

CITY COUNCIL MINUTES

City Council Chambers
June 26, 1990

The meeting was called to order at 5:09 p.m.

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

The Flag Salute was led by Council Member Warnick.

Mayor Vialle explained that Council Member Mykland would be serving as Deputy Mayor at tonight's meeting. She indicated that she would be rotating this responsibility among the various council members in the Deputy Mayor's absence.

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

Approval of the minutes of the joint special meetings of the City Council and Metropolitan Park Board on June 5, and June 8, 1990, and the regular meeting of the City Council on June 19, 1990.

RESOLUTIONS:

Resolution No. 30950

Authorizing the submittal of a grant application to the Washington Traffic Safety Commission in the amount of \$77,393.00 for the continuation of the Tacoma-Pierce County Task Force on Alcohol/Driving.

APPEALS:

Interstate Mobilephone Company (Cellular One), appealing Audit Assessment No. 5884 by the Department of Tax and License. (File No. T-64481)

Setting Friday, September 28, 1990, at 9:00 a.m. as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, June 26, 1990.
- b. Minutes of the meetings of the Civil Service Board, May 21, and June 4, 1990.
- c. Minutes of the meeting of the Tacoma Planning Commission, June 4, 1990.
- d. Minutes of the meetings of the Urban Policy Committee, February 28, and May 30, 1990.
- e. Minutes of the meeting of the Public Utility Board, May 23, 1990.
- f. Minutes of the meetings of the Tacoma Public Library Board of Trustees, March 21, April 18, and May 16, 1990.
- g. Tacoma-Pierce County Humane Society & S.P.C.A. Total Service Delivery Report for April 1990.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 30950, be approved. Seconded by Council Member Mykland. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Vialle proclaimed the month of July, 1990, to be "Play Tacoma Month."

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

COMMUNICATIONS:

- a. Hearing Examiner recommending approval, subject to conditions, of the request for an amendment to Shoreline Management Substantial Development Permit No. 141.396A to allow operations to commence at 7 a.m. on weekdays on the property located on the southwest, southeast and northeast corners of Sixth Avenue Extended and the Burlington Northern Railroad right-of-ways, west of Seashore Drive. (Michael Ebert; File No. 141.396A)

Council Member Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle. Nays: 0. Absent: 2- Miller and Stenger. The motion was declared adopted.

- b. Hearing Examiner recommending approval of the requests to amend conditions with respect to the reclassification and vacation of property located in the vicinity of South Puget Sound Avenue, South 74th and 76th Streets, and South Tacoma Way to provide an alley outlet to South Puget Sound Avenue. (Robert Larson; File Nos. 120.1294 & 124.902)

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

FINAL READING OF ORDINANCES:

Ordinance No. 24643

Amending Chapter 13.06 of the Official Code to reclassify the property located at the east side of Tacoma Mall Boulevard between South 62nd and South 64th Streets from a "R-2-T" Residential-Commercial Transitional District to a "C-2" Commercial District to allow the development of a 4,600 square foot retail building. (Sprague Street Associates; File Nos. 120.1303 & 122.442)

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, McElliott, Moss, Nielsen, Warnick, and Mayor Vialle.

Nays: 1 - Mykland.

Absent: 2 - Miller and Stenger.

The Ordinance was declared passed.

Ordinance No. 24662

Amending Chapter 10.26 of the Official Code regarding Minority and Women's Business Enterprise Equal Employment Opportunity Regulations.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24662. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Miller and Stenger.

The Substitute Ordinance was declared passed.

Ordinance No. 24663

Amending Chapters 8.27 and 11.14 of the Official Code regarding notice of traffic infractions, removal of plants from the park and the issuance of permits.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Miller and Stenger.

The Ordinance was declared passed.

Ordinance No. 24664

Appropriating \$185,514.00 from the unexpended fund balance of the Tacoma-Pierce County Health Department Summary Fund to purchase modular furniture and paneling for \$165,514.00; and to expand the Needle Exchange Program by \$20,000.00.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Miller and Stenger.

The Ordinance was declared passed.

Ordinance No. 24665

Authorizing the execution of an agreement with the United States Department of Labor in contemplation of receipt of \$57,000.00 in federal matching funds; depositing said sum in the Miscellaneous Grants Summary Fund; appropriating and transferring \$7,500.00 from the unreserved General Fund balance to the Miscellaneous Grants Summary Fund; authorizing a non-interest-bearing loan of \$20,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$64,500.00 from the Miscellaneous Grants Summary Fund to provide outside case management, employment, and transitional housing services to homeless veterans; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Miller and Stenger.

The Ordinance was declared passed.

Ordinance No. 24666

Providing for the formation of L.I.D. No. 7710 for the conversion of existing overhead electrical primary, telephone and cable-TV lines to underground along Adams Street from approximately North 37th Street to North 38th Street, and along North 38th Street from Adams Street to Union Avenue.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 2 - Miller and Stenger.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24667

Vacating the remaining portion of the alley between Defiance and Visscher Streets, northerly of Westgate Boulevard to incorporate the vacated right-of-way into the commercial development abutting the east side of the alley. (Collins Condominium Corporation; File No. 124.908)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearing 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. 24668

Amending Chapter 13.06 of the Official Code to reclassify the property located in the area lying east of Tyler Street between South 40th and South 56th Streets from a "M-2" Heavy Industrial District to a "R-3-T" Residential Commercial Transitional District to comply with the South Tacoma Plan. (City of Tacoma; File No. 120.1018A)

Council Member Mykland moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over for final reading to July 10, 1990.

Ordinance No. 24669

Amending Chapter 13.06 of the Official Code to reclassify the property located on the north side of Westgate Boulevard, 300 feet west of the intersection of Westgate Boulevard and North Pearl Street from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow an office complex. (Collins Condominium Corporation; File No. 120.1300)

Council Member Mykland moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

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Final reading of the Ordinance was set over to a date to be determined.

PUBLIC HEARINGS AND APPEALS: (Began at 5:30 p.m.)

- a. This is the date set for hearing the appeal of Craig and Sharon Bowes regarding the establishment of rear and side lot property lines for the property located at 3220 Loma Court Northeast. (File No. 133.64)
(Continued from the meeting of April 24, 1990.)

Mayor Vialle stated that Craig and Sharon Bowes had written a letter withdrawing their appeal.

Council Member Warnick moved to remove the appeal of Craig and Sharon Bowes from the Agenda. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The appeal was removed from the Agenda.

- b. This is the date set for hearing the appeal of Michael Carroll, William L. Peters and Thomas Bryne regarding the development and use of a 20-stall, off-street parking area to serve as accessory parking for an existing restaurant/tavern located on the west side of North Pine Street between Sixth Avenue and North 7th Street. (Dusty Trail; File No. 121.1177)

Mayor Vialle stated that the appellants had requested that this appeal be continued to the council meeting of July 24, 1990. She stated that the letter requesting the continuance was on the dias and that Mr. Dusty Trail agreed to this continuance.

Mayor Vialle moved to continue the appeal of Michael Carroll, William L. Peters and Thomas Bryne to the meeting of July 24, 1990. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The appeal will be considered at the City Council Meeting of July 24, 1990.

- c. This is the date set for a public hearing on the Six-Year Comprehensive Street Program for 1991 through 1996 and the amended 1990 Street Program.

Mayor Vialle announced that the 23rd Street (Yakima) bridge would be considered as part of the Six-Year Street Program. She stated that there would be no separate resolution on the Agenda concerning this matter.

Gary Wheeler, Public Works Department, reviewed the proposed Six-Year Street Program.

Mayor Vialle called for a public testimony.

Speaking to the Council were:

Evelyn Dryden	2108 North Anderson
Mrs. Charles Dana (Helen W.) Rogers	2906 North 24th Street
Peter Capen	2401 North Anderson
Rick Hauck	2917 North 24th Street
Otto Matsch	7 West Road
Dave DeForrest	President, McKinley Hill Boosters
Lee Aufleger	2108 North Prospect
Terry Paine	2702 North Yakima
Renee Paine	2702 North Yakima
Tim Gosselin	2129 North Anderson
Mary Ann Petrich	51 Orchard Road
Marianne Reed	704 North Yakima

There being no further testimony, Mayor Vialle declared the public hearing closed at 6:30 p.m.

Mayor Vialle moved to suspend the rules to allow one member of the "Tennis Shoe Brigade" to speak to the Council. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Helen Harlow, Tennis Shoe Brigade, spoke to the Council concerning including the public in decisions regarding the allocating of anticipated criminal justice funds to the City by the State.

Mayor Vialle stated that the Council would take a short recess.

Council recessed at 6:49 p.m. and reconvened at 6:59 p.m.

Ordinance No. 24670

Creating and establishing a new fund to be designated as the Sports Club Grant Fund; appropriating \$30,000.00 from the Miscellaneous Grant Summary Fund; accepting donations of \$6,000.00 from Tacoma Housing Authority, \$2,000.00 from the Metropolitan Park District, \$3,000.00 from the East Side Boys' and Girls' Club, and \$12,500.00 from Alpha House; depositing in and appropriating \$53,500.00 from the Sports Club Grant Fund; and authorizing the execution of an agreement with the Tacoma Housing Authority in the amount of \$53,500.00 for implementing the Youth Sports Club Grant Program to provide a wide range of team sports and sports activities to youths residing within the Salishan area.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24670. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading to July 10, 1990.

Ordinance No. 24671

Amending Title 11 of the Official Code regarding motorcycle regulations to extend the helmet requirement to bring the Code into compliance with State law.

The Ordinance was set over for final reading to July 10, 1990.

Ordinance No. 24672

Authorizing the execution of an agreement with the Puget Sound Air Pollution Control Agency to increase the City's participation in the operation of said agency by \$5,030.00; appropriating said sum from the General Fund; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading to July 10, 1990.

Ordinance No. 24673

Transferring \$12,500.00 from the 12th Year Community Development Block Grant Fund and \$27,190.00 from the Capital Improvement Fund to the Tacoma Parking Facility Acquisition & Improvement Fund; appropriating \$39,690.00 from said fund for the construction of a public restroom at the Park Plaza North Parking Garage; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading to July 10, 1990.

RESOLUTIONS:

Purchase Resolution No. 30903

Awarding contracts to:

1. David L. Sack Construction Company, on their bid of \$892,898.51 for the Salmon Beach Wastewater Collection System L.I.D. No. LD3935 - Specification No. G-219-90;
2. R T & T Construction Company, on their bid of \$24,740.50 for the storm sewer extension on East 48th Street - East "D" Street to East "E" Street - Specification No. G-221-90;
3. Northern Commercial Company, on their bid of \$57,941.60 for a D7-G Tractor overhaul - Specification No. G-064-90;
4. Sahlberg Equipment, Inc., on their bid of \$32,966.34 for one double drum vibratory compactor (roller) with trailer - Specification No. G-032-90;

5. Candid Photo Service, in the amount of \$18,169.44 to extend their contract for photographic film processing and printing - Specification No. G-057-89;
6. Manpower, Inc., in the amount of \$45,468.32 to increase their contract for temporary services - Specification No. G-083-90;
7. Madsen Electric, in the amount of \$20,577.60 to increase their contract for intersection improvement, right turn lane and traffic signalization at South 38th and Pine Streets - Specification No. G-213-89;
8. Bank & Office Interiors, in the amount of \$14,894.49 for Steelcase Concentrx/Criterion chairs - Washington State Contract No. 111-87;
9. Aggregate Transport & Supply, Inc., on their bid of \$28,782.60 for bank run gravel and routine sewer maintenance - Specification No. G-062-90;
10. Sharp & Sons, on their bid of \$11,845.60 for a greenhouse hot water heating system - Specification No. G-057-90;
11. Westinghouse Electric Supply System Company, on their bid of \$59,911.00 for a replacement drive motor for resource recovery plant waste crusher - Specification No. G-053-90;
12. Unisource Paper, on their bid of \$3,619.19, Fraser Paper Company, on their bid of \$5,261.77, Western Paper Company, on their bid of \$12,479.43, and Kaplan Paper Company, on their bid of \$72,611.04 for annual paper supplies - Specification No. G-046-90; and
13. Sahlberg Equipment, Inc., on their bid of \$72,574.94 for one truck mounted high velocity sewer cleaner - Specification No. G-026-90.

Mayor Vialle moved to continue Purchase Item No. 1 to the meeting of July 10, 1990. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Purchase Item No. 1 will be considered at the regular City Council meeting of July 10, 1990.

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

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

Resolution No. 30951

Approving changes in the rental rates and charges for the Tacoma Convention Center meeting room facilities.

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

Resolution No. 30952

Authorizing the execution of an agreement with United Neighborhoods of Tacoma in the amount of \$71,070.00 for the continued administration of the Eastside Small Business Incubator Project.

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

Resolution No. 30953

Authorizing the execution of an agreement with Robert J. Remen in the amount of \$20,400.00 for services related to the Neighborhood Business Revitalization Program through December 31, 1990 and further authorizing an \$800.00 per month clerical allowance to increase the business loan production quota.

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

Resolution No. 30954

Authorizing the execution of Amendment No. 54 to the agreement with the Municipal Authority for the Neighborhood Preservation Program.

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

Resolution No. 30955

Designating the Union Station Site Redevelopment, University of Washington Tacoma Campus Parking, Antique Row Retail District Infrastructure, Foss Waterway Public Enhancements, Northeast Tacoma Community Center, Broadway Theater District, County Offices Parking, Downtown Conference Convention Center, 1300 Pacific Block Redevelopment Infrastructure and Ruston Way Public Enhancements as projects qualified for funding from the 0.25 real estate excise tax; and officially amending the Capital Improvement Plan to incorporate the above stated projects.

Council Member Mykland moved to suspend the rules to consider Substitute Resolution No. 30955. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30956

Approving changes to the Tacoma Dome License Fee Schedule, authorizing the execution of license agreements, and adopting the goals and operating policies for Tacoma Dome Facilities.

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. 30957

Authorizing the execution of an agreement with the Puyallup Daffodil Festival, Inc., in the amount of \$5,000.00 for services rendered relative to the 1990 Daffodil Festival.

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

Council Member Mykland stated that he was a member of the board of the Puyallup Daffodil Festival and would be abstaining on this matter before the Council.

Voice vote was taken and carried, with Council Member Mykland abstaining. The Resolution was declared adopted.

UNFINISHED BUSINESS:

Council Member Nielsen moved to reconsider the appeal of Annabelle Reed and to continue the appeal to July 17, 1990 or at a later date to be determined. Seconded by Mayor Vialle.

After discussion, voice vote was taken and carried. The motion was declared adopted.

The appeal of Annabelle Reed will be considered at the regular City Council meeting of July 17, 1990.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, requested an Executive Session to discuss potential and pending litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle reminded the public and Council that on Thursday, June 28, 1990 at 7 p.m. there would be a Council community meeting at the South End Neighborhood Center located at 7802 South L Street.

Council Member Warnick noted that there were many yard signs coming up in violation of the City ordinances. He requested that staff advise those who have been violating the City Code that they are putting these signs up too early.

Council Member Warnick noted that the Tacoma Tigers had clinched the first half pennant of the Pacific Coast League pennant.

Council Member Warnick stated that approximately one month ago the Council had requested the Human Relations Commission prepare a report in response to "Hate Crimes." He stated that the Council had received the report and there were many recommendations for the Council to deal with.

Council Member McElliott noted that there were some old election signs around town that needed to be taken down in addition to the signs going up too early.

Council Member McElliott stated that she serves on the Physical Image Committee and noted that Public Works was doing an excellent job on the work at McKinley Park.

Mayor Vialle moved to recess to Executive Session to discuss potential and pending litigation, the session not to exceed 30 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

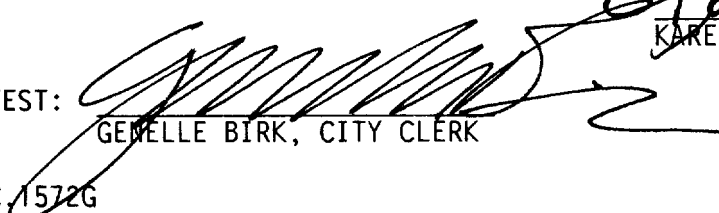
At 7:32 p.m., Mayor Vialle re-entered the Council Chambers due to a potential conflict of interest with the subject matter of the Executive Session and remained in the Council Chambers for the duration of that portion of the Executive Session.


At 7:58 p.m. Mayor Vialle extended the Executive Session for an additional 15 minutes and reentered the Executive Session.

Council reconvened at 8:15 p.m.

Mayor Vialle moved to excuse Council Member Stenger from tonight's meeting and the meeting of June 19, 1990 and to excuse Council Member Miller from tonight's Council Meeting. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:15 p.m.

ATTEST:  _____
GENELLE BIRK, CITY CLERK

 _____
KAREN VIALLE, MAYOR

WPC 1572G