

CITY COUNCIL MINUTES
(Corrected)

City Council Chambers
August 14, 1990

The meeting was called to order at 5:04 p.m.

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

The Flag Salute was led by Council Member Moss.

Council Member McElliott arrived at 5:05 p.m.

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

PETITIONS:

Tires Away, Inc., requesting the reclassification of the property located at 5535 McKinley Avenue from a "C-1" Commercial District to a "C-2" Commercial District. (Tires Away, Inc.; File No. 120.1321)

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 31009

Setting Tuesday, September 25, 1990, at approximately 5:30 p.m. as the date for a public hearing regarding an amendment to the Official Code relating to the exemption for height within any development or subdivision greater than 30 acres within view-sensitive districts.

Resolution No. 31010

Setting Tuesday, September 18, 1990, at 10:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of Junett Street north of South Tacoma Way. (Parker Paint Manufacturing Co., Inc.; File No. 124.925)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, August 14, 1990.
- b. Minutes of the meeting of the Tacoma-Pierce County Board of Health, June 6, 1990.
- c. Minutes of the meeting of the Tacoma Planning Commission, July 16, 1990.
- d. Minutes of the meeting of the Civil Service Board, July 16, 1990.
- e. Report of the Director of Finance, June 1990.
- f. Order of Dismissal, Benoy Carpet Warehouse; File No. T-25237.
- g. 1991 Puget Sound Water Quality Management Plan.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31009 and 31010, 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.

Deputy Mayor Stenger presented a certificate and a cash award to Mr. Steven Nelson, of the Public Works Department, for his suggestion to construct a trailer which would serve as a gardener's shop on wheels and provide for the secure storage and transport of equipment and materials.

Resolution No. 31011

Appointing Dawn Lucien to the Public Utility Board for a five-year term expiring June 30, 1995.

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

Deputy Mayor Stenger proclaimed August 18, 1990, as Paint Tacoma Beautiful Day and presented the proclamation to Ms. Jan Leng of Associated Ministries.

COMMUNICATIONS:

- a. Hearing Examiner recommending approval of the request for modification of a previously approved site plan for the property located on the west side of South Puget Sound Avenue, north of South 76th Street to retain an existing garage for the storage of vehicles. (Robert Larson; File No. 120.1294A)

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

- b. City Attorney submitting the Findings, Conclusions & Decision of the Council regarding the appeal of Dermonte and Marie Cave. (Dermonte and Marie Cave; File Nos. 130.3051 and 131.117)

Council Member Evans moved to concur in the Findings, Conclusions and Decision of the Council. Seconded by Council Member Mykland. Voice vote was taken and failed. The motion was declared lost.

FINAL READING OF ORDINANCES:

Ordinance No. 24692

Amending Chapter 13.06 of the Official Code to establish a "C-1" and a "C-2" Commercial Special Review District in the 26th and Proctor Commercial District. (City of Tacoma; File No. 120.1307)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24698

Authorizing the execution of a grant award agreement with the State of Washington, Department of Social and Health Services in the amount of \$10,000.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for promoting employer child care resource and referral services and developing technical assistance capacity for employer support child care options.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Substitute Ordinance No. 24699

Amending the Compensation Plan to implement 1990, 1991 and 1992 rates of pay for Tacoma Dome employees represented by the Warehouse, Automotive, Food, Public Employees, Driver Sales & Special Services Union, Local 599 effective January 1, 1990, through December 31, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, Miller, Moss, Mykland, Nielsen and Deputy Mayor Stenger.

Nays: 2 - McElliott and Warnick.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24700

Accepting \$5,000.00 from Grantmakers Consultants, Inc. and \$3,000.00 from the Tacoma-Pierce County Chamber of Commerce; and depositing in and appropriating said sums from the General Fund to support the Tacoma Community Summit project.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24701

Appropriating \$40,000.00 from the Capital Programming of Public Improvements and Acquisitions in City Waterway Fund to cover additional costs for the Foss Waterway Boardwalk Project.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24702

Accepting \$2,500.00 from the Pierce County Medical Bureau; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$2,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$5,000.00 from the Miscellaneous Grants Summary Fund for the production of "Eliza and the Lumberjack;" and authorizing the execution of a related agreement with Tacoma Little Theater.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24702. Seconded by Council Member Moss. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Substitute Ordinance was declared passed.

Ordinance No. 24703

Appropriating \$147,711.67 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau for recovery of second quarter underwriting losses for 1990.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24704

Authorizing the execution of a grant award agreement with the State of Washington, Department of Social and Health Services in the amount of \$4,773.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide training to Tacoma area child care providers.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen,
Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24705

Amending Chapter 13.06 of the Official Code by adding five new subsections and Chapter 13.06.386, to provide regulations and design criteria for the development of self-service storage facilities in "C-2" Commercial and "C-P-C" Planned Shopping Centers.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen,
Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24706

Amending Chapter 8.12 of the Official Code by repealing and re-enacting Section 8.12.010 regarding disorderly persons to comply with State law.

Council Member Nielsen moved to suspend the rules to consider Substitute Ordinance No. 24706. Seconded by Council Member Mykland. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen,
Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24707

Vacating North 3rd Street between "K" and "L" Streets, northwesterly of Division Avenue to provide on-site parking for the abutting church and the Bavarian Restaurant. (Jesse O. Thomas and Christ Church; File No. 124.913)

Council Member Moss 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.

RESOLUTIONS:

Resolution No. 30997 (Continued from the meeting of August 7, 1990.)

Authorizing the execution of an option to lease agreement with Investco Financial Corporation for the lease of City property located at 1145 Dock Street.

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

Council Member Miller stated that due to a possible conflict he would refrain from voting on this resolution and left the Chambers.

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

Purchase Resolution No. 31012

Awarding contracts to:

1. Aaberg's, Inc., in the amount of \$7,000.00 to increase their contract for temporary rental services - Open Purchase Order No. 35236;
2. Delta Rail Corporation, on their bid of \$187,082.00 for automated railroad signals on Taylor Way at Lincoln Avenue and East-West Road - Specification No. G-203-90;
3. R.E.P., Inc., in the amount of \$2,388.14 to increase their contract for electrical wiring repair at City of Tacoma Asphalt Plant - Emergency Purchase Order No. E-35877;
4. Brodsky's, in the amount of \$12,400.00 to increase their contract for miscellaneous police uniform equipment - Open Purchase Order No. 35645; and
5. Brodsky's, in the amount of \$14,249.50 to increase their contract for police ballistic vests - Informal Bid No. 007325.

Council Member Mykland moved that the Purchase Resolution be adopted and that formal bidding procedures be waived on Item Nos. 1 and 4. Seconded by Council Member Miller.

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

Resolution No. 31013

Authorizing the negotiation and execution of a real estate option agreement with Sithe Energies for the purchase of eight acres of surplus property adjoining the Alexander Substation site.

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

Resolution No. 31014

Authorizing the substitution of certain obligations for existing securities deposited pursuant to an Escrow Agreement for the Light Division Electric System Refunding Revenue Bonds for 1985 to realize additional savings; and further authorizing the Director of Finance to approve the substituted obligations subject to certain requirements.

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. 31015

Authorizing the execution of a latecomers agreement with Block Brothers, Inc., to collect contributions from property owners whose development adds to the demand for an increased 40-foot width of Norpoint Way to meet arterial standards.

Council Member 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. 31016

Authorizing the execution of a release and termination agreement with Vine Street Associates, successors in interest to the Tribune Communication Company, per the Concomitant Zoning Agreement filed with the Pierce County Auditor.

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

Council Member Nielsen moved to suspend the rules to consider "Public Hearings and Appeals." Seconded by Council Member Warnick. Voice vote was taken and carried.

PUBLIC HEARINGS AND APPEALS: Began at 5:31 p.m.

This is the date set for a joint public hearing by the Tacoma City Council and the Tacoma Port Commission to consider a proposed alternative recommendation for SR-509, East-West Corridor, I-705 to East 11th Street and Marine View Drive.

Deputy Mayor Stenger invited Port Commissioners to come to the dias.

Mr. Jerry Ficklin, Project Manager for SR-509, made a presentation to the Council and the Port Commissioners regarding this matter.

Deputy Mayor Stenger stated that the Council has a letter from Mr. Ed Hudson and that Mayor Vialle has agreed to have a video shown which Mr. Gene Lewis will introduce. He said that the letter from Mr. Hudson indicates that ten people will not speak because of the video being shown.

Mr. Gene Lewis showed a video that was commissioned by a group called T.O.P.I.C. (Tacoma Open Port Improvement Committee).

Speaking to the Council were:

Alex Candu	Tacoma resident
Ruth Fisher	Member of State Legislature, Chairman of House Transportation Committee
Dave McEntee	Simpson Tacoma Kraft Company
Kenneth Nyberg	Assistant City Manager for City of Federal Way
Lloyd Doctor	McFarland Cascade
Steven Anderson	3140 East 11th Street
Don Zemek	Tacoma-Pierce County Chamber of Commerce
Gene Heidal	Jones Washington Stevedoring Co.
Chris Quinn-Brittell	Browns Point resident
Joe Buhaly	Browns Point resident
Dale Gredler, City Planner	City of Fife
Steve Stringfellow	Acting Fire Chief for Pierce County Fire District No. 10
Ted Bolten	Pierce County Building Trades Council
Fred Olson	President of AK-WA Ship Repair Co.
Ed Hudson	Tacoma resident
Phillip Lelli, Sr.	Vice-President Longshoremen's Union
Capt. Calvin Hunsinger, Jr.	Port Angeles Pilots
Marion Weed	Tacoma resident

There being no further testimony, Deputy Mayor Stenger declared the public hearing closed at 7:20 p.m.

Deputy Mayor Stenger moved to recess for five minutes. Seconded by Council Member Mykland. Voice vote was taken and carried.

Council recessed at 7:25 p.m. and reconvened at 7:37 p.m.

Resolution No. 31017

Authorizing the release of a drainage easement near North 10th Street and Sunset Drive to clear title to the property.

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

Resolution No. 31018

Authorizing the execution of an 18-month lease agreement with Pierce Transit in the amount of \$97,000.00 for the use of 325 stalls in Parking Lot G at the Tacoma Dome to implement an express bus service to downtown Seattle, Monday through Friday.

Council Member Warnick moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Mykland abstaining as he is employed by Pierce Transit. The Resolution was declared adopted.

Resolution No. 31019

Authorizing the transmittal of the ballot measure based on the initiative petition presently before the Council to amend Tacoma's law against discrimination to prohibit discrimination in employment, housing, public accommodations, credit, and insurance on the basis of real or perceived sexual orientation or an individual's beliefs about sexual orientation to the Pierce County Auditor to be placed on the ballot for the November 6, 1990, General Election.

Council Member Warnick moved that the Resolution be adopted. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows:
Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 1 - Mykland. Absent: 1 - Mayor Vialle. The Resolution was declared adopted.

UNFINISHED BUSINESS:

Council Member Mykland stated that earlier in the meeting, under Communications, the Council addressed a communication item concerning the appeal of Dermonte and Marie Cave that dealt with File Nos. 130.3051 and 13.117. He indicated he wasn't too sure about the results of the vote and felt that maybe there was some room for reconsideration of this matter.

Council Member Warnick asked if it was proper for a motion for reconsideration to be requested at this time. He was informed that it would be out of order unless there was a motion to suspend the rules to reconsider.


Council Member Mykland moved to suspend the rules to reconsider this item. Seconded by Council Member Evans.

Council Member Warnick asked the Clerk, who had originally moved and seconded the motion, to approve this communication. The Clerk stated that Mr. Evans moved to concur in the Findings, Conclusions and Decision of the Council and that Mr. Mykland seconded the motion.

Voice vote was taken and carried on the motion to reconsider the decision of the Council, with Council Member Warnick voting Nay and Council Member Nielsen abstaining. The motion was declared passed.

Deputy Mayor Stenger asked that this item be placed on the agenda for August 21.

On proper motion, the meeting was adjourned at 7:41 p.m.



THOMAS R. STENGER, DEPUTY MAYOR

ATTEST: 

GENEVIEVE BIRK, CITY CLERK

WPC.1985G

CITY COUNCIL MINUTES

City Council Chambers
August 14, 1990

The meeting was called to order at 5:04 p.m.

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

The Flag Salute was led by Council Member Moss.

Council Member McElliott arrived at 5:05 p.m.

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

PETITIONS:

Tires Away, Inc., requesting the reclassification of the property located at 5535 McKinley Avenue from a "C-1" Commercial District to a "C-2" Commercial District. (Tires Away, Inc.; File No. 120.1321)

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- d. Minutes of the meeting of the Civil Service Board, July 16, 1990.
- e. Report of the Director of Finance, June 1990.
- f. Order of Dismissal, Benoy Carpet Warehouse; File No. T-25237.
- g. 1991 Puget Sound Water Quality Management Plan.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31009 and 31010, 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.

Deputy Mayor Stenger presented a certificate and a cash award to Mr. Steven Nelson, of the Public Works Department, for his suggestion to construct a trailer which would serve as a gardener's shop on wheels and provide for the secure storage and transport of equipment and materials.

Resolution No. 31011

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

Deputy Mayor Stenger proclaimed August 18, 1990, as Paint Tacoma Beautiful Day and presented the proclamation to Ms. Jan Leng of Associated Ministries.

COMMUNICATIONS:

- a. Hearing Examiner recommending approval of the request for modification of a previously approved site plan for the property located on the west side of South Puget Sound Avenue, north of South 76th Street to retain an existing garage for the storage of vehicles. (Robert Larson; File No. 120.1294A)

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

- b. City Attorney submitting the Findings, Conclusions & Decision of the Council regarding the appeal of Dermonte and Marie Cave. (Dermonte and Marie Cave; File Nos. 130.3051 and 131.117)

Council Member Evans moved to concur in the Findings, Conclusions and Decision of the Council. Seconded by Council Member Mykland. Voice vote was taken and ~~carried~~. The motion was declared ~~failed~~. *lost*

failed

FINAL READING OF ORDINANCES:

Ordinance No. 24692

Amending Chapter 13.06 of the Official Code to establish a "C-1" and a "C-2" Commercial Special Review District in the 26th and Proctor Commercial District. (City of Tacoma; File No. 120.1307)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24698

Authorizing the execution of a grant award agreement with the State of Washington, Department of Social and Health Services in the amount of \$10,000.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for promoting employer child care resource and referral services and developing technical assistance capacity for employer support child care options.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Substitute Ordinance No. 24699

Amending the Compensation Plan to implement 1990, 1991 and 1992 rates of pay for Tacoma Dome employees represented by the Warehouse, Automotive, Food, Public Employees, Driver Sales & Special Services Union, Local 599 effective January 1, 1990, through December 31, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, Miller, Moss, Mykland, Nielsen and Deputy Mayor Stenger.

Nays: 2 - McElliott and Warnick.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24700

Accepting \$5,000.00 from Grantmakers Consultants, Inc. and \$3,000.00 from the Tacoma-Pierce County Chamber of Commerce; and depositing in and appropriating said sums from the General Fund to support the Tacoma Community Summit project.

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Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24701

Appropriating \$40,000.00 from the Capital Programming of Public Improvements and Acquisitions in City Waterway Fund to cover additional costs for the Foss Waterway Boardwalk Project.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24702

Accepting \$2,500.00 from the Pierce County Medical Bureau; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$2,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$5,000.00 from the Miscellaneous Grants Summary Fund for the production of "Eliza and the Lumberjack;" and authorizing the execution of a related agreement with Tacoma Little Theater.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24702. Seconded by Council Member Moss. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Substitute Ordinance was declared passed.

Ordinance No. 24703

Appropriating \$147,711.67 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau for recovery of second quarter underwriting losses for 1990.

Roll call vote was taken, resulting as follows:

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Authorizing the execution of a grant award agreement with the State of Washington, Department of Social and Health Services in the amount of \$4,773.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide training to Tacoma area child care providers.

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Roll call vote was taken, resulting as follows:

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Nays: 0.

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The Ordinance was declared passed.

Ordinance No. 24706

Amending Chapter 8.12 of the Official Code by repealing and re-enacting Section 8.12.010 regarding disorderly persons to comply with State law.

Council Member Nielsen moved to suspend the rules to consider Substitute Ordinance No. 24706. Seconded by Council Member Mykland. Voice vote was taken and carried.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warrnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 1 - Mayor Vialle.

The Substitute Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24707

Vacating North 3rd Street between "K" and "L" Streets, northwesterly of Division Avenue to provide on-site parking for the abutting church and the Bavarian Restaurant. (Jesse O. Thomas and Christ Church; File No. 124.913)

Council Member Moss 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.

RESOLUTIONS:

Resolution No. 30997 (Continued from the meeting of August 7, 1990.)

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

Council Member Miller stated that due to a possible conflict he would refrain from voting on this resolution and left the Chambers.

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

Purchase Resolution No. 31012

Awarding contracts to:

1. Aaberg's, Inc., in the amount of \$7,000.00 to increase their contract for temporary rental services - Open Purchase Order No. 35236;
2. Delta Rail Corporation, on their bid of \$187,082.00 for automated railroad signals on Taylor Way at Lincoln Avenue and East-West Road - Specification No. G-203-90;
3. R.E.P., Inc., in the amount of \$2,388.14 to increase their contract for electrical wiring repair at City of Tacoma Asphalt Plant - Emergency Purchase Order No. E-35877;
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Council Member Mykland moved that the Purchase Resolution be adopted and that formal bidding procedures be waived on Item Nos. 1 and 4. Seconded by Council Member Miller.

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

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

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Authorizing the execution of a release and termination agreement with Vine Street Associates, successors in interest to the Tribune Communication Company, per the Concomitant Zoning Agreement filed with the Pierce County Auditor.

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

Council Member Nielsen moved to suspend the rules to consider "Public Hearings and Appeals." Seconded by Council Member Warnick. Voice vote was taken and carried.

22

PUBLIC HEARINGS AND APPEALS: Began at 5:31 p.m.

This is the date set for a joint public hearing by the Tacoma City Council and the Tacoma Port Commission to consider a proposed alternative recommendation for SR-509, East-West Corridor, I-705 to East 11th Street and Marine View Drive.

Deputy Mayor Stenger invited Port Commissioners to come to the dias.

Mr. Jerry Ficklin, Project Manager for SR-509, made a presentation to the Council and the Port Commissioners regarding this matter.

Deputy Mayor Stenger stated that the Council has a letter from Mr. Ed Hudson and that Mayor Vialle has agreed to have a video shown which Mr. Gene Lewis will introduce. He said that the letter from Mr. Hudson indicates that ten people will not speak because of the video being shown.

Mr. Gene Lewis showed a video that was commissioned by a group called T.O.P.I.C. (Tacoma Open Port Improvement Committee).

Speaking to the Council were:

Alex Candu
Ruth Fisher

Tacoma resident
Member of State Legislature,
Chairman of House Transportation
Committee

Dave McEntee
Kenneth Nyberg

Simpson Tacoma Kraft Company
Assistant City Manager for City of
Federal Way

Lloyd Doctor
Steven Anderson
Don Zemek

McFarland Cascade
3140 East 11th Street
Tacoma-Pierce County Chamber
of Commerce

Gene Heidal
Chris Quinn-Brittell
Joe Buhaly
Dale Gredler, City Planner
Steve Stringfellow

Jones Washington Stevedoring Co.
Browns Point resident
Browns Point resident
City of Fife

Ted Bolten

Acting Fire Chief for
Pierce County Fire
District No. 10

Fred Olson
Ed Hudson
Phillip Lelli, Sr.
Capt. Calvin Hunsinger, Jr.
Marion Weed

Pierce County Building Trades
Council
President of AK-WA Ship Repair Co.
Tacoma resident
Vice-President Longshoremen's Union
Port Angeles Pilots
Tacoma resident

There being no further testimony, Deputy Mayor Stenger declared the public hearing closed at 7:20 p.m.

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Deputy Mayor Stenger moved to recess for five minutes. Seconded by Council Member Mykland. Voice vote was taken and carried.

Council recessed at 7:25 p.m. and reconvened at 7:37 p.m.

Resolution No. 31017

Authorizing the release of a drainage easement near North 10th Street and Sunset Drive to clear title to the property.

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

Resolution No. 31018

Authorizing the execution of an 18-month lease agreement with Pierce Transit in the amount of \$97,000.00 for the use of 325 stalls in Parking Lot G at the Tacoma Dome to implement an express bus service to downtown Seattle, Monday through Friday.

Council Member Warnick moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken and carried with Council Member Mykland abstaining as he is employed by Pierce Transit. The Resolution was declared adopted.

Resolution No. 31019

Authorizing the transmittal of the ballot measure based on the initiative petition presently before the Council to amend Tacoma's law against discrimination to prohibit discrimination in employment, housing, public accommodations, credit, and insurance on the basis of real or perceived sexual orientation or an individual's beliefs about sexual orientation to the Pierce County Auditor to be placed on the ballot for the November 6, 1990, General Election.

Council Member Warnick moved that the Resolution be adopted. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows:
Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 1 - Mykland. Absent: 1 - Mayor Vialle. The Resolution was declared adopted.

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UNFINISHED BUSINESS:

Council Member Mykland stated that earlier in the meeting, under Communications, the Council addressed a communication item concerning the appeal of Dermonte and Marie Cave that dealt with File Nos. 130.3051 and 13.117. He indicated he wasn't too sure about the results of the vote and felt that maybe there was some room for reconsideration of this matter.

Council Member Warnick asked if it was proper for a motion for reconsideration to be requested at this time. He was informed that it would be out of order unless there was a motion to suspend the rules to reconsider.

Council Member Mykland moved to suspend the rules to reconsider this item. Seconded by Council Member Evans.

Council Member Warnick asked the Clerk, who had originally moved and seconded the motion, to approve this communication. The Clerk stated that Mr. Evans moved to concur in the Findings, Conclusions and Decision of the Council and that Mr. Mykland seconded the motion.

Voice vote was taken and carried on the motion to reconsider the decision of the Council, with Council Member Warnick voting Nay and Council Member Nielsen abstaining. The motion was declared passed.

Deputy Mayor Stenger asked that this item be placed on the agenda for August 21.

On proper motion, the meeting was adjourned at 7:41 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


THOMAS R. STENGER, DEPUTY MAYOR

WPC.19858.

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