

## CITY COUNCIL MINUTES

City Council Chambers  
August 4, 1987

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

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

The Flag Salute was led by Council Member Nielsen.

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### CONSENT AGENDA

Approval of the minutes of the regular meeting of July 28, 1987.

#### APPEALS:

- a. Eric T. Blitz, appealing the decision of the Hearings Examiner relative to the request for a Shoreline Management Substantial Development Permit to allow the proposed development of a restaurant with associated parking and landscaping in the vicinity of Sixth Avenue extended and the Burlington Northern Railroad right-of-way, west of Seashore Drive. (Michael Ebert; File No. 141.396)

Setting Tuesday, August 18, 1987 at approximately 5:30 p.m. as the date for hearing by the City Council.

- b. Real Estate Information, Ltd., (File No. T-41905) appealing the decision of the Hearings Examiner relative to Audit Assessment Notice No. AD 5494 by the Department of Tax and License.

Setting Tuesday, August 25, 1987 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, August 4, 1987.
- b. Minutes of the meeting of the Citizen Appreciation and Participation Program Steering Committee, May 28, 1987.
- c. Minutes of the meeting of the Municipal Authority, July 16, 1987.
- d. Minutes of the meeting of the Public Utility Board, July 8, 1987.
- e. Minutes of the meetings of the Tacoma Public Library Board of Trustees, June 17, 1987 and June 24, 1987.

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- f. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, and Water Division, June 1987.
- g. City of Tacoma 1987 Annual Detail Budget.
- h. Rules and Regulations for Implementation of Tacoma Energy Code; 1987

Council Member Nielsen moved that the Consent Agenda be approved. Seconded by Council Member Warrnick. Voice vote was taken and carried, with Deputy Mayor Rasmussen abstaining on consideration of Appeal a. (Eric T. Blitz).. The Consent Agenda was declared approved.

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REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 23899

Vacating a portion of the northeast corner of South 13th Street and Pacific Avenue for construction of a parking garage over the existing underground garage. (Pacific Cities; File No. 124.842)

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warrnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 23907

Appropriating \$210,000.00 from the General Fund, for the purpose of paying for increased Jail operation costs.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Hyde

Abstains: 1 - Rasmussen

The Ordinance was declared passed.

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Ordinance No. 23908

Amending Sections 6.64.160, 6.65.220, 6.66.110 and 6.68.390 of the Official Code relative to filing initial notices of appeal with the City Clerk and relative to fixing times for the hearing of such appeals.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde

The Ordinance was declared passed.

Ordinance No. 23909

Amending Chapter 13.04, 13.06, 13.10, and 13.12 of the Official Code relative to land use permit fees.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde

The Ordinance was declared passed.

Ordinance No. 23910

Amending Chapter 6.68 of the Official Code relative to allowing local manufacturers a credit for gross earnings taxes paid to other taxing jurisdictions.

Roll call vote was taken, resulting as follows:

Ayes: 8 - McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Harnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Hyde

The Ordinance was declared passed.

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Ordinance No. 23911

Amending the Pay and Compensation Plan to implement 1987 rates of pay in accordance with collective bargaining agreements with Teamsters Local 599, IBEM Local 483, and Pierce County and Tacoma City Employees Local 120, and creating the classifications of Assistant Engineering Instrumentation Technician and Neighborhood Center Supervisor.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Hyde

The Ordinance was declared passed.

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Mayor Sutherland proclaimed the week of August 3-9, 1987, to be "Schuck's Tacoma Grand Prix Week," and presented the proclamation to Mark McClure.

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Mayor Sutherland commended Police Patrol Officers Richard McCrea, John Maine, Greg Hopkins, Peggy Lince, and Identification Technician Robert Phillips for their participation in the fourth annual "Lawman 1000" on June 27 and 28, 1987. He reviewed the itinerary of the motorcycle riders in their efforts to raise money for the Make-A-Wish Foundation.

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FIRST READING OF ORDINANCES:

Ordinance No. 23912

Amending Ordinance No. 23849 to authorize execution of a grant award contract with the State of Washington Department of Social and Health Services in the amount of \$5,180.00; depositing said sum in the Miscellaneous Grants Summary Fund, and appropriating \$5,180.00 from the Miscellaneous Grants Summary Fund to design and implement a Child Care Resource and Referral System.

The Ordinance was set over for final reading next week.

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**Ordinance No. 23913**

Creating and establishing the Union Station Renovation Fund; authorizing a temporary interest-bearing loan in the amount of \$325,000.00 from the UDAG Grant Trust Fund to the Union Station Renovation Fund; transferring \$175,000.00 from the Capital Improvement Fund to the Union Station Fund; and appropriating \$500,000.00 from the Union Station Renovation Fund for preliminary work for the Union Station Renovation Project.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 23913. Seconded by Council Member Mykland. Voice vote was taken and carried, with Deputy Mayor Rasmussen abstaining. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

**Ordinance No. 23914**

Authorizing the execution of a contract amendment with the Pierce County Area Agency on Aging to provide reimbursement for services rendered to senior citizen case management clients; accepting \$18,500.00 from the Pierce County Area Agency on Aging; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$18,500.00 from the Miscellaneous Grants Summary Fund for said purpose.

The Ordinance was set over for final reading next week.

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**RESOLUTIONS:**

**Resolution No. 29700** (Continued from the meeting of July 28, 1987.)

Adopting the Pacific Avenue Design Study as an element of the Land Use Management Plan.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 29700. Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

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

**Purchase Resolution No. 29710**

**Awarding Contracts to:**

1. Northwest Cascade, Inc., in the amount of \$18,336.10 for an emergency contract for the repair of the sanitary sewer in the alley behind 3017 North Washington Street - H.O. CA2802;
2. United Supply Company to increase their contract by \$7,000.00 for miscellaneous plumbing supplies;

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3. Pioneer Masonry Restoration Company Inc., on their bid of \$285,163.34 for traffic deck coating in the Park Plaza Garages - Unit B - Specification No. G-246-87;
4. Totem Electric of Tacoma, Inc., on their bid of \$87,186.00 for traffic signalization at North 11th and Union and Stevens and Proctor Streets - Specification No. G-214-87;
5. G. K. Equipment Company, Inc., on their bid of \$10,965.88 for one 10-cubic yard self-contained compactor type refuse container - Specification No. G-062-87;
6. Rainier Welding on their bid of \$35,423.08 for a mezzanine for the shop building, Refuse Utility Division - Specification No. G-228-87; and
7. Moza Construction on their bid of \$25,667.00 for steel pole replacement on Park Avenue, South 64th to South 82nd Streets - Specification No. G-242-87.

Mayor Sutherland moved that the Purchase Resolution be adopted. Seconded by Deputy Mayor Rasmussen.

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

Resolution No. 29711

Adopting the Rules and Regulations for Implementation of the Tacoma Energy Code.

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. 29712

Authorizing the execution of a License Agreement for the Tacoma Dome Facilities and amending the rental rates for the use of the Tacoma Dome with respect to events using the Tacoma Dome Convention Center and ordering food services.

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

Resolution No. 29713

Expressing the intent of the Tacoma City Council to approve the policy of reducing the number of officers assigned to the Police Liaison Program.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 29713. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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Speaking to the Council was:

Norman Anderson

1914 North Union

Roll call vote was taken on the Substitute Resolution, resulting as follows:

Ayes: 4 - Nielsen, Rasmussen, Stenger, and Mayor Sutherland.

Nayes: 4 - McElliott, Moss, Mykland, and Harnick.

Absent: 1 - Hyde.

The Substitute Resolution was declared failed.

Resolution No. 29714

Conveying to the Washington State Legislature support of a revised state and local tax structure.

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

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PUBLIC HEARINGS AND APPEALS: (Began at 6:26 p.m.)

This is the date for hearing the appeal of Edward McFerran Company (File No. 134.29) of the decision of the Hearings Examiner to deny a request for a special development permit to allow an existing six-unit apartment complex in the vicinity of North 20th Street and Alder Street (3114 North 20th Street) to have seven units.

Mayor Sutherland reviewed the procedures for appeals before the Tacoma City Council.

David Akana, Hearings Examiner, submitted Exhibits 3a and 3e which were omitted from the materials provided to the Council in their packets. He also provided copies to the other parties involved.

Mayor Sutherland stated that these exhibits would be considered page 112a of the Council Agenda.

David Akana then reviewed the matter before the Council.

William Bergsten, Attorney representing the Edward McFerran Company, presented the reasons for the appeal.

Paul Munson, representing the neighborhood, spoke in support of the Hearings Examiner's decision.

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Hazel Meyers spoke in support of the Hearings Examiner's decision.

Ann Munson also spoke in support of the Hearings Examiner's decision.

William Bergsten spoke to the Council in rebuttal.

After discussion Council Member Nielsen moved to concur in the findings, conclusions and recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Mykland.

Council Member Nielsen moved to amend the prior motion to direct City staff to record the decision of the Hearings Examiner and the decision of the Council relative to this property with the Pierce County Auditor. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

The appeal was denied.

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REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that staff has requested an Executive Session to discuss litigation.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Mykland expressed concerns regarding recent discussions relative to the security of the downtown parking garage facilities.

Erling O. Mork, City Manager, clarified the intent of the downtown business people regarding proposed changes to the parking garage security plan.

Deputy Mayor Rasmussen stated that approximately two weeks ago he had sent a letter to the Council regarding his business firm participating in the Union Station project. Since that time his firm has made a business decision not to participate in the Union Station project and he will remain on the Tacoma City Council through December 31, 1987.

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Mayor Sutherland stated that subsequent to the resolution relative to the Goodwill Games various governmental entities had met with the organizing committee for the Goodwill Games to discuss local government participation. He requested that the City Manager include discussion of the Goodwill Games and the swimming pool at next Tuesday's study session.

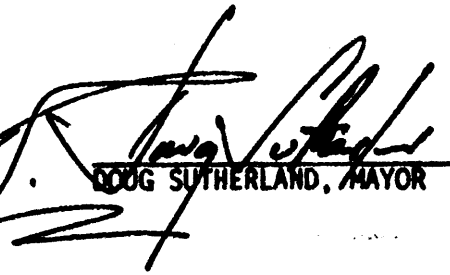
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Council Member Nielsen moved to recess to Executive Session to discuss litigation, the session not to exceed 20 minutes. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:20 p.m. and reconvened at 7:34 p.m.

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On proper motion, the meeting was adjourned at 7:35 p.m.

  
DOUG SUTHERLAND, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

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