

C I T Y C O U N C I L M I N U T E S

City Council Chambers
February 13, 1990

The meeting was called to order at 5:06 p.m.

Present on roll call: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle. Absent: 2 - Moss and Warnick.

The Flag Salute was led by Council Member Mykland.

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

Approval of the minutes of the meeting of February 6, 1990.

RESOLUTIONS:

Resolution No. 30763

Setting Tuesday, March 20, 1990, at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider amendments to Chapter 13.06 of the Official Code regarding the regulations for Day Care Centers and Family Day Care Homes.

APPEALS:

Craig and Sharon Bowes, (File No. 133.64) appealing the decision of the Hearing Examiner establishing rear and side lot property lines for 3220 Loma Court Northeast.

Setting Tuesday, April 24, 1990, at approximately 5:30 p.m. as the date for a hearing by the City Council.

Charlie Wilson, (File No. 133.65) appealing the decision of the Hearing Examiner regarding the construction of a wooden fence on the deck of his property located at the southwest corner of 6th Avenue extended and Wilton Road.

Setting Tuesday, March 13, 1990, at approximately 5:30 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, February 13, 1990.
- b. Minutes of the meeting of the Tacoma Employees' Retirement System, Investment Committee, December 28, 1989.
- c. Minutes of the meeting of the Tacoma Employees' Retirement System, Retirement Board, December 28, 1989.
- d. Minutes of the meeting of the Urban Waterfront Committee, January 10, 1990.
- e. Minutes of the meeting of the Tacoma Planning Commission, January 17, 1990.
- f. Minutes of the meeting of the Civil Service Board, January 22, 1990.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 30763, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mr. Ray Tennison of the Simpson Tacoma Kraft Company presented three checks totaling \$517,200.00 to the City to assist with the settlement of the Puyallup Indian Tribe land claim.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30764

Appointing members to various committees, boards and commissions.

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.

Mayor Vialle moved to suspend the rules to consider Resolution No. 30773. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30773

Appointing Council Member Robert Evans to fill the vacant Council non-voting liaison position on the Civic Arts Commission which term expires January 9, 1992; and appointing Council Member Greg Mykland as the City's representative on the Safe Streets Committee.

Deputy Mayor Stenger moved that the resolution be adopted. Seconded by Council Member Nielsen.

Deputy Mayor Stenger moved to amend Resolution No. 30773 on line 4 to strike the words "a vacancy exists" and insert the words "the Council non-voting liaison position is vacant." Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

FINAL READING OF ORDINANCES:

Ordinance No. 24385

Amending Chapter 13.06 of the Official Code to reclassify the property located between South Sprague Avenue and the Interstate-5 Freeway in the vicinity of South 58th Street from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to develop a proposed 14,800 square foot, one-story building with 60 off-street parking stalls on Property "A" and a proposed 17,900 square foot, one-story commercial building with 90 off-street parking stalls on Property "B". (Frank S. Mitchell; File No. 120.1274)

Roll call vote was taken, resulting as follows:

Ayes: 5 - Evans, Miller, Nielsen, Stenger, and Mayor Vialle.

Nays: 2 - McElliott and Mykland.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

Ordinance No. 24538

Vacating the southeasterly 11 feet of North 9th Street abutting the residence at 824 North Tacoma Avenue to "clear" an existing encroachment and improve the rear yard including construction of a swimming pool. (Jim and Sue Holman; File No. 124.898)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

Ordinance No. 24559

Authorizing the execution of an amendment to the Management Services Agreement, City of Tacoma Bicentennial Pavilion, to provide for the operation

of the Commencement Bay parking facilities by Tacoma Center Hotel Associates Limited Partnership; and ratifying the terms and conditions for the interim operation of these facilities by City staff.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

Ordinance No. 24560

Providing for the formation of Local Improvement District No. 5699 for the installation of water mains and fire hydrants in Pacific Avenue from South 99th Street to South 106th Street.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

Ordinance No. 24561

Providing for the formation of Local Improvement District No. 3935 for sanitary sewer construction along the shoreline area known as Salmon Beach and Salmon Beach North, from approximately North 47th Street extended to Park Avenue extended, then easterly to an existing sanitary sewer west of Scenic View Drive and Park View Lane.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Mykland, Nielsen, Stenger, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24562

Appropriating \$87,010.67 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau for the recovery of underwriting losses for the fourth quarter of 1989.

The Ordinance was set over for final reading next week.

Ordinance No. 24563

Accepting \$5,000.00 from Puget Sound Bank; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund; and authorizing the execution of an agreement with the Washington State Historical Society in support of the Washington State Historical Society's exhibit, "Russian America: The Forgotten Frontier."

The Ordinance was set over for final reading next week.

Ordinance No. 24564

Accepting \$5,000.00 from Pacific First Federal Savings Bank and depositing in and appropriating the sum of \$10,000.00 from the Miscellaneous Grants Summary Fund; and authorizing the execution of an agreement with the Tacoma Actors Guild in support of the Tacoma Actors Guild production of "The Nerd."

The Ordinance was set over for final reading next week.

Ordinance No. 24565

Authorizing the execution of a grant award contract with the U.S. Equal Employment Opportunity Commission in the amount of \$45,600.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for processing discrimination complaints.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 30762

Stating the intent of the City Council to levy the third annual assessment upon property within the Business Improvement Area; and setting Tuesday, March 6, 1990, at 5:30 p.m. as the date for a public hearing by the City Council on the budget and program for year three of the Downtown Business Improvement Area (BIA).

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

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Mayor Vialle moved to amend the date of the hearing on the Resolution from March 6, 1990 to March 13, 1990. Seconded by Council Member Mykland.

Deputy Mayor Stenger stated that he is a property owner in the BIA area through a nonprofit organization in which he is an officer.

Council Member Miller stated that he would be abstaining on the business improvement area matter since he has an interest in a partnership that has a financial concern within the BIA district.

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

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

Purchase Resolution No. 30765

Awarding contracts to:

1. R.E.P. Construction, Inc., on their bid of \$51,060.28 for Pacific Avenue replica streetlighting from South 17th Street to South 21st Street - Specification No. G-273-89;
2. Physio-Control, in the amount of \$23,009.09 for Lifepak 200 Shock Advisory System and Lifepak 5 ECG Monitor/Defibrillator - Sole Source;
3. Lige and Wm. B. Dickson Company, on their bid of \$15,375.00 for removal of litter and debris at 2315 Ruston Way - Specification No. G-016-90; and
4. Rejecting all bids received for Central Treatment Plant - tools and lab equipment - Specification No. G-072-89.

Council Member Mykland moved that the Purchase Resolution be adopted, including waiving formal bidding procedures on Item No. 2. Seconded by Council Member Evans.

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

Mayor Vialle stated that the Council would consider Public Hearings and Appeals next.

PUBLIC HEARINGS AND APPEALS: (Begin at 5:45 p.m.)

- a. This is the date set for a public hearing by the City Council to consider amending the penalty section of the zoning ordinance to identify parties responsible for compliance with Chapter 13.06 of the Official Code.

Mr. Chris Bacha, City Attorney's Office, made a presentation on the proposed amendments.

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Mayor Vialle called for testimony.

There being no testimony, Mayor Vialle declared the public hearing closed at 5:47 p.m.

- b. This is the date set for a public hearing by the City Council on a zoning amendment for a special review district for downtown Pacific Avenue. (Began at 5:48 p.m.)

Mr. Kevin Foley, Planning Department, made a presentation regarding the zoning amendments for downtown Pacific Avenue.

Council Member Miller stated that he had a business partnership in this area but would not have an affect on his consideration of this matter.

Mayor Vialle called for testimony on this matter.

There being no testimony, Mayor Vialle declared the public hearing closed at 5:51 p.m.

Resolution No. 30766

Authorizing the execution of a three year agreement with Seaheart Productions for the monthly publication of the "Tacoma Dome Event" Magazine featuring event activities of the Tacoma Dome, Cheney Stadium and Pantages Centre.

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

Resolution No. 30767

Authorizing the execution of a two year renewal of the contract with Ticketmaster Northwest for the provision of ticketing services at the Tacoma Dome and the Pantages Centre.

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

Resolution No. 30768

Authorizing the execution of an agreement with the University of Washington regarding a process for establishment and construction of the South Branch Campus.

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

Speaking to the Council was:

Jerry Hillis

Attorney representing U.W. Branch
Campus

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

Resolution No. 30769

Authorizing the release of a portion of a sewer easement located near South 61st and Sheridan Streets.

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

Resolution No. 30770

Stating the intent of the City to authorize the acceptance of a deed to the proposed Weyerhaeuser donation of a portion of the Chehalis Western Rail Line and the entering into an operating rights agreement with Weyerhaeuser Company for use of the rail lines.

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

Resolution No. 30771

Authorizing the execution of the lease conveyance agreement with the United States of America General Services Administration (GSA) as pertaining to the Union Station project.

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

Resolution No. 30772

Authorizing the execution of an amended agreement with Harper McLean and Company to provide financial advisory services for the financing of the Union Station Project.

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

UNFINISHED BUSINESS:

Deputy Mayor Stenger moved to excuse Council Members Moss and Warnick from the February 13, 1990 Council meeting.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved that the City Manager work with the City's Environmental Commission to develop a process for additional citizen review, comment, and recommendations on the proposed five-year recycling plan; further, that the City Manager make a report of his findings no later than March 2, 1990. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 6:15 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK



KAREN VIALLE, MAYOR

WPC.0419G.