

CITY COUNCIL MINUTES

City Council Chambers
November 7, 1989

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

Present on roll call: 8 - McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland. Absent: 1 - Hyde.

The Flag Salute was led by Council Member Warnick.

CONSENT AGENDA

Approval of the minutes of the regular meeting of October 31, 1989.

PETITIONS:

David Bruce Roberts, requesting the reclassification of the property located immediately south of 8005 Pacific Avenue from a "R-4-L" District to a "C-1" District.

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30632

Setting Tuesday, December 12, 1989, at approximately 5:30 p.m. as the date for a public hearing by the City Council concerning amendments to Chapter 13.06 of the Land Use Regulatory Code relating to accessory buildings.

Resolution No. 30633

Setting Tuesday, November 21, 1989, at approximately 5:30 p.m. as the date for a public hearing by the City Council concerning options for ambulance transport of 9-1-1 calls in the City of Tacoma.

APPEALS:

Mintercreek Development Company, appealing the decision of the Hearing Examiner denying the reclassification of the property located on the east side of 49th Avenue N.E. between 41st Street N.E. and 42nd Street N.E. from a "CPN" Planned Neighborhood Shopping Center District to a "R-3-PRD" Planned Residential Development District for the development of a 94 unit multiple family dwelling.

Setting Tuesday, January 9, 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, November 7, 1989.
- b. Minutes of the meeting of the Urban Waterfront Committee, October 11, 1989.
- c. Minutes of the meeting of the Tacoma Planning Commission, October 2, 1989.
- d. Minutes of the meetings of the Citizens' Affirmative Action Advisory Committee, March 15, May 17, June 21, and September 13, 1989.
- e. Tacoma-Pierce County Humane Society Total Work Report for September 1989.
- f. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, Water Division, September 1989.
- g. City of Tacoma 1990 Preliminary Program Budget.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30632 and 30633, be approved. Seconded by Council Member Mykland. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of Suggestion Awards.

Mayor Sutherland presented a cash award and a certificate to Mr. Joseph Hagala of the Public Works Department for his suggestion.

Mayor Sutherland presented a "Veteran of the Year" award to General Jack K. Gamble of the Mayor's Veterans' Task Force for his efforts on behalf of veterans.

Mayor Sutherland read a proclamation signed by himself and Joe Stortini, Pierce County Executive, which urged the citizens of Tacoma and Pierce County to recognize the merits and efforts of veterans in honor of Veterans Day. He presented the Proclamation to Mr. Kent O'Connor, chairman of the Mayor's Veterans' Task Force.

Mr. Kent O'Connor accepted the award and in turn presented a plaque to Mayor Sutherland for his efforts on behalf of veterans through his many years of service on the Tacoma City Council.

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COMMUNICATIONS:

- a. Hearing Examiner recommending approval of the request for deletion or modification of Conditions 3.b. and 3.c. for the property located on the southeast corner of Sixth Avenue and South M Street. (Plaza Hall; File No. 120.1270A)

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

- b. Hearing Examiner recommending denial of the request to vacate South 48th Street from Adams Street west to the Burlington Northern Railroad right-of-way. (D & W Leasing; File No. 124.891)

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

FINAL READING OF ORDINANCES:

Ordinance No. 24463

Amending Title 11 of the Official Code to add Chapter 11.27 relating to cruising and prohibiting such activities.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24463. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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 Substitute Ordinance was declared passed.

Ordinance No. 24464

Amending Chapter 8.12 of the Official Code to add Section 8.12.060 and 8.12.065 regarding public disturbance and noises and designating additional conduct as a public disturbance.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24464. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

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 Substitute Ordinance was declared passed.

Ordinance No. 24465

Authorizing the issuance and sale of Consolidated Local Improvement District Bond Issue No. 43 in the amount of \$286,566.09.

Mayor Sutherland moved to suspend the rules to consider Substitute pages 3, 11 and 12. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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, as amended, was declared passed.

Ordinance No. 24473

Approving an interlocal cooperation agreement with the Metropolitan Park District regarding providing City funds in the event the Park District has insufficient funds to pay debt service on certain of its bonds; and declaring an emergency making necessary the immediate passage of this ordinance.

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.

Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 5:34 p.m.)

This is the date set for a hearing to allow the public an opportunity to speak regarding the appropriate qualifications, abilities and experience requirements for the position of Tacoma City Manager.

Mayor Sutherland stated that his hearing had been set by Council motion the preceding week to allow the public input on the selection process for the position of Tacoma City Manager.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 5:36 p.m.

FIRST READING OF ORDINANCES:

Ordinance No. 24466

Amending Chapter 13.06 of the Official Code to establish a View Sensitive Overlay District for the West End View Sensitive Area (Area 1) generally bounded by Jackson Avenue/Narrows Drive on the east, South 19th Street on the south, the Narrows to the west, and Point Defiance on the north in which the height limit of structures would be reduced to 25 feet. (City of Tacoma (Planning Department; File No. 120.1284)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 24467

Amending Chapter 13.06 of the Official Code to establish a View Sensitive Overlay District for the Northeast Tacoma View Sensitive Area (Area 3) generally bounded by Marine View Drive on the southwest, the City Limits on the north and south, and Browns Point Boulevard on the east in which the height limit of structures would be reduced to 25 feet. (City of Tacoma (Planning Department; File No. 120.1286)

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading next week.

Ordinance No. 24468

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 19th and State Streets from a "R-2" One-Family Dwelling District to a "R-2T" Residential Commercial Transitional District to allow the development of a two-story 29,000 square foot medical office building. (Northwest Therapy and Rehabilitation; File No. 120.1269)

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. 24469

Authorizing the execution of an amendment to the agreement with the Pierce County Area on Aging; and accepting and depositing \$30,000.00 in the Miscellaneous Grants Summary Fund; and appropriating said sum from the Miscellaneous Grants Summary Fund for case management services for senior citizens.

The Ordinance was set over for final reading next week.

Ordinance No. 24470

Appropriating \$22,000.00 from the Cumulative Reserve-Tacoma Dome Fund for replacement radios and new forklifts; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24472

Authorizing the appropriation of \$60,000.00 from the Miscellaneous Trust Summary Fund for expenditures of the Police Department in support of narcotics law enforcement.

The Ordinance was set over for final reading next week.

Ordinance No. 24474

Authorizing the execution of an amendment to the agreement with D.L. Hansen Co. for construction management consultant services to be performed through January 31, 1990 on the Union Station Federal Courts Project; and appropriating \$36,293.85 from the Union Station Renovation Fund for the costs of said project.

b

The Ordinance was set over for final reading next week.

Ordinance No. 24475

Amending Section 1.22.050 of the Official Code to provide for evening sessions of the Municipal Court.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30634

Awarding contracts to:

1. Waterclear Company, in the amount of \$50,000.00 to increase their purchase order for polymers for belt filter press - Purchase Order No. 31318;
2. Allied Colloids, in the amount of \$50,000.00 to increase their contract for dry polymers for belt filter press - Open Purchase Order No. 33962;
3. Modulaire Industries, in the amount of \$1,207.36 to increase and extend their contract for temporary mobile office unit at the Tacoma Landfill - Purchase Order No. 17387;
4. Professional Services Unlimited, Inc., on their bid of \$44,304.00 for security guard service - Specification No. G-081-89;
5. Platt Electric Supply, in the amount of \$22,740.00 for padmount transformers for Cheney Stadium - Specification No. G-078-89;
6. Platt Electric Supply, in the amount of \$15,000.00 for annual supply of lamps and bulbs - Washington State Contract No. 125-89; and
7. Rejecting all bids submitted for structural sidewalk at 1511 Commerce Street.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item Nos. 1, 2 and 3. Seconded by Council Member Warnick.

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

Resolution No. 30635

Authorizing an amendment to the agreement with Terry B. and Gretchen Owen in the amount of \$59,125.00 for the provision of three years of secure storage space for the Tacoma Police Department.

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

Resolution No. 30636

Authorizing the execution of an agreement with the Washington State Gambling Commission in the amount of \$30,000.00 for the production of a video training film.

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

Resolution No. 30638

Authorizing the retention of the law firm of Preston, Thorgrimson, Ellis and Holman in the amount of \$70,000.00 for the defense of lawsuits commenced by the Overlook Rim General Partnership.

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

Resolution No. 30639

Authorizing the execution of agreements with the State of Washington relative to State use of the Union Station.

Mayor Sutherland moved to continue Resolution No. 30639 to the meeting of November 14, 1989. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of November 14, 1989.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick stated that this weekend the Bellarmine Lions would be representing Tacoma in the Narrows League in the Washington State AAA Football Finals. He wished them the best of luck in their endeavors.

Council Member Warnick moved that the Bellarmine Lions bring back the Triple AAA crown to the citizens of Tacoma. Seconded by Council Member McElliott.

Roll call vote was taken, resulting as follows:

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

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Nays: 0.

Absent: 1 - Hyde.

The motion was declared adopted.

Mayor Sutherland urged Council Members and all members of the public to turn out and vote at tonight's general election.

On proper motion, the meeting was adjourned at 6:00 p.m.

ATTEST: Rick Rosenblatt
for GENELLE BIRK, CITY CLERK
WPC.9830G.

DOUG SUTHERLAND, MAYOR