

CITY COUNCIL MINUTES

City Council Chambers  
October 6, 1987

The meeting was called to order at 5:01 p.m.

Present on roll call: 5 - McElliott, Moss, Mykland, Nielsen, and Deputy Mayor Rasmussen. Absent: 4 - Hyde, Stenger, Warrick, and Mayor Sutherland (Council Member Stenger arrived at 5:02 p.m.).

The Flag Salute was led by Council Member Mykland.

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CONSENT AGENDA

RESOLUTIONS:

Resolution No. 29776

Setting Tuesday, November 17, 1987 at 9:30 a.m. as the date for public hearing by the Hearings Examiner on the request to vacate various streets and alleys in the China Lake Area. (City of Tacoma; File No. 124.854)

Resolution No. 29777

Setting Tuesday, November 17, 1987 at 9:30 a.m. as the date for public hearing by the Hearings Examiner on the request to vacate a 10-foot strip abutting vacated Steele Street, south of North 28th Street. (Robin T. Swift; File No. 124.855)

Resolution No. 29778

Setting Tuesday, November 17, 1987 at 9:30 a.m. as the date for public hearing by the Hearings Examiner on the request to vacate a portion of North 28th Street easterly of Starr Street. (Patrick Murto; File No. 124.853)

ASSESSMENT ROLLS:

The Director of Public Utilities presents the Assessment Roll for the following:

L.I.D. No. 5668 for the construction of water mains in Gregory Street, East 36th Street and East 37th Street from East "T" Street to Roosevelt Avenue.

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Setting Monday, November 9, 1987 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, October 6, 1987.
- b. Minutes of the meeting of the Landmarks Preservation Commission, September 23, 1987.
- c. Minutes of the meeting of the Public Utility Board, September 9, 1987.
- d. Minutes of the meeting of the Tacoma Planning Commission, September 9, 1987.
- e. Total Work Report of the Tacoma-Pierce County Humane Society & S.P.C.A., August 1987.
- f. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, and the Water Division, August 1987.
- g. The Report on Phase II of Market Feasibility Study of Additional Convention and Exhibit Facilities, Tacoma, WA (Pennell, Kerr, Forster/Community Development) June 1987.
- h. The Comprehensive Homeless Assistance Plan, September 1987.
- i. Annual Report of The Municipal Authority, 1985.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 29776, 29777, and 29778, be approved. Seconded by Council Member Mykland. Voice vote was taken and carried. The Consent Agenda was declared approved.

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REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

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Council Member Stenger arrived at 5:02 p.m.

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Resolution No. 29780

Appointing members to various committees, boards, and commissions.

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

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COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.414 to allow the expansion of an existing pleasure boat marina located between East 15th and 18th Streets on the east side of City Waterway to include marina facilities for the fishing fleet (1616 East "D" Street). (Port of Tacoma; File No. 141.414)

Deputy Mayor Rasmussen 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: 5 - McElliott, Moss, Mykland, Nielsen, Deputy Mayor Rasmussen. Absent: Hyde, Stenger, Warrick, and Mayor Sutherland. Nays: 0. The motion was declared adopted.

- b. Hearings Examiner recommending modification of a previously-approved site plan and conditions relative to the construction of a retail commercial building to be utilized as a sporting goods store on the property located in the vicinity of South Sprague Avenue and Interstate 5 at South 64th Street extended. (Harbour Group Investment Corporation; File No. 120.1057B)

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

- c. Hearings Examiner recommending modification of a previously-approved site plan and conditions relative to the replacement of the mansard roof with an awning at the property located on the southeast corner of Sprague Avenue and South 70th Street. (Frank Mitchell; File No. 120.1215 & 130.2871)

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

- d. Hearings Examiner recommending that the request for reclassification of the property located in the vicinity of South 72nd and East "I" Streets for a retail/office complex be withdrawn and that the filing fee not be refunded. (Getty Group; File No. 120.1210)

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

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- e. Hearings Examiner recommending that the request for reclassification of the property located in the area between East "C" and "D" Streets and between 48th and 50th Streets from an "R-2" One-Family Dwelling District to an "M-1" Light Industrial District be withdrawn and the filing fee returned to the applicant. (Gibson's Wholesale Florist; File No. 120.1213)

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

- f. Hearings Examiner recommending the request for reclassification of the property located on the northerly side of South 23rd Street between Union Avenue and Cedar Street from an "R-4-LT" Residential-Commercial Transitional District to an "R-4-T" Residential-Commercial Transitional District be withdrawn and the filing fee returned to the applicant. (Touchstone Development, Ltd.; File No. 120.1201)

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

- g. Hearings Examiner recommending that the request for reclassification of the property located on the southeast corner of South 78th and Trafton Streets be remanded to the Hearings Examiner for further processing and consideration. (Landmark Development Group; File No. 120.1218 & 120.1104A)

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

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Deputy Mayor Rasmussen proclaimed the period of October 9-11, 1987, to be "Fire Prevention Days," and presented the proclamation to Mr. Tom Henderson of the Tacoma Fire Department.

**RESOLUTIONS:**

**Purchase Resolution No. 29781**

**Awarding contracts to:**

1. Manson Construction and Engineering Company on their bid of \$3,622,080.00 for Central Treatment Plant Improvements-Commencement Bay Marine Outfall - Offshore Portion - Unit B - Specification No. G-238-87;
2. L.N. Curtis and Sons on their bid of \$14,366.00 for breathing air compressor and related equipment - Specification No. G-076-87;

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3. R.W. Rhine, Inc., in the amount of \$11,399.85 for an emergency contract for demolition at 3593 East Spokane and 4029 East "F" Street; and
4. U.S. Oil and Refining Company to increase their contract by \$50,000.00 for asphalt products - Specification No. G-146-85.

Council Member Nielsen moved to suspend the rules to consider Substitute Exhibit "A" and to adopt Purchase Resolution No. 29781, including Substitute Exhibit "A," and waiving formal bidding procedures on Item Nos. 3 and 5. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

**Purchase Resolution No. 29781 - Substitute Exhibit "A"**

**Awarding Contracts to:**

1. Manson Construction and Engineering Company on their bid of \$3,622,080.00 for Central Treatment Plant Improvements-Commencement Bay Marine Outfall - Offshore Portion - Unit B - Specification No. G-238-87;
2. L.N. Curtis and Sons on their bid of \$14,366.00 for breathing air compressor and related equipment - Specification No. G-076-87;
3. R.W. Rhine, Inc., in the amount of \$11,399.85 for an emergency contract for demolition at 3593 East Spokane and 4029 East "F" Street;
4. U.S. Oil and Refining Company to increase their contract by \$50,000.00 for asphalt products - Specification No. G-146-85; and
5. Wade Perrow Construction, Inc., in the amount of \$25,857.98 for an emergency contract for Tacoma Dome Press Box expansion.

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

**Resolution No. 29782**

Authorizing the execution of a contract with Wackenhut Corporation for the provision of security, parking attendants, ushers and peer group guidance for the Tacoma Dome.

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. 29783**

Authorizing the release of a drainage easement located in Northeast Tacoma, southerly of 30th Street N.E.

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.

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Resolution No. 29784

Authorizing the execution of contracts for the use of the Tacoma Dome with Ringling Brothers/Barnum & Bailey Combined Shows, Inc. for the presentation of Walt Disney's Magic Kingdom on Ice on November 5-8, 1987 and Watchtower Bible & Tract Society of New York for the Watchtower Convention on July 6-10, 1988.

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

Resolution No. 29785

Authorizing the execution of an amendment to the agreement with the Tacoma Urban League and the Upper Tacoma Renaissance Association to increase the amount by \$6,238.00 for the K/J Street Revitalization project.

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

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PUBLIC HEARINGS AND APPEALS: (Began at 5:25 p.m.)

This is the date set for hearing the appeal of Gail Dunn regarding the decision of the Hearings Examiner relative to the request for a Conditional Use Permit to allow an existing restaurant located at 2704 North 21st Street to provide for consumption of beer, wine or liquor by the drink. (Judy G. Nay; File No. 121.1086)

Rod Kerslake, Hearings Examiner, spoke regarding his decision on this matter.

William Lynn, Attorney, representing Gail Dunn, gave the reasons for this appeal.

Ronald Hendry, Attorney, representing Judy Nay, spoke in support of the Hearings Examiner's decision.

Mr. Lynn and Mr. Hendry gave rebuttal discussions relative to this matter.

Council Member Moss moved to concur with the Findings, Conclusions, and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member McElliott.

Council Member Nielsen requested that the Council receive the Planning Department reports regarding this matter after the follow-up period.

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

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On proper motion, the meeting was adjourned at 6:10 p.m.

  
PETER T. S. RASMUSSEN, DEPUTY MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

HPC 2821.G

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