

CITY COUNCIL MINUTES

Tacoma Dome Convention Center  
September 12, 1989

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

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

The Flag Salute was led by Mayor Sutherland.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of August 29, 1989.

RESOLUTIONS:

Resolution No. 30559

Setting Tuesday, October 17, 1989, at 9:00 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate North 49th Street from Huson Street west to the alley. (William H. Maxwell; File No. 124.892)

Resolution No. 30560

Setting Tuesday, October 17, 1989, at 9:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate the alley south of Division Avenue between 'J' and 'K' Streets and a portion of the southerly 15 inches of Division Avenue. (Group Health Cooperative of Puget Sound; File No. 124.893)

Resolution No. 30561

Setting Tuesday, October 17, 1989, at 10:30 a.m. as the date for hearing by the Hearing Examiner on the request to vacate Prospect Street from South 56th Street, north a distance of 55 feet. (Donald A. Meyer; File No. 124.894)

Resolution No. 30562

Setting Tuesday, October 17, 1989, at 10:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the alley west of Sheridan Avenue between South 12th and South 13th Streets. (Gloria R. Jean, et al; File No. 124.897)

Resolution No. 30563

Setting Tuesday, October 17, 1989, at 5:30 p.m. as the date for a public hearing by the City Council to amend the urban aesthetics and design element of the "Generalized Land Use Plan."

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, September 12, 1989.
- b. Minutes of the meeting of the Civil Service Board, August 7, 1989.
- c. Minutes of the meeting of the Public Utility Board, August 9, 1989.
- d. Minutes of the meeting of the Municipal Authority, August 17, 1989.
- e. Minutes of the meeting of the Municipal Authority, Economic Development, August 10, 1989.
- f. Tacoma Employees' Retirement System Investment Advisory Committee - Statement, July 21, 1989.
- g. City of Tacoma report of the 1989 Regular Session Washington State Legislature.
- h. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, July 1989.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30559, 30560, 30561, 30562, and 30563, be approved. Seconded by Council Member Mykland. 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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of the Tacoma Public Library Summer Reading Awards.

Mayor Sutherland stated that the Summer Reading Awards would take place later in the Council meeting.

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Council Member Stenger moved to suspend the rules to consider Resolution No. 30565. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

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Resolution No. 30565

Continuing the Crime Management Team of the Tacoma Police Department in the Upper Tacoma Area at the 1989 budget level until the end of 1989.

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Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30565. Seconded by Deputy Mayor Hyde.

Council Member Stenger stated he wanted to speak to the original Resolution regarding clarification from Legal on their opinion that the Resolution was illegal.

Bill Barker, City Attorney, clarified for the Council why the Substitute was being brought forth to correct problems in the original Resolution.

Council Members Stenger, Vialle, Warnick, Moss and McElliott had questions of the City Attorney and requested a legal opinion regarding clarification of the roll and authority of the City Council and the intent of the Resolution brought forth.

Bill Barker, City Attorney, stated he would prepare an opinion to address the Council's concerns.

Voice vote was taken and carried on the motion to suspend the rules to consider Substitute Resolution No. 30565, with Council Member Stenger voting nay. The motion was declared adopted.

Council Member Vialle moved to amend the Resolution on line No. 17 to strike the word "desire" and to insert the word "intent." Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Council Member Mykland moved to amend the Resolution on line No. 21 to strike the words "in the 1990 budget" and insert the words "by October 24, 1989." Seconded by Council Member Nielsen. Voice vote was taken and carried with Council Member Warnick voting nay. The motion was declared adopted.

Council Member Stenger questioned Police Chief Ray Fjetland regarding the actions the Police Department would take if this Resolution passed.

Police Chief Ray Fjetland responded to Council Member Stenger's question.

Council Member Stenger moved to amend line No. 17 after the words "Crime Management Team" to insert the words, "not the Crime Prevention Unit." Seconded by Council Member Moss.

Speaking to the Council were:

Joyce Ann Hagen  
Ted Fix  
Lorraine Joseph  
Mary Jo Blanquish  
Bob Gallucci  
Frances Morton

707 South 15th Street  
Tacoma area resident  
Elders' Coordinator, Puyallup Tribe  
1501 South Yakima  
1415 South 9th Street  
812 South Ainsworth

Reverend Tillman  
 Tom Dixon  
 Mary Resitsky  
 Jim Matthies  
 Kathleen Grimes  
 Gabriel Smith  
 Glenn Enzler  
 Virginia Taylor  
 Reverend Al Forman  
 Ken Pounds  
 Jackie Cockfield

Shiloh Baptist Church  
 Tacoma Urban League  
 Tacoma area resident  
 President, Tacoma Police Union  
 Chair, Hilltop Area Task Force  
 Hilltop area business owner  
 708 South Yakima  
 K Street Boosters  
 Allen A.M.E. Church  
 Upper Tacoma Renaissance Assoc.  
 Tacoma area resident

Council Member Stenger moved to amend line No. 19 to insert the words "Crime Prevention officers shall not be counted towards full-time equivalence." Seconded by Council Member Moss.

Roll call vote was taken resulting as follows:

Ayes: 3 - Moss, Stenger and Vialle.

Nayes: 5 - Hyde, McElliott, Mykland, Nielsen, and Mayor Sutherland.

Absent: 1 - Warnick.

The motion was declared failed.

Bill Barker, City Attorney, noted that the vote had not been taken on Council Member Stenger's previous motion.

Mayor Sutherland ruled that the preceding motion and roll call vote had taken care of that issue.

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

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Presentation of the Tacoma Public Library Summer Reading Awards. (Began at 6:40 p.m.).

Mayor Sutherland called on Kevin Hegarty, Director of the Tacoma Public Library. Mayor Sutherland and members of the City Council then gave out the Summer Library Reading Awards.

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FINAL READING OF ORDINANCES:

Ordinance No. 24393

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of South Orchard Street between South 40th and South 46th Streets from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District to allow the development of a 5.5 acre storage yard for precast concrete products. (P.I.P.E., Inc.; File No. 120.1266)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24394

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of North Pearl Street and Westgate Boulevard from an "R-2" One-Family Dwelling District to an "R-2-T" Residential Commercial/Transitional District to allow the construction of an apartment complex and a four building office and commercial complex. (Pearl Street Associates; File No. 120.1273)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24420

Appropriating \$100,000.00 from the General Fund for a user fee/cost allocation study and authorizing the execution of an agreement with David M. Griffith and Associates for such purposes.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24422

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Sprague Avenue between South 56th and South 64th Streets from an "R-2" One-Family Dwelling District to an "R-3-PRD" Planned Residential Development District to allow the development of 138 residential units on approximately 23 acres. (Schurgin Development Companies; File No. 120.1281)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24423

Amending Chapter 13.06 of the Official Code to reclassify the property located west of Sprague Avenue between South 56th and South 64th Street from a "R-2" One-Family Dwelling District to a "CPC" Planned Commercial Shopping Center District to allow the development of a 650,000 square foot shopping center on approximately 56 acres (Schurgin Development Companies; File No. 120.1282)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle,  
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24424

Appropriating \$2,998.21 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc. the recovery of underwriting losses for the second quarter of 1989.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24425

Authorizing the execution of an agreement with the Metropolitan Park District in the amount of \$40,000.00 for bank and shoreline stabilization at a waterfront park site located at the end of 6th Avenue and Titlow Park; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund.

The Ordinance was set over for final reading next week.

Ordinance No. 24426

Accepting donations totaling \$7,500.00 from various businesses; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for expenses associated with Senior Citizens Awareness Day (SCAD).

The Ordinance was set over for final reading next week.

Ordinance No. 24428

Accepting donations totaling \$1,196.00 from the Tacoma Elks Lodge #174, Busy Bee Cafe, Barbara Gregg, and Robert and Lisa Stein; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund, to support the crime prevention programs of the Police Department.

The Ordinance was set over for final reading next week.

Ordinance No. 24429

Amending Chapter 13.06 of the Official Code to provide for an exemption to view-sensitive overlay zoning districts for developments meeting certain criteria and greater than thirty acres in size.

The Ordinance was set over for final reading next week.

Ordinance No. 24430

Amending Sections 1, 2 and 3 of Ordinance No. 24359 which authorized the acceptance of Federal Aviation Administration grant monies for constructing taxiway lighting at the Tacoma Narrows Airport to make technical corrections in the accounting terms.

The Ordinance was set over for final reading next week.

Ordinance No. 24431

Authorizing the execution of agreements with the Pierce County Area on Aging and Pierce County in the amount of \$10,000.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide mental health services for senior citizens.

The Ordinance was set over for final reading next week.

Ordinance No. 24432

Accepting \$31,500.00 from the State of Washington, Department of Ecology; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for developing the City Waterway Design and Public Access Plan.

The Ordinance was set over for final reading next week.

Ordinance No. 24433

Approving the Assessment Reimbursement Area and the Assessment Reimbursement Contract with Tacoma Land Company, North Shore Development L.P., and Tacoma School District No. 10 for the construction of Nassau Avenue Northeast and 45th Street Northeast.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 30564

Awarding contracts to:

1. Compucom Systems in the amount of \$13,734.26 for 2-IBM PS/2 Model 70/A21 Personal Computers with Monitors - Washington State Department of Information Services Personal Computer Master Contract;
2. Ben-Ko-Matic in the amount of \$6,000.00 to increase their open purchase order for sweeper and eductor equipment parts;
3. JLR, Inc., on their bid of \$52,822.00 for the Sawyer Street Tot Lot and Manitou play equipment - Specification No. G-009-89;
4. Tacoma-Pierce County Health Department in the amount of \$100,000.00 to regulate the Tacoma-Pierce County Solid Waste Management Plan; and
5. Rejecting all bids for the Titlow Beach Park Enhancement Project - Specification No. G-225-89.

Council Member Mykland moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on item Nos. 1, 2, and 4. Seconded by Council Member Vialle.

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

Resolution No. 30566

Authorizing the execution of an agreement with Disciplined Investment Advisors in the amount of \$192,500.00 and Wilshire Associates in the amount of \$90,000.00 for the provision of equity investment management services for the Tacoma Employees' Retirement System.

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

Resolution No. 30567

Authorizing the execution of an agreement with Cross Engineers in the amount of \$26,500.00 for the baseball field lighting upgrade at Cheney Stadium.

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

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UNFINISHED BUSINESS:

Council Member Stenger moved that the City Manager and his staff be requested to initiate negotiations with the Tacoma/Pierce County Health Department and Pierce County on the funding formula for the Health Department. The negotiations should be along the guidelines provided by WAC 248-990-990. The negotiations should be initiated by a letter to the Health Department in Pierce County similar to the one in our Friday Letter package of July 28, 1989. Seconded by Council Member Nielsen.

Deputy Mayor Hyde suggested that this motion be postponed for one week to eliminate any controversy and to allow for testimony on this matter.

David Dow, Finance Director, discussed with the Council the form of presentation of this matter. He stated a one-week delay would cause no adverse impact on this matter. He stated he felt it could be either by resolution or motion at the discretion of the Council.

Council Member Mykland stated that he felt the County or the Health Department should be involved in the discussion on this matter. Council Member Moss stated that he supported setting this matter over for a period of one week. Mayor Sutherland requested that the Legal Department review the membership makeup of the Health Board. He expressed concern regarding the population distribution and how that would affect the City's membership on the Health Board. Deputy Mayor Hyde also expressed his concern regarding the Health Board makeup.

Council Member Mykland moved to set this motion over for a period of two weeks to the Council meeting of September 26, 1989. Seconded by Mayor Sutherland. Voice vote was taken and carried, with Council Members Stenger, Nielsen and Moss voting nay. The motion was declared adopted.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

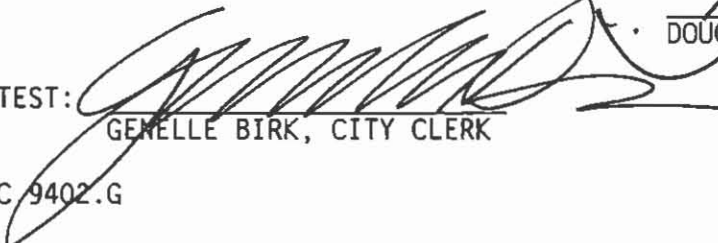
Council Member Mykland stated that there was a Washington Centennial monument being erected at the Washington National Guard's Camp Murray. He requested that the City purchase a brick for the monument with the City emblem. He further requested that the City Attorney review and see if this is permissible to purchase bricks on the monument.


Council Member Vialle stated that she went on a ride-along in the Hilltop area with the Police Department. She noted that the Police Department felt that they could assist in the abatement of property in the area if they were able to expeditiously notify the Public Works Department of houses that were in need of the abatement process. She requested that the City Manager get the Public Works and Police Department staff together to expedite this process.

Council Member McElliott noted that the Police personnel should be able to give out the abatement forms since Public Works staff have them readily available.

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On proper motion, the meeting was adjourned at 9:28 p.m.

ATTEST:  GENELLE BIRK, CITY CLERK

 DOUG SUTHERLAND, MAYOR

WPC 9402.G