

CITY COUNCIL MINUTES

Public Utilities Building Auditorium
June 9, 1987

The meeting was called to order at 5:07 p.m.

Present on roll call: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Harnick, and Mayor Sutherland. Absent: 1 - Stenger (Council Member Stenger arrived at 5:15 p.m.).

The Flag Salute was led by Mayor Sutherland.

Mayor Sutherland introduced Brian McKenna, Stadium High School student, who was spending the day with the Mayor.

CONSENT AGENDA

PETITIONS:

Tim Rooney requesting the reclassification of the property located at the south side of East 57th Street between McKinley Avenue and Chehalis-Western Railroad from an "R-2" to an "M-1" District.

Trammell-Crow Company requesting the reclassification of the property located at the southwest corner of South 48th Street and Tacoma Mall Boulevard from an "R-2-T" to a "C-2" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 29628

Setting Tuesday, July 7, 1987 at 6:00 p.m. as the date for public hearing by the City Council concerning the draft Pacific Avenue Design Study.

Resolution No. 29629

Setting Tuesday, August 4, 1987 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate South 18th Street between Yakima Avenue and "I" Street, the alley between Yakima Avenue and "I" Street from South 17th to South 18th Streets, and a portion of the air rights over "I" Street at South 18th Street. (St. Joseph Health Center; File No. 124.841)

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Resolution No. 29630

Ratifying the submission of a grant application to the Department of Housing and Urban Development in the amount of \$245,000.00 for continuation of Tacoma's Rental Rehabilitation Program.

APPEALS:

Mrs. Gordon E. Mandt appealing the decision of the Hearings Examiner relative to the request for reclassification of the property located in the vicinity of South 72nd and Hosmer Streets. (Barghausen Consulting Engineers, Inc.; File Nos. 120.1202 and 121.1070)

Setting Tuesday, June 30, 1987 at 6:00 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, June 9, 1987.
- b. Minutes of the meeting of the Citizen Appreciation and Participation Program Steering Committee, April 23, 1987.
- c. Minutes of the meeting of the Civil Service Board, May 18, 1987.
- d. Minutes of the meeting of the Landmarks Preservation Commission, May 27, 1987.
- e. Minutes of the meeting of the Natural Systems Citizens Advisory Committee, April 9, 1987.
- f. Minutes of the meeting of the Public Utility Board, May 13, 1987.
- g. Minutes of the meeting of the Tacoma-Pierce County Board of Health, May 6, 1987.
- h. Minutes of the meeting of the Tacoma Planning Commission, May 18, 1987.
- i. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, and Water Division, April 1987.
- j. Report of the Director of Finance, April 1987.
- k. Economic Status Report, January through April 1987.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 29628 and 29629, and 29630 be approved. Seconded by Council Member Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 23823

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of North 33rd and Shirley Streets from an "R-2" One-Family Dwelling District to an "R-3-PRD" Planned Residential Development District for the development of a 108-unit apartment complex. (Cleworth Equities Group, Inc.; File No. 120.1194)

Mayor Sutherland moved to consider Ordinance No. 23823, as corrected. 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 - Hyde, McElliott, Moss, Nielsen, Rasmussen, Warnick, and Mayor Sutherland.

Nays: 1 - Mykland.

Absent: 1 - Stenger.

The Ordinance, as corrected, was declared passed.

Ordinance No. 23845

Vacating the east side of "A" Street and the west side of Cliff Avenue (Schuster Parkway) together with portions of South 9th and South 10th Streets for a multi-story office building. (Frank Russell Company; File No. 124.829)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

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Mayor Sutherland moved to consider Substitute Ordinance No. 23851 subsequent to the public hearing later in the Council meeting. Seconded by Council Member Warrnick.

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

Ordinance No. 23869

Amending Chapter 11.14 of the Official Code to make refusal to sign a written promise to appear and failure to stop when requested to do so by a law enforcement officer chargeable offenses.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Ordinance No. 23871

Accepting a donation of \$5,000.00 from Parents Advocating Vocational Education; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$5,000.00 from the Miscellaneous Grants Summary Fund for the construction of the Tacoma Learning Community Facility.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

Council Member Stenger arrived at 5:15 p.m.

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Ordinance No. 23873

Amending the Pay and Compensation Plan to implement 1987 rates of pay pursuant to collective bargaining agreements with various unions and amending the provisions on motor vehicle allowances.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23874

Appropriating \$76,000.00 from the Strong Motion Instrumentation Program Fund to the General Fund, appropriating said sum from the General Fund for the continuation of the Dangerous Building Program in 1987, and declaring an emergency making necessary the passage of this ordinance.

Mayor Sutherland moved to suspend the rules to consider substitute Ordinance No. 23874. 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 - Hyde, McElliott, Moss, Mykland, Nielsen, Rasmussen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 23875

Amending Chapter 8.31 of the Official Code relative to the destruction and removal of litter and vegetation.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 23876

Amending Chapter 1.44 of the Official Code relative to updating voting precinct designations in City Council election districts.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 29631

Awarding contracts to:

1. Robison Construction, Inc., on their bid of \$3,038,466.71 for arterial street improvement on Taylor Way, Lincoln Avenue to East-West Road - Specification No. G-201-87;
2. E.J. Rody & Sons on their bid of \$55,511.61 for sanitary sewer installation for the central area development project at the City of Tacoma Landfill - Specification No. G-233-87;
3. C&A Electronics on their bid of \$16,980.90 for the Tacoma Municipal Building CCTV surveillance system - Specification No. G-232-87;
4. Lincoln Construction, Inc., on their bid of \$64,897.76 for the second floor addition to the Youth Treatment Center - Specification No. G-019-87;
5. Andy Anderson Company on their bid of \$11,295.04 for tables and storage racks for the Tacoma Dome - Specification No. G-033-87; and
6. Capital Industries, Inc., on their bid of \$51,479.09 for metal refuse containers - Specification No. G-025-87.

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

Mr. Ben Thompson, Public Works Department, stated that Robison Construction had withdrawn their bid on Item No. 1 and provided substantiation for the withdrawal of their bid. He stated that the City Attorney's Office had recommended that Robison Construction be allowed to withdraw their bid and substitute the second low bidder, Tucci & Sons, Inc.

Council Member Nielsen moved to eliminate the bid of Robison Construction, Inc., and accept the bid of Tucci & Sons, Inc., in the amount of \$3,568,381.97. Seconded by Council Member Warrick.

Mr. Thompson stated that it was recommended that the bid bond be returned to Robison Construction, Inc.

Mayor Sutherland clarified that this was a friendly amendment to the motion of Council Members Nielsen and Warrick.

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5. Andy Anderson Company on their bid of \$11,295.04 for tables and storage racks for the Tacoma Dome - Specification No. G-033-87; and
6. Capital Industries, Inc., on their bid of \$51,479.09 for metal refuse containers - Specification No. G-025-87.

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

Resolution No. 29632

Authorizing the execution of an agreement with Ogden Allied Leisure Services, Inc., for the provision of concession services at the Tacoma Dome.

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

Resolution No. 29633

Authorizing the execution of a Warranty Deed and two Temporary Construction Permits with the State of Washington for the construction of an off-ramp from SR-16 to Center Street in the vicinity of Cheney Stadium.

Council Member 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. 29634

Adopting the 6-Year Comprehensive Street Program for the years 1988 through 1993 and the Amended 1987 Street Program.

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

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Resolution No. 29635

Authorizing the execution of a close-out agreement with the U.S. Department of Housing and Urban Development relative to the Tacoma Holiday Inn project.

Council Member 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. 29636

Authorizing the execution of an extension of the Option Agreement with Burlington Northern Railroad Company for the Union Station property.

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

Resolution No. 29637

Authorizing the execution of an agreement with Robert J. Remen in the amount of \$36,000.00 to provide financial analysis and technical assistance to businesses through June 30, 1988.

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

Resolution No. 29638

Authorizing the execution of an agreement with the Tacoma Community House in the amount of \$32,400.00 to provide training for volunteers to tutor functionally illiterate adults.

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

Resolution No. 29639

Expressing the intent of the City Council to demolish the Municipal Dock Building and authorizing the proper officers of the City to proceed with steps toward such demolition.

Council Member Mykland spoke regarding his reasons for presenting this Resolution to the Council for consideration. He expressed concerns regarding possible fire hazard, asbestos, security and insurance difficulties with this building. He stated it was his intention to set this Resolution over for final reading to August 25, 1987 to allow for a plan or solution to the problem of this building to be brought before the Council.

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Mayor Sutherland moved to consider adoption of Resolution No. 29639. Seconded by Council Member Mykland.

Council Member Stenger gave a narration of the history of the Municipal Dock Building and requested to see options brought before the Council for possible use of the Municipal Dock Building. He further stated that he would like the building secured from unauthorized entry and for the staff to look at other uses for the building.

Mayor Sutherland moved to continue Resolution No. 29639 to the meeting of August 25, 1987. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried, with Council Member McElliott voting nay. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of August 25, 1987.

Resolution No. 29640

Expressing support of the recommendations of the Tacoma-Seattle Transit Connections Study and directing staff to cooperate with Puget Sound Council of Governments, Pierce Transit, and the City of Fife to develop an implementation plan.

Mayor Sutherland moved to suspend the rules to consider substitute Resolution No. 29640. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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

PUBLIC HEARINGS AND APPEALS: (Began at 5:52 p.m.)

This is the date set for public hearing on the acquisition of off-street parking facilities and the financing thereof.

Mr. Jack Creighton gave a presentation to the Council regarding the parking facilities.

Mayor Sutherland called for public testimony.

There being no testimony, Mayor Sutherland declared the public hearing closed at 5:57 p.m.

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Substitute Ordinance No. 23851 (Continued from the meeting of June 2, 1987.)

Providing for the issuance and sale of \$3,925,000.00 of limited tax general obligation bonds to acquire parking facilities in the downtown area and to make improvements to certain of those such facilities.

Mayor Sutherland moved to suspend the rules to consider substitute pages 1, 2, 4, 5, 6, and 16. Seconded by Council Member Hyde.

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

Roll call vote was taken, resulting as follows:

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

Nays: 1 - McElliott.

The Substitute Ordinance, as amended, was declared passed.

UNFINISHED BUSINESS:

Mayor Sutherland called on Mr. Ken Olson, Public Utilities Department, to speak regarding the water sample presented to the Council last week by Ms. Mozella Pooley.

Mr. Olson stated that the water presented was not a true sample of City of Tacoma water. He stated that this water had been affected by a hydroprecipitator which was sold by local companies and had a detrimental affect on the water for which they would in turn sell purifying chemicals and devices. He stated that a complaint had been filed with the State Consumer Protection Division relative to this matter. He also stated that Tacoma water was well under allowable limits for mineral content per the Washington State Department of Social and Health Services requirements.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Hyde commented on a recent U.S. Supreme Court decision relative to compensation to persons when restrictions bar them from their land. He stated this might have an affect relative to City land use matters and requested that Mr. Robert Backstein review this for the Council.

Robert Backstein, City Attorney, spoke regarding this recent Supreme Court decision and indicated that further information would be following prior to a more thorough review of the Court decision.

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CITY OF DESTINY AWARDS PRESENTATION (Began at approximately 6:10 p.m.)

Mayor Sutherland welcomed participants and individuals to the 1987 City of Destiny Awards and introduced William Keilman, Chair of the Citizen Appreciation and Participation Program Steering Committee.

Mr. Keilman spoke regarding the selection process for the award winners.

Mayor Sutherland then introduced Council Member Greg Mykland who commented on the award program.

Mayor Sutherland then presented City of Destiny Award plaques to honor the following individuals and organizations: Hattie L. Crisp, Dr. Franklyn L. Hruza, Maggie Keely, Bill R. Maki, Elodie Vandever, David Leister, Judie Rehberger and Mary Harrison accepting for the G.F.W.C. Junior Woman's Club of Tacoma, Deanne Baer accepting for the Junior League of Tacoma, Kevin Merrill accepting for Pierce County Landscape Contractors Association, and Reverend Joe Ellis accepting for the Tacoma Rescue Mission.

Mayor Sutherland then congratulated all the award winners and nominees for the awards and stated that a reception would immediately follow the program.

On proper motion, the meeting was adjourned at 7:50 p.m.

ATTEST 
GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

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