

CITY COUNCIL MINUTES

City Council Chambers
July 12, 1988

The meeting was called to order at 5:03 p.m.

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

The Flag Salute was led by Council Member Nielsen.

CONSENT AGENDA

Approval of the minutes of the regular meeting of July 5, 1988.

RESOLUTIONS:

Resolution No. 30105

Approving the final plat for SKYLINE VISTA to subdivide a seven acre parcel of land located at North 10th Street and Skyline Drive into 31 single-family dwelling sites. (Tacoma Associates (SKYLINE VISTA); File No. 125.291

Resolution No. 30106

Setting Tuesday, August 16, 1988 at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider draft amendments to Chapter 13.06 of the Official Code relative to billboards and outdoor advertising.

APPEALS:

Mosleh M. Dobashi, (File No. T-23524) appealing the decision of the Hearings Examiner regarding the denial of his application for a Miscellaneous Secondhand Goods License.

Setting Tuesday, August 2, 1988 at approximately 5:30 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, July 12, 1988.
- b. Minutes of the meeting of the Tacoma Arts Commission, February 16, 1988, March 15, 1988, April 19, 1988 and May 17, 1988 and the Tacoma Arts Commission Retreat, March 12, 1988.
- c. Minutes of the meeting of the Board of Trustees of the Tacoma Public Library, May 18, 1988.

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- d. Minutes of the special meeting of the Board of Trustees of the Tacoma Public Library, May 25, 1988.
- e. Interlocal Cable Television and Communication Services Agreement with Pierce County, June 30, 1988.

Council Member Vialle moved that the Consent Agenda, including Resolution Nos. 30105 and 30106, be approved. Seconded by Council Member Nielsen.

Council Member Mykland moved to hold Resolution No. 30106 over to the Council meeting of July 19, 1988. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Council Member Moss arrived at 5:07 p.m.

REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of the request for a modification to a previously-imposed condition for the property bounded by SR-16 to the south, Cedar Street to the east, Union Avenue to the west, and the Elks Club to the north which restricted the number of freestanding signs to that permitted under present sign regulations. (Tacoma Development Ltd., Partnership; File Nos. 120.1143A/120.1144A/127.250A/130.2642A)

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

- b. Hearings Examiner advising that he has approved a one-year extension for the Preliminary Plat of Wapato Terrace Estates located in the vicinity of South 60th Street and Cushman Avenue. (Marathon Properties; File No. 125.278)

Mayor Sutherland advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 24129 (Continued from the meeting of July 5, 1988.)

Appropriating \$561,000.00 from the Self-Insurance Claim Fund to the Airport Fund for the acquisition of four buildings and related facilities at the Tacoma Narrows Airport; and declaring an emergency making necessary the passage of this ordinance.

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Mayor Sutherland said that as this Ordinance requires a unanimous vote of the entire Council he would hold this over for a few minutes until Council Member Harnick arrived.

Ordinance No. 23230

Amending Chapter 13.06 of the Official Code to reclassify the property located at the north side of 27th Street West at the intersection of Elwood drive, extended north, from a "R-2" One-Family Dwelling District to a "R-2PRD" Planned Residential Development District. (R. Lowell Magoon; File No. 120.1087)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Mayor Sutherland.

Nays: 1 - Vialle.

Absent: 1 - Harnick.

The Ordinance was declared passed.

Ordinance No. 24114

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 15th Street and Sprague Avenue from a "C-2" Commercial District to a "M-1" Light Industrial District to allow the development of a mini-warehouse storage facility and a file storage facility. (Cleworth Equities; File No. 120.1241)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Harnick.

Abstaining: 1 - Mykland.

The Ordinance was declared passed.

Council Member Harnick arrived at 5:10 p.m.

Ordinance No. 24131

Amending Chapter 13.06 of the Official Code regarding the regulation of hazardous waste treatment and storage facilities.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,
Warrick, and Mayor Sutherland.

Nays: 0.

Ordinance No. 24129 (Continued from the meeting of July 5, 1988.)

Appropriating \$561,000 from the Self-Insurance Claim Fund to the Airport Fund for the acquisition of four buildings and related facilities at the Tacoma Narrows Airport; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,
Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24132

Amending Title 12 of the Official Code by amending section 12.08.340(c) to revise sanitary sewer service rates for properties outside the corporate limits of the City of Tacoma effective August 1, 1988.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,
Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24133

Accepting a donation of \$1,000.00 from the Washington Natural Gas Company; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for expenses associated with Senior Citizens Awareness Day.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,
Warrick, and Mayor Sutherland.

Nays: 0.

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The Ordinance was declared passed.

Ordinance No. 24134

Amending Title 11 by amending section 11.18.060.A of the Official Code relating to registration, licenses, and plates for vehicles to bring the City code into compliance with State Law.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24135

Authorizing the execution of a grant and funding agreement for the Fourteenth Year Community Development Block Grant Program with the U.S. Department of Housing and Urban Development in the amount of \$2,415,000.00; depositing in and appropriating said sum from the Community Development Grants Summary Fund for Community Development Block Grant programs.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 24136

Transferring \$60,000.00 from the Contingency Fund to the General Fund; appropriating said sum to retain a consultant for the preparation of plans and estimates relating to an Alaska Ferry Terminal; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 1 - Nielsen.

The Ordinance was declared passed.

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Ordinance No. 24137

Amending the Pay and Compensation Plan to implement 1988 rates of pay in accordance with collective bargaining agreements with International Federation of Professional and Technical Engineers Local 17 and International Brotherhood of Electrical Workers Local 483 Controller and Water Units, and implementing 1987 and 1988 rates of pay for International Brotherhood of Electrical Workers Local 483, Water Pollution Control Unit.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24138

Amending the Pay and Compensation Plan to implement 1987 and 1988 rates of pay in accordance with a collective bargaining agreement with the International Brotherhood of Electrical Workers, Local 483, Clerical Unit.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 24139

Amending the Pay and Compensation Plan to implement 1988 rates of pay in accordance with a collective bargaining agreement with International Brotherhood of Electrical Workers Local 483, Light Division.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

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Ordinance No. 24140

Amending the Pay and Compensation Plan to implement 1988 rates of pay in accordance with a collective bargaining agreement with Teamsters Warehouse, Automotive, Food, Public Employees, Driver Sales and Special Services Union Local 599.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 24141

Approving and confirming the assessment roll for L.I.D. No. 8439 for the widening of cement concrete pavement and the installation of street lights on concrete standards and traffic signalization on the south side of South 19th Street from South Sprague Avenue west 1,050 feet.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24142

Approving and confirming the assessment roll for L.I.D. No. 2604 for the placement of 2-inch asphalt surface treatment on various streets in the City.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24143

Approving and confirming the assessment roll for L.I.D. No. 8462 for the placement of permanent pavement and storm drainage on South Wapato Street from South 53rd to South 54th Streets.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ruth McElliott, Council Member, read a proclamation proclaiming the week of July 11-17, 1988 "Home Security Week" in the City of Tacoma.

FIRST READING OF ORDINANCES:

Ordinance No. 24144

Amending Chapter 13.06 of the Official Code to reclassify the property located at the west side of Sprague Street approximately 140 feet north of South 64th Street from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to construct a retail commercial center. (David V. Sheean & Associates, Inc.; File No. 120.1248)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. 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. 24145

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 12th and Washington Streets from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow the development of an office building. (Michael A. Johnson; File No. 120.1251)

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.

Mayor Sutherland moved to suspend the rules to move to Public Hearings and Appeals. Seconded by Council Member Warrnick. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland stated there were two items under Public Hearings and Appeals and suggested that we listen to Citizen's Request to Be Heard first.

CITIZENS REQUEST TO BE HEARD: (5:35 p.m.)

Elise A. Berg, requesting to speak to present the views of concerned parents of the environment at the Tacoma Dome during a heavy metal concert.

Elise Berg stated that she is deferring her speaking to three other members of her group.

Gary Hartloff, Ellen Fleming and Grant Pelesky spoke to the Council regarding this matter. Ms. Fleming presented a petition to the Council with regard to heavy metal concerts.

Council Member Mykland asked the City Manager to bring a resolution before the Council next week banning festival seating at the Dome.

PUBLIC HEARINGS AND APPEALS: (6:16 p.m.)

This is date set for hearing the appeal of Raymond Hayes relative to the denial of his request for a six foot front yard variance and a 22 foot rear yard variance to allow construction of an addition to a single family home.

Council Member Warrick asked City Attorney, Bob Backstein, regarding his relationship with Mr. Seinfeld, who has represented his firm and himself personally, if that was a problem on his sitting in on discussion.

Mr. Backstein advised Council Member Warrick that if Mr. Seinfeld still represented him that it would be better if he didn't participate.

Council Member Warrick withdrew from the Council Chambers.

All members of the Council stated that they know Mr. Seinfeld and all felt that this would not influence there making a decision in this case.

Mr. Rod Kerlake, Hearings Examiner, made a presentation to the Council regarding the appeal.

Mr. Dennis Seinfeld, Attorney representing Mr. Hayes, stated the reasons for the appeal.

Mr. Hess, representing Ms. Deborah Hess, made a presentation to the Council in support of the Examiner's decision.

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The appeal was denied.

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Ordinance No. 24146

Amending Chapter 13.06 of the Official Code to reclassify the property bounded by SR-16 to the south, Cedar Street to the east, Union Avenue to the west, and the Elks Club to the north from a "C-P-C" Planned Shopping Center District to a "C-2" Commercial District to allow the development of a proposed theatre. (Tacoma Development, Ltd. Partnership; File No. 120.1231)

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. 24147

Vacating a portion of Wright Avenue, east of Pacific Avenue to utilize the property for parking and access for a high-rise multiple-family development. (Oscar T. Hokold; File No. 124.868)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warrick. 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. 24148

Authorizing the execution of an amendment to a grant award contract with the U.S. Equal Employment Opportunity Commission in the amount of \$320.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide for an increase in the number of Title VII charges for intake services.

The Ordinance was set over for final reading next week.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 24149. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24149

Authorizing the proper officers of the City of Tacoma to execute an agreement with the U.S. Department of Labor in the amount of \$50,000; providing for the deposit of said sum in the Miscellaneous Grants Summary Fund, authorizing the transfer of \$7,500 from the General Fund to the Miscellaneous Grants Summary Fund, and appropriating the sum of \$57,500, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund, for the purpose of providing outreach case management, employment and transitional housing services to homeless veterans.

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The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30107

Awarding contracts to:

1. Hill Construction Company, Inc., on their bid of \$3,006,882.00 for the resource recovery facility upgrade - Specification No. G-237-88.

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

Resolution No. 30108

Authorizing the execution of a quit claim deed granting the Pacific Traction Company Right-of-way on Stellacoom Boulevard to Pierce County to clear the title to the property.

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

Resolution No. 30109

Authorizing the execution of an agreement with the Tacoma Urban League and the Upper Tacoma Renaissance Association in the amount of \$88,709.00 to implement the K/J Street Revitalization Project.

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

Resolution No. 30110

Authorizing the execution of agreements with Tacoma Vegetable Garden, We Care Learning Center, Senior/Special Population Health and Well Being Project, Puget Sound Legal Assistance Foundation, Salishan Neighborhood Recreation Program, Emergency Food Network, Adult Literacy Project, Last Chance Shelter, Public Detection Screening, Transitional Shelter, Youth Outreach at Peoples Center and Domestic Violence Asian Pacific Outreach to implement certain public service programs.

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

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Resolution No. 30111

Authorizing the execution of agreements with Diamond Parking, Inc., and Republic Parking Northwest, Inc., for the management, operation and maintenance of the Park Plaza South and the Park Plaza North Garages.

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

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30112. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30112

Authorizing the execution of an agreement in the amount of \$60,000 with ABAM/TRA for the provision of consultant services for the preparation of plans and documents for submittal to the Alaska State Department of Transportation for the City of Tacoma to be considered for selection as the southern terminus location of the Alaska Ferry Terminal.

Mayor Sutherland 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 Stenger moved to allow Deputy Mayor Hyde to leave the country for purposes of attending a conference on wetlands and other activities relative to marshlands. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council Member Vialle stated that Joe Faker, former dedicated public servant, passed away and expressed the Council's sympathy at this loss.

Mayor Sutherland moved to recess to Executive Session to discuss a personnel matter and litigation, the session not to exceed five minutes. Seconded by Council Member McElliott. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:20 p.m.

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Mayor Sutherland returned to the chambers at 7:34 and said the Executive Session would be extended for another ten minutes.

Council reconvened at 7:35 p.m.

On proper motion, the meeting was adjourned at 7:36 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

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