for funds to the U.S. Department of Housing and Urban Development.

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Mayor Sutherland moved to continue Resolution No. 29323 to the meeting of September 16, 1986. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of September 16, 1986.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, asked that the Council pick one of two dates for a Council budget workshop. The suggested dates were September 29, 1986 or October 9, 1986. After discussion, Council concurred on the date of October 9, 1986 for the Council budget workshop.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland reminded the Council that the meeting of September 16, 1986, would be at the Tacoma Dome Convention Center. He stated that after the meeting there will be the presentation of the Tacoma Public Library Summer Reading Awards for 1986.

Mayor Sutherland moved that the City Attorney be authorized to negotiate and contribute to a settlement of the Vernon Addington lawsuit in accordance with his recommendations to the City Council. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that a settlement of the Neill Gilman lawsuit be authorized in accordance with the recommendation of the City Attorney. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:10 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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