

CITY COUNCIL MINUTES

City Council Chambers  
April 18, 1989

The meeting was called to order at 5:09 p.m.

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

The Flag Salute was led by Council Member Warnick.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meeting of April 11, 1989.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK.

- a. Hearing Examiner Agenda for Tuesday, April 18, 1989.
- b. Minutes of the meeting of the Citizens' Affirmative Action Advisory Committee, January 18, 1989.
- c. Minutes of the meeting of the Public Utility Board, March 22, 1989.
- d. Order Denying Motions for Reconsideration, Continental Grain Company File No. AD-5655; Findings of Fact, Conclusions of Law and Order, Continental Grain Company, File No. T-31155; and Order of Dismissal, American Savings Bank, File No. T-47428.
- e. TCI Cablevision of Washington, Inc. and Subsidiaries, Financial Statements, December 31, 1988 (and 1987).
- f. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, February 1989.
- g. Draft Union Station Master Plan, April 3, 1989.

Council Member Nielsen moved that the Consent Agenda, be approved. Seconded by Council Member Vialle. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Sutherland notified the public that staff had requested that Ordinance No. 24325 regarding alarm systems be continued to May 16, 1989. He stated, for those persons waiting to speak, that it would be the intent of Council to do this at the appropriate time on the agenda.

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R E G U L A R   A G E N D A

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30408. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30408

Appointing Kenneth Hewkin to fill the vacancy on the Planning Commission, which term expires December 31, 1991.

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

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FINAL READING OF ORDINANCES:

Ordinance No. 24338

Accepting \$27,952.64 from the Seattle Organizing Committee (1990 Goodwill Games); depositing said sum in the Miscellaneous Grant Summary Fund; and appropriating \$27,952.64 from the Miscellaneous Grant Summary Fund for payment of police planning expenses related to the 1990 Goodwill Games.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24341

Imposing a moratorium on the moving of buildings into or within the City of Tacoma; and declaring an emergency making necessary the immediate passage of this ordinance.

Council Member Nielsen moved to amend the Ordinance on line 23 after the word "Tacoma" to add the sentence: Approximately 40 substandard buildings located near the Seattle-Tacoma Airport originally scheduled for demolition have been purchased by building movers and are subject to be moved into the Tacoma Corporate limits. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

Linda Bowman

3580 East Grandview

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance, as amended, was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24325 (Continued from the meeting of March 28, 1989.)

Amending Title 7 of the Official Code by adding a new chapter entitled "Alarm Systems" requiring residents and businesses protected by alarm systems to obtain licenses and ensure the proper activation of such systems; and appropriating \$42,040.00 from the General Fund to implement this program.

Mayor Sutherland moved to continue Ordinance No. 24325 to the meeting of May 16, 1989. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of May 16, 1989.

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Mayor Sutherland moved to suspend the rules to consider Resolution No. 30402. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Substitute Resolution No. 30402

Accepting a bid for the Electric System Revenue Bonds in the amount of \$48,500,000.00 to provide funds for payment of all or a portion of certain litigation settlement costs of the electric system.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30402. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to adopt Substitute Resolution No. 30402. Seconded by Deputy Mayor Hyde.

Speaking to the Council were:

Peter Richardson  
Robert Yeasting  
James Ellis

Department of Public Utilities  
Robert O. Yeasting and Associates  
Law Firm of Preston, Thorgrimson,  
Ellis and Holman

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

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Mayor Sutherland moved to suspend the rules to consider public hearings and appeals. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Began at 5:40 p.m.)

This is the date set for a public hearing by the City Council concerning amendments to the Minority and Women's Business Enterprise Equal Employment Opportunity Regulations.

Al Correll, Director of Human Rights Department, gave a presentation regarding this matter.

Speaking to the Council were:

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|-----------------|---|
| Steve Karavitas | Department of Public Utilities              |
| Ed Rosenden     | Electrical Contracting Business             |
| Rebecca Summers | Chair, Human Rights Commission              |
| Thomas Dixon    | President, Tacoma Urban League              |
| Virgil Mathews  | Contractor                                  |
| Adrienne Lugo   | Washington State Hispanic Chapter           |
| Jerry Beeson    | Olympia Electric                            |
| Gay Palmgren    | Bill's Landscape                            |
| Babette Lubker  | Falcon Contracting                          |
| E. R. Altimer   | Contractor                                  |
| Ernest Grice    | President, Grice Construction               |
| Frank Russell   | Professional Services Unltd.                |
| Sevio Persio    | Representing Filipino American<br>Community |
| Al Barry        | Barry Excavating                            |

There being no further testimony, Mayor Sutherland declared the public hearing closed at 7:00 p.m.

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Mayor Sutherland moved to go to the unfinished business portion of the agenda. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Hyde moved to reconsider the shoreline matter of George Berry. Seconded by Council Member Warnick.

Deputy Mayor Hyde discussed the reasons for this reconsideration. Council requested a legal opinion from the City Attorney regarding the taking issue (the restricting of the use of the property in question so severely that they cannot make reasonable utilization of it), and the issue of the expressed findings of the majority of last week's decision regarding the cumulative effect of parking and whether or not that is an appropriate discussion of state regulation, and whether or not it would be applicable in this instance.

Deputy Mayor Hyde moved to reconsider the Substantial Development Permit of George Berry and the matter of the appeals of Harbor Lights Restaurant and Michale A. Ebert and continue them to the Council meeting of April 25, 1989. Seconded by Council Member Nielsen.

Roll call vote was taken, resulting as follows:

Ayes: 5 - Hyde, Nielsen, Stenger, Mayor Sutherland.

Nays: 4 - McElliott, Moss, Mykland, and Vialle.

The motion was declared passed.

The appeals will be considered at the Council meeting of April 25, 1989.

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Ordinance No. 24337

Amending the Annual Budget of the City of Tacoma for fiscal year 1989.

Council Member Stenger moved to amend the 1989 annual budget by increasing the community service allocation of the Human Development Department from \$650,000 to \$685,000. He further moved that this additional \$35,000 be distributed as follows: \$15,000 for the Sojourner Transitional program; \$12,500 to the Sojourner Emergency program; and \$7,500 to the Housing Resource Center. Seconded by Council Member Vialle.

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

The Ordinance was set over for final reading next week.

Ordinance No. 24339

Amending Section 5.20.180 of the Official Code to suspend residential landfill disposal fees for two-weeks in the spring and fall during the annual spring and fall cleanup programs.

The Ordinance was set over for final reading next week.

Ordinance No. 24340

Amending Chapter 6.68 of the Official Code by amending Section 6.68.370 and adding a new section to be known as Section 6.68.385 relative to Underpayment of Tax and Statute of Limitations - Unregistered Taxpayers.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 30396 (Continued from the meeting of April 11, 1989.)

Authorizing the execution of an interlocal agreement with Pierce County to provide for special identification procedures to be utilized when City arrestees are not incarcerated in the Pierce County Jail due to overcrowding.

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

Resolution No. 30397 (Continued from the meeting of April 11, 1989.)

Approving the Fifteenth Year (1989-1990) Community Development Statement of Objectives and Proposed Use of Funds; and authorizing the submission of an application for a \$2,513,000.00 Community Development Block Grant from the U.S. Department of Housing and Urban Development.

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

Council Member Mykland moved to suspend the rules to consider amended Resolution No. 30397. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Council Member Stenger moved amend the Community Development Block Grant resolution by raising the allocation for the Last Chance Shelter from \$25,000 to \$30,000 and eliminate funding for the Sojourner Transitional and Sojourner Emergency programs. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Council Member Mykland moved to amend the Resolution to add \$37,600 to the Tacoma Family Counseling Services. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried. The Resolution was declared adopted.

Purchase Resolution No. 30403

Awarding contracts to:

1. SNC Distributors, Incorporated, in the amount of \$15,812.74 to increase their contract for police handguns - Specification No. G-117-88;
2. Brodsky's, in the amount of \$5,729.51 to increase their contract for the purchase of police equipment - Purchase Order No. 30732;
3. Extrel Corporation, in the amount of \$11,500.00 for a maintenance service contract for the Gas Chromatograph - Mass Spectrometer at the Sewer Utility Laboratory;
4. Sorella Trucking Company, Inc., on their bid of \$29,106.00 to furnish, haul and stockpile bank run gravel - Specification No. G-030-89;
5. Utility Equipment, Inc., in the amount of \$149,157.46 for one sewer vacuum and jetter machine - City of Puyallup Resolution No. 88-9-18;
6. Blast Pressure Wash Systems, on their bid of \$30,270.24 for refuse truck washing services - Specification No. G-028-89;
7. North Coast Electric, on their bid of \$24,126.21 for conduit, conduit fittings, and wire - Specification No. G-020-89;
8. Sam's Tire Service, on their bid of \$70,000.00 for the annual supply contract for tires and tubes - Washington State Contract No. 1-89;
9. Wesmar Company, in the amount of \$7,000.00 for an emergency increase of contract for dry polymer; and
10. Rejecting all bids submitted for liquid oxygen - Specification No. G-027-89.

Council Member Mykland moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on item Nos. 2, 3, and 5. Seconded by Deputy Mayor Hyde.

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

Resolution No. 30404

Authorizing the execution of an amendment to the agreement with Tacoma Professional Soccer, Inc., to be compatible with the newly adopted Major Indoor Soccer League ("MISL") formula for playoff game revenues.

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

Resolution No. 30405

Authorizing the acceptance of work and the execution of a supplemental contract with Ber Chris, Inc., for completion of incomplete work on the Portland Avenue Community Center contract - Specification No. G-006-88.

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

Resolution No. 30406

Authorizing the execution of an agreement with PEI Consultants, Inc., in the amount of \$89,000.00 for the design and preparation of plans and specifications for a wastewater system at Salmon Beach.

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

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UNFINISHED BUSINESS:

Unfinished business was conducted earlier in the Council meeting.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that staff had requested an Executive Session to discuss real estate matters.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland moved to cancel the City Council meetings of August 8, 1989, August 22, 1989, and September 5, 1989. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the tax appeals of Century 21 Prudential Realty, Inc., Century 21 ABC Realty, Inc., and Harold A. Allen & Company be settled in accordance with the recommendation made by the City Attorney in executive session April 11, 1989, accepting the payment of taxes owing after January 1, 1984, in full discharge of the disputed tax assessments. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland moved to recess to Executive Session to discuss real estate matters, the session not to exceed 15 minutes. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.


Council recessed to Executive Session at 8:02 p.m. and reconvened at 8:25 p.m.

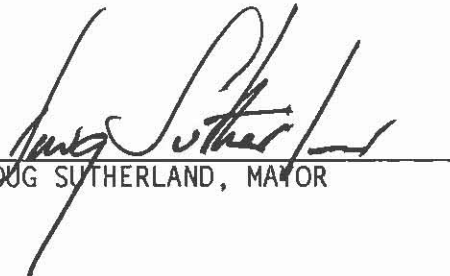


Mayor Sutherland stated that the Tacoma Tigers would be commencing their 30th year at Cheney Stadium. He noted that their first game against the Oakland Athletics is coming soon and encouraged all City Council members, staff, and citizens to attend.

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On proper motion, the meeting was adjourned at 8:26 p.m.

ATTEST:   
GENELLE BIRK, CITY CLERK

  
DOUG SUTHERLAND, MAYOR

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