

CITY COUNCIL MINUTES

City Council Chambers
June 30, 1992

The meeting was called to order by Mayor Vialle at 5:14 p.m.

Present on roll call: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

The Flag Salute was led by Deputy Mayor Mykland.

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

Approval of the minutes of the Tacoma City Council meeting of June 16, 1992 and the study session of June 2, 1992.

PETITIONS:

- a. Safeway, Inc., requesting a reclassification of the property located between South 38th and South 39th Streets and Sheridan Avenue to M Street from a "R-2/M1" to a "C-1" District. (Safeway, Inc.; File No. 120.1350)
- b. Save-A-Buck, requesting a reclassification of the property located at South 83rd Street and Park Avenue from a "C-1" to a "C-2" District. (Save-A-Buck; File No. 120.1351)

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 31803

Setting Tuesday, July 7, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council on the proposed option to sell to U.S. Generating Company approximately 17 acres of surplus property in the vicinity of Taylor Way and Alexander Avenue for a new generation plant.

ASSESSMENT ROLLS:

The Director of Public Works presents the assessment rolls for the following:

- a. L.I.D. No. 8541 for asphalt concrete paving on the alley between North 35th and North 36th Streets from North Proctor to North Adams Streets and the alley between East 62nd and East 63rd Streets from East S to East T Streets.
- b. L.I.D. No. 8536 for the installation of permanent pavement and the construction of a storm sewer in East G Street from East 25th to East 26th Streets and North 40th Street from North Bennett to North Shirley Streets.
- c. L.I.D. No. 2614 for the installation of two-inch asphalt surface treatment on West Street from McKinley Avenue west 200 feet and South 16th Street from Titlow to Crystal Springs Roads.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, June 30, 1992.
- b. Minutes of the meetings of the Charter Review Committee, June 8 and 15, 1992.
- c. Minutes of the meeting of the Human Rights Commission, May 21, 1992.
- d. Minutes of the meeting of the Municipal Authority, Economic Development, June 4, 1992.
- e. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, April 30, 1992.

Council Member Moss moved that the Consent Agenda, including Resolution No. 31803, be approved. Seconded by Council Member Miller. 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 Vialle declared the month of July 1992 as "Play Tacoma Month 1992" and presented the proclamation to Cathy Pearsall-Stipek of the Metropolitan Park Board.

Mayor Vialle then called on Erik Berg, Police Department, and presented him with a check and certificate for his suggestion regarding the CAD system software revisions.

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of the request to modify a previously-approved development plan for the property located at 5319 Tacoma Mall Boulevard to convert one of the existing residences to a small delicatessen and catering service as an interim use of the property. (Wamon D. and Vien T. Floyd; File No. 120.1302.A)

Mayor Vialle 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.

- b. Hearings Examiner recommending that the request of Life Center for the vacation of the property located on Lawrence Street south of South 16th Street for construction of a non-profit assisted living facility be remanded to the Department of Public Works. (Life Center; File No. 124.955)

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

- c. Hearings Examiner submitting recommendations regarding the impact of the Joint Land Use Study on the request to reclassify the property located on the northwest corner of the intersection of South 80th and Pine Streets from a "R-4-L" Low Density Multiple-Family Dwelling District and a "R-2" One-Family Dwelling District to a "R-3PRD" Planned Residential District to allow the construction of 445 residential units. (Investco Financial Corporation; File Nos. 120.1298 & 127.305)

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

Deputy Mayor Mykland announced that the continuation of the appeal between Arlington Residential Coalition and the United States Air Force, appellants, versus Investco Financial Corporation, will be set to a date to be determined.

FINAL READING OF ORDINANCES:

Ordinance No. 25128 (Continued from the meeting of June 23, 1992.)

Amending Chapter 13.10 of the Official Code relative to the Tacoma Shoreline Master Program ("S-3" Western Slope North Shoreline District) to allow the modification of existing use and development regulations which apply to the overwater residential community of Salmon Beach.

Council Member Miller moved to suspend the rules to consider a substitute ordinance. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Council Member Baarsma moved to suspend the rules to consider Ordinance No. 25128 Substitute No. 2. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance No. 2 was declared passed.

Ordinance No. 25123

Vacating a portion of the surplus right-of-way at the northeast corner of South 12th and Stevens Streets to combine the vacated area with the abutting property to landscape the resulting yard. (William L. Hanson; File No. 124.954)

Mayor Vialle and Council Member Baarsma both stated that they knew William Hanson, but that this would have no bearing on their decision on this matter.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 25100

Amending Chapter 13.06 of the Official Code to reclassify the property located on the northwest corner of North Parkway and Bristol Street from a "R-2" One-Family Dwelling District to a "R-3-PRD" Planned Residential Development District Retirement Homes to allow the development of eight duplexes and an addition to an existing residence hall. (Paul J. Casey/The Franke Tobey Jones Home; File No. 120.1343)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 25132

Appropriating \$300,000 from the Communication Equipment Replacement Fund to purchase additional radio equipment for the Police, Fire and Public Works Departments.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25133

Amending Chapter 1.12 of the Official Code to implement rates of pay for represented and unrepresented employees and changes in classifications to reflect the organizational structure.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25134

Repealing Sections 6.76.050, 6.76.060, 6.76.070, 6.76.080, 6.76.090 and 6.76.100 of the Official Code and amending Section 6.76.120 relative to the public display of fireworks, sale, transportation, discharge, storage, or use of fireworks within the City of Tacoma effective July 1, 1993.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Baarsma, Evans, McElliott, Mykland, Silas, and Mayor Vialle.

Nays: 3 - Miller, Moss, and Nielsen.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25135

Vacating portions of street and alley rights-of-way between South J and K Streets from South Fourth to Sixth Avenue to expand an existing medical center and attendant facilities. (MultiCare Health Systems; File No. 124.952)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. 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. 25136

Annexing the 50-acre site known as the Leach Creek Holding Basin located 300 feet west of Orchard Street in Pierce County between 35th and 37th Streets West, to the City of Tacoma.

The Ordinance was set over for final reading next week.

Ordinance No. 25137

Authorizing the execution of a grant agreement with the United States Department of Housing and Urban Development in the amount of \$2,496,530.32; and appropriating said sum from the Community Development Grants Summary Fund for the Eighteenth Year Community Development Block Grant Program.

The Ordinance was set over for final reading next week.

Ordinance No. 25138

Authorizing the execution of agreements with the State of Washington Department of Veteran Affairs and the Martin Luther King Ecumenical Center for outreach, case management, employment and transitional housing services for homeless veterans; transferring \$7,500 from the General Fund to the Miscellaneous Grants Summary Fund to match \$58,000 from the Department of Labor; appropriating \$65,500 from the Miscellaneous Grants Summary Fund; authorizing a non-interest bearing loan of \$20,000 from the General Fund to the Miscellaneous Grants Summary Fund to be repaid by December 12, 1993; and declaring an emergency making necessary the passage of this ordinance.

Mayor Vialle moved to continue Ordinance No. 25138 to the meeting of July 7, 1992. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of July 7, 1992.

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Ordinance No. 25139

Amending Chapters 13.03 and 13.04 of the Official Code to provide for the division of industrial or commercial land by use of the binding site plans.

The Ordinance was set over for final reading next week.

Ordinance No. 25140

Amending Chapter 12.10 of the Official Code to implement the 1992 Drought Surcharge Schedule and Curtailment Enforcement Measures effective July 2, 1992 through December 31, 1992; and declaring an emergency making necessary the passage of this ordinance.

Speaking to the Council was:

Evan McCord

6707 South Bell Street

Ordinance No. 25141

Amending Chapters 13.06 and 13.10 of the Official Code to include the south end of the Blair Waterway and Wapato Creek in the "S-10" Shoreline District.

The Ordinance was set over for final reading next week.

Ordinance No. 25142

Accepting \$1,010,000 from Pierce County from the motor vehicle license fee receipts; appropriating said sum to the Local Option Transportation Revenue Account of the Miscellaneous Special Revenues Fund for transportation projects in the Six-Year Comprehensive Street Program; and amending the 1991/1992 Biennial Budget.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 31785 (Continued from the meeting of June 23, 1992.)

Adopting the Downtown Master Parking Study as the guide for future parking policy for the City of Tacoma.

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

Council Member Miller moved to continue Resolution No. 31785 to the meeting of July 7, 1992. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of July 7, 1992.

Purchase Resolution No. 31804

Awarding contracts to:

1. Totem Electric, on their bid of \$102,282.35 for traffic signalization on South Tacoma Way and Washington Street - Specification No. G-219-92;
2. Western Paper Company, in the amount of \$42,104.95 to increase their contract for annual paper supplies - Purchase Order No. 06015; and
3. Sahlberg Equipment, Inc., on their bid of \$109,865.20 for one street flusher truck - Specification No. G-026-92.

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

Resolution No. 31805

Authorizing the execution of an amendment to the agreement with Russell Building Partnership for fifty additional parking stalls at Park Plaza North.

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Mayor Vialle. Voice vote was taken and carried, with Council Members Miller and Evans voting nay. The Resolution was declared adopted.

Resolution No. 31806

Authorizing the execution of agreements with the Towns of Ruston and South Prairie for public health services.

Deputy Mayor 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. 31807

Authorizing the purchase of property in the T and E Gulch located near East 44th and E Streets for open space purposes.

Deputy Mayor 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. 31808

Amending the Land Use Management Plan to include the annexed 712 acres in the Port Industrial Area; and designating this area for "high-intensity uses."

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Deputy Mayor 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. 31809

Authorizing the execution of an agreement with the Greater Lakes Mental Health Foundation in the amount of \$89,600 to renovate a building located at 40th and North Baltimore Streets to provide special needs housing for chronically mentally ill adults.

Deputy Mayor 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. 31810

Authorizing the execution of an agreement with Stanley & Seafort's Saloon & Grill in the amount of \$4,000 for advertising space at the Tacoma Dome.

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

Resolution No. 31811

Authorizing the execution of an amendment to the agreement with Molyneaux Associates, Inc., to provide additional data on the Tacoma Eastern Railroad, Train to the Mountain project.

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

UNFINISHED BUSINESS:

Council Member Evans moved to reconsider actions on LID No. 7718. Seconded by Council Member Baarsma. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle obtained clarification from Council Members Evans and Baarsma that they were on the prevailing side on this matter at last week's council meeting.

Council Member Miller moved to amend the decision of this Council to read that we move to defer the special benefits study to precede the hearing on the Assessment Roll. Seconded by Mayor Vialle.

Council Member Baarsma stated that the reasons for this action were that there should be a full council for making decisions on this matter, the Council was establishing a policy and should do it with a full council, and that Council Member Miller would have changed his vote to be on the prevailing side and to reconsider this anyway.

Council Member Miller stated that this action would bring the Council in line to be consistent with the two LIDs from last week's council meeting.

Mayor Vialle and Council Member Silas stated they appreciated bringing this matter back for their consideration since they were absent from last week's meeting.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Abstaining: 1 - McElliott.

The motion was declared adopted.

Council Member Evans asked after follow-up inquiry from his question on liability of sellers of fireworks from last week's council meeting.

John Kouklis, City Attorney's Office, gave a response to Council Member Evans' inquiry regarding the liability of sellers on fireworks.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, introduced Assistant Fire Chief Dick Moore who would be serving as special assistant in the City Manager's Office for the next three months.

Mr. Corpuz brought to the Council's attention that on the south wall of the Council Chambers a 15 foot diameter rug commissioned by Metropolitan Parks to commemorate Tacoma's involvement in international relations. He stated there would be an ordinance before the Council next week to accept the rug.

He then requested an Executive Session, not to exceed 15 minutes, regarding labor negotiations.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to cancel the City Council meetings of August 4 and 11, 1992. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council Member Miller stated that perhaps the rug could be lowered in the Council Chambers so that the location of the sister cities could be more easily viewed.

Mayor Vialle thanked the Metropolitan Park District for the rug.

Council Member McElliott asked if Council would vote again on LID No. 7717.

Council Member Baarsma stated that the Hearings Examiner had indicated that they would vote again on this matter.

Council Member McElliott stated that is why they were not sure they would be able to vote again on LID No. 7717 and that is why she had abstained. She then stated that the fireworks ordinance had caused some damage to service organizations. She had indicated this was an unexpected blow to their revenues and it would be up to the Council to find away to assist them. She would present their ideas to Council in writing at a later date.

Mayor Vialle stated that she seconded what Council Member McElliott had said in regards to the service clubs. She urged everyone to remember the service clubs during the annual United Way contribution campaign and through other means.

Council Member Nielsen requested that staff develop for next week's Friday letter an impact statement on the effect that banning fireworks would have on the revenues from those 22 firework stands in the City of Tacoma.

Council Member Moss stated that he would be involved with the Washington State Legislature to deal with the issue of the availability of illegal fireworks.

Council Member Evans stated that a study on the impact of the fireworks ban should include a study of damages.

Council Member McElliott asked to have a particular designation of how LIDs were brought to the Council. She wanted to ensure that all three factors remonstrative, approving, and unanswering of individuals are presented to the Council. She stated that staff were preparing that at this time.

Mayor Vialle moved to recess to Executive Session, not to exceed 15 minutes, to discuss labor negotiations. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Council recessed at 7:25 p.m. and reconvened at 7:30 p.m.

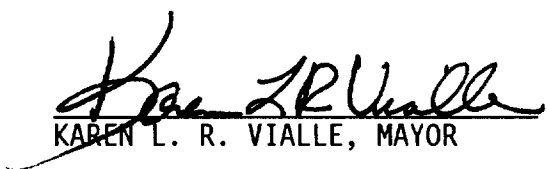
On proper motion, the meeting was adjourned at 7:31 p.m.

ATTEST:

OS.7602G



GENELLE BIRK, CITY CLERK



KAREN L. R. VIALLE, MAYOR