

C I T Y C O U N C I L M I N U T E S

City Council Chambers
June 11, 1991

The meeting was called to order by Mayor Vialle at 5:10 p.m.

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

The Flag Salute was led by Council Member Silas.

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

Approval of the minutes of the meeting of June 4, 1991.

RESOLUTIONS:

Resolution No. 31358

Setting Tuesday, July 16, 1991, at 10:30 a.m. as the date for a hearing by the Hearings Examiner on the request to vacate the alley south of South 12th Street from Ferry Street to Sprague Avenue. (Cycleland, Inc., Dale J. Hanson; File No. 124.939)

Resolution No. 31359

Authorizing the submittal of a grant application to the Department of Housing and Urban Development in the amount of \$84,000 for the 1991 Rental Rehabilitation Program.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, June 11, 1991.
- b. Minutes of the meeting of the Task Force on Hate Crimes, May 9, 1991.
- c. Minutes of the meeting of the Commission on Children, Youth and Families, May 9, 1991.
- d. Minutes of the meeting of the Municipal Authority, May 23, 1991.
- e. Minutes of the meeting of the Municipal Authority, Economic Development, May 2, 1991.
- f. Report of the Director of Finance, April 1991.
- g. Volunteer Services First Quarter Report for 1991.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31358 and 31359, 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

COMMUNICATIONS:

Hearings Examiner recommending approval of Shoreline Management Substantial Development Permit No. 141.497 to allow for dredging and disposal of 594,000 yards of material relative to the Puget Sound Dredge Disposal Analysis Program. (Port of Tacoma; File No. 141.497)

Mayor Vialle moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Warnick.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The motion was declared passed.

FINAL READING OF ORDINANCES:

Ordinance No. 24816 (Continued from the meeting of June 4, 1991.)

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southeast corner of North 11th and Pearl Streets, south of the existing Pay-N-Pak Store, from a "C-P-N" Planned Community Shopping Center District to a "C-2" Commercial District to allow the development of a self-service storage warehouse facility. (Chris C. Leady; File No. 120.1314)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 24921

Amending Section 8.27.120 of the Official Code relative to animal control.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute No. 1 of Ordinance No. 24921. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Substitute No. 1 of Ordinance No. 24921 was declared passed.

Ordinance No. 24922

Amending Section 12.02.030 of the Official Code to increase the legal fees for drafting franchises from \$50 to \$1,000.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24923

Accepting \$150 each from Puget Sound Bank, U.S. Bank and First Interstate Bank; \$100 from Security Bank; and \$300 from SeaFirst Bank; and depositing in and appropriating said sums from the Miscellaneous Trust Summary Fund for expenses related to the City of Tacoma's Affordable Housing Conference.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24924

Accepting \$4,352.92 from the Tacoma Tigers Baseball Club; and depositing in and appropriating said sum from the Baseball Park Operating Fund for air conditioning units at Cheney Stadium.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24925

Transferring \$292,527 from the Parking Garage Enterprise Fund to the Parking Garage Construction Fund; and appropriating said sum to convert the property located at South 17th Street and Broadway to a monthly/hourly parking facility.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 24926

Authorizing the execution of an agreement with the Rialto Theater Foundation for the gift of the Rialto Theater to the City and for payment of certain improvements; authorizing the acceptance of a grant award from the State of Washington Department of Archaeology and Historic Preservation in the amount of \$250,000; depositing in and appropriating said sum from the Capital Improvement Fund for improvements to the Rialto Theater.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Substitute Ordinance was declared passed.

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Ordinance No. 24927

Providing for the formation of L.I.D. No. 7716 for new underground electrical primary, telephone and cable-TV lines along South 86th Street from Ainsworth to Sheridan Avenues and South 87th Street from approximately Cushman to Sheridan Avenues.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

PUBLIC HEARINGS AND APPEALS: (Begin at 5:45 p.m.)

- a. This is the date set for hearing the appeal of David L. Carl on the decision of the Hearings Examiner relative to the revocation of the Home Occupation Permit at 3715 North Monroe Street.

Deputy Mayor Mykland declared his acquaintance of Ms. Cynthia Karwoski.

Mr. Rod Kerslake, Hearings Examiner, spoke regarding his decision relative to the revocation of the Home Occupation Permit at 3715 North Monroe Street.

Mr. Moe Birnbaum, attorney representing appellant David Carl, presented his reasons for the appeal. Testimony were also given by Mr. Peacock, 4006 North 37th Street; Mr. Ron Brown, 3802 North Madison; and Mr. Randall Owyang, 3710 North Madison. Mayor Vialle moved that the testimony given by Mr. Peacock and Mr. Brown be stricken from the record as they were not parties of record. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Ms. Cynthia Karwoski spoke on behalf of herself, Mr. Douglas Chaney, and Jim and Jeanine Becker, to present their reasons for upholding the Hearings Examiner's Findings, Conclusions and Recommendations.

Deputy Mayor Mykland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

- b. This is the date set for a public hearing by the City Council to adopt the Six Year Street Program for the years 1992-1997, and the Amended 1991 Street Program.

Speaking before Council were:

Diane Lister
Bob Myrik
John Hawkus

Bill Nevins
Mike Fleming
Robert Scarborough

4110 North 13th Street
6015 Pacific Avenue
Citizens Transportation Advisory
Committee
Proctor District Association
1520 Fairview Drive
Citizens Transportation Advisory
Committee

FIRST READING OF ORDINANCES:

Ordinance No. 24928

Vacating Pierce Place and a portion of California Avenue south of South 36th Street in Lincoln Heights. (H.C. Harned and Virginia Mathis; File No. 124.934)

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

Ordinance No. 24929

Authorizing the City Attorney to acquire by negotiation and/or condemnation, easement rights across properties located at the northerly end of the City of Tacoma Landfill.

The Ordinance was set over for final reading next week.

Ordinance No. 24930

Amending the Biennial Budget of the City of Tacoma for the fiscal years 1991-1992.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 31360

Awarding contracts to:

1. Washington Fire Equipment, in the amount of \$244,976 to increase their contract for one 1500 GPM triple combination pumper with booster reel - Specification No. G-050-90;
2. J.L.R., Inc., on their bid of \$61,208.84 for the Tot Lot at 1224 South I Street - Specification No. G-029-91;

3. Sahlberg Equipment Company, Inc., in the amount of \$10,443.22, Rice Safety Equipment Company, in the amount of \$11,293.20, Sanderson Safety Supply, in the amount of \$20,793.76 and Firesafe Fire and Safety Equipment Company, in the amount of \$56,355.15 to increase the contracts for safety supplies - Specification No. G-058-90; and
4. J.J. Sprague, Inc., on their bid of \$45,654.10 for alley improvements in North 35th and North 36th Streets from North Proctor to North Adams and between East 62nd and East 63rd Streets from East S to East T Streets - Specification No. G-221-91.

Deputy Mykland moved to suspend the rules to consider Substitute Exhibit "A" of Purchase Resolution 31360. Seconded by Council Member McElliott. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved to adopt the Purchase Resolution, including Substitute Exhibit "A." Seconded by Council Member McElliott. Voice vote was taken and carried. The Purchase Resolution was declared adopted.

Resolution No. 31361

Authorizing the execution of an agreement with the Tacoma Housing Authority in the amount of \$79,040 to improve the security, safety and accessibility for seven senior housing complexes in accordance with the Sixteenth and Seventeenth Year Community Development Block Grant Program.

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.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Mr. Ray E. Corpuz, Jr, City Manager, requested a 30-minute Executive Session to discuss potential litigation and labor negotiation matters.

Mr. Corpuz also requested a temporary residency waiver for Mr. Dan Voelpel, Community Relations Officer.

Council Member Nielsen moved to approve a one-time temporary residency waiver not to exceed six months for Mr. Dan Voelpel, Community Relations Officer. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to recess to Executive Session to discuss potential litigation and labor negotiation matters, the session not to exceed 30 minutes. Seconded by Council Member McElliott. Voice vote was taken and carried. The motion was declared adopted.


Council recessed to Executive Session at 7:20 p.m. and reconvened at 7:50 p.m. Deputy Mayor Mykland announced that Executive Session would be extended an additional 10 minutes to 8:00 p.m. At 8:00 p.m., Mayor Vialle announced Executive Session would be extended an additional 10 minutes. Council reconvened at 8:10 p.m.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved that the proper officers of the City of Tacoma be authorized and directed to settle Pierce County Cause No. 89-2-07482-1, Steven R. Bain v. City of Tacoma for an amount not to exceed \$140,289.61. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:15 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS.4680G.