

CITY COUNCIL MINUTES

City Council Chambers  
February 4, 1992

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

Present on roll call: 8 - Baarsma, Evans, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle. Absent: 1 - McElliott.

The Flag Salute was led by Council Member Nielsen.

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CONSENT AGENDA

Mayor Vialle encouraged citizens to vote tonight at the polls on school district issues.

RESOLUTIONS:

Resolution No. 31623

Setting Tuesday, March 17, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council on the "Thea Foss Waterway Design and Development Plan."

Resolution No. 31624

Setting Monday, February 24, 1992, at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. 6970 for the installation of modern sodium vapor street lights along Fairview Drive from Hegra Road to South 12th Street.

Resolution No. 31625

Authorizing the submission of a grant application to the U.S. Department of Housing and Urban Development in the amount of \$60,000 for 1992 Emergency Shelter Grant funds.

Resolution No. 31626

Approving the final plat for PINNACLE POINTE Division II, for 72 residential building lots in the vicinity of 56th Street Northeast and Overview Drive Northeast. (Project Management, Inc., Pinnacle Pointe Division II; File No. 125.303B)

APPEALS:

- a. Harry E. Donovan, appealing the decision of the Hearings Examiner relative to a request for a Shoreline Management Substantial Development/Conditional Use Permit/Variance to allow the completion of a three-story addition to an existing overwater, single-family dwelling and to allow the dwelling to exceed the 35-foot height limit for buildings constructed in the "S-3" Western Slope North Shoreline District for the property located at #76 Salmon Beach. (Harry E. Donovan; File No. 141.322A)

Setting Tuesday, March 17, 1992, at approximately 5:30 p.m. as the date for a hearing by the City Council.

- b. David Sheean, appealing the decision of the Hearings Examiner relative to the reclassification of property located at the northeast corner of South 90th and Hosmer Streets from a "R-2" One-Family Dwelling District and "R-2-T" Residential Commercial District to a "C-2" Commercial District and "R-2-T" Residential Commercial Transitional District. (David Sheean; File No. 120.1331)

Setting Tuesday, March 3, 1992, at approximately 5:30 p.m. as the date for a hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, February 4, 1992.
- b. Minutes of the meeting of the Landmarks Preservation Commission, January 22, 1992.
- c. Minutes of the meeting of the Municipal Authority, Economic Development, January 2, 1992.
- d. Citizens' petition in support of the Neighborhood Commercial Business District Matching Fund Program as a proposal for the Community Development Block Grant-funded program.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31623, 31624, 31625 and 31626, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

Mayor Vialle proclaimed the week of February 9-15, 1992, to be "Child Passenger Safety Awareness Week," and presented the proclamation to Mr. Flint.

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COMMUNICATIONS:

Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.514 to allow bridge and roadway improvements at three sites on Marine View Drive between Hylebos Creek and East 11th Street. (City of Tacoma Public Works Department; File No. 141.514)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Nielsen. Roll call vote was taken, resulting as follows: Ayes: 8 - Baarsma, Evans, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle. Nays: 0. Absent: 1 - McElliott. The motion was declared adopted.

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FINAL READING OF ORDINANCES:

Ordinance No. 25052

Amending Chapter 12.07 of the Official Code relative to energy coordination and exchange agreements.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

Ordinance No. 25054

Accepting \$5,000 from Lorig Associates, Inc.; depositing in and appropriating said sum from the UDAG Trust Fund for the payment of attorneys' fees in connection with the Commencement Bay Building project.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - McElliott.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25053 (Continued from the meeting of January 28, 1992.)

Amending Chapter 13.06 of the Official Code to reclassify the property located between South 60th and South 62nd Streets on the west side of South Puget Sound Avenue from a "R-3" Two- and Three-Family Dwelling District to a "C-2" Commercial District to allow off-street parking for a new and used automobile sales and car wash facility. (Sanford Motors, Inc.; File No. 120.1340)

Council Member Miller moved to amend the conditions recommended for this rezone by adding the following condition:

The use of the site shall be limited to an off-street parking area/car wash facility as represented at hearing and no changes from this use shall be made unless authorized by the City Council upon a showing that any new or different uses will not have any more of an impact on the surrounding residential neighborhood. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved to overturn the recommendations of the Hearings Examiner and deny the rezone. Seconded by Council Member Baarsma. Roll call vote was taken resulting as follows: Ayes: 3 - Baarsma, Evans and Deputy Mayor Mykland. Nays: 5 - Miller, Moss, Nielsen, Silas and Mayor Vialle. Absent: 1 - McElliott. The motion failed.

Council Member Nielsen moved to concur in the findings, conclusions and recommendations of the Hearings Examiner, as amended. Seconded by Council Member Moss. Roll call vote was taken resulting as follows: Ayes: 5 - Miller, Moss, Nielsen, Silas and Mayor Vialle. Nays: 3 - Baarsma, Evans and Mykland. Absent: 1 - McElliott. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

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PUBLIC HEARINGS AND APPEALS: (Begin at 5:50 p.m.)

- a. This is the date set for hearing the appeal of Day Island Club relative to the decision of the Hearings Examiner on the trimming and removal of trees on 12.09 acres of property located on the slope between South 19th Street and 27th Street West. (Westridge Associates; File No. 133.77)

Council Member Miller declared his affiliation and past dealings with Mr. Murray Anderson, and indicated this will not influence his decision on this matter.

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Mr. Gordon Crandall, Hearings Examiner pro tem, spoke regarding his decision relative to the trimming and removal of trees.

Mr. Murray Anderson representing the appellant, Day Island Club, presented reasons for the appeal.

Mr. Bill Lynn representing Westridge Associates spoke in support of the Hearings Examiner's decision.

Deputy Mayor Mykland moved to overrule the Hearings Examiner and uphold the appeal. Seconded by Council Member Baarsma. Voice vote was taken with Council Members Nielsen and Moss voting in opposition. The motion was declared adopted.

At 7:02 Council recessed. Council reconvened at 7:20 p.m.

- b. This is the date set for a public hearing relative to the Critical Areas Preservation Ordinance and the Environmental Policy Plan, Critical Areas and Natural Resource Lands Element.

Speaking before the Council were:

Bill Leonard	Washington State Department of Ecology
Kathryn Minsch	Puget Sound Water Quality Authority
Skip Vaughn	Resident
Mary Fries	Washington Native Plant Society
Cheryl Miller	Resident
Cindy Thompson	Mt. View Memorial Park
Richard Shepard	Resident
Louise Sandison	Port of Tacoma
Alison Moss	Attorney for Port of Tacoma

The hearing was declared closed at 8:40 p.m.

Ordinance No. 25055

Vacating a portion of South Asotin Street south of Center Street to incorporate the vacated area into its adjoining property for an additional storage and parking area. (R & R Electric Supply Company; File No. 124.949)

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

The Ordinance was set over to a date to be determined.

Ordinance No. 25056

Accepting \$17,400 from Sol-Pro, Inc.; and depositing in and appropriating said sum from the Tacoma Fire Department Trust and Agency Fund to purchase a mobile decontamination unit and equipment for major hazardous waste spills.

The Ordinance was set over for final reading next week.

Ordinance No. 25057

Authorizing the execution of a grant award agreement with the United States Equal Employment Opportunity Commission in the amount of \$48,194; and depositing in and appropriating said sum in the Miscellaneous Grants Summary Fund for processing cases involving discrimination and providing staff training.

The Ordinance was set over for final reading next week.

Ordinance No. 25058

Amending Chapter 11 of the Official Code to restrict the parking of commercial vehicles in residential areas.

Mayor Vialle moved to continue Ordinance No. 25058 to the meeting of February 11, 1992. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance No. 25058 will be considered at the regular City Council meeting of February 11, 1992.

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RESOLUTIONS:

Resolution No. 31609 (Continued from the meeting of January 28, 1992.)

Authorizing the execution of a lease of real property located at the Tacoma Narrows Airport to Crossings Aviation, Inc.

Council Member Miller moved to continue Resolution No. 31609 and the execution of the lease agreement to the meeting of February 11, 1992. Seconded by \_\_\_\_\_. Voice vote was taken and carried. The motion was declared adopted.

Purchase Resolution No. 31627

Awarding contracts to:

1. Woodworth & Company, in the amount of \$13,050 to increase their contract for asphalt materials - Purchase Order No. 02488;
2. John Korsmo Construction, Inc., on their bid of \$41,454.61 for the remodel of the evidence processing facility - Tacoma Police Department - Specification No. G-247-91;
3. Tacoma Industrial Medicine, in the amount of \$1,048.83 to increase and extend their contract for pre-employment physicals - Specification No. G-108-87;
4. Konica Business Machines, in the amount of \$85,000 for maintenance and supplies for convenience copiers - Sole Source;
5. Whitney Equipment Company, Inc., on their bid of \$34,540 for chlorinators and evaporators - Specification No. G-056-91; and
6. Rejecting all bids submitted for a pump and power unit on trailer with electric winch - Specification No. G-043-91.

Council Member Nielsen moved to adopt the Purchase Resolution, including Substitute Exhibit "A." Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen moved that the Substitute Exhibit A of the Purchase Resolution, including waiving formal bidding procedures on Item No. 1, be adopted. Seconded by Council Member Evans.

Voice vote was taken and carried on the Substitute Exhibit A of the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 1, was declared adopted.

Resolution No. 31628

Approving the contract closing extension and the amendment to the Real Estate Purchase Contract with Schurgin Development Company dba Tacoma Promenade to extend the closing date to March 15, 1993 and increase the purchase price by \$275,395 for the Wapato Hills Reservoir site.

Mayor Vialle moved to continue Resolution No. 31628 to the meeting of February 11, 1992. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 31628 will be considered at the regular City Council meeting of February 11, 1992.

Resolution No. 31629

Authorizing the establishment of monthly rental rates for aircraft tie-down spaces and building hangar spaces at the Tacoma Narrows Airport.

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

Resolution No. 31630

Authorizing the execution of an agreement with Pierce Transit for the sale and purchase of certain air rights adjacent to the Broadway Plaza for the construction of the new 299-seat Broadway Theater for \$162,000 commencing in 1993 and "in-kind" services valued at \$1,338,000 provided over a 20-year term.

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

Resolution No. 31631

Authorizing the execution of Amendment No. 64 to the Neighborhood Preservation Program agreement with the Municipal Authority relative to the administrative and operating budget for 1991/1992.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution No. 31631. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

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UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Mr. Ray E. Corpuz, Jr. City Manager, requested an Executive Session not to exceed 20 minutes to discuss acquisition of real estate property and potential litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Silas announced February is Black History month, and the Tacoma Public Library is conducting a good program on black history.



Mayor Vialle also announced that City staff is putting together a program on black history the last week of February.

Council Member Evans announced that the Chinese celebration over the weekend was a successful event.

Council Member Miller announced that Pearl Street has been designated as State Highway 163.

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Mayor Vialle moved to recess to Executive Session to discuss acquisition of real estate property and potential litigation, the session not to exceed 20 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 9:10 p.m. and reconvened at 9:35 p.m.

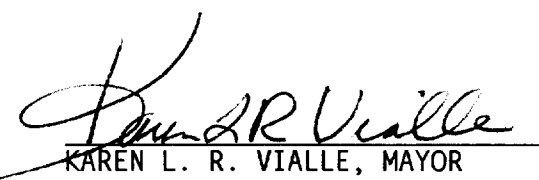
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On proper motion, the meeting was adjourned at 9:35 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK

  
KAREN L. R. VIALLE, MAYOR

OS. 6487G.