

CITY COUNCIL MINUTES

City Council Chambers
November 12, 1986

The meeting was called to order at 5:08 p.m.

Present on roll call: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Absent: 1 - Ladenburg.

The Flag Salute was led by Deputy Mayor Rasmussen.

CONSENT AGENDA

Approval of the minutes of the regular meeting of November 4, 1986.

RESOLUTIONS:

Resolution No. 29383

Authorizing the execution of a concomitant zoning agreement with Donald and Mercy Sturrock regarding a proposed addition on the property located at the south side of North 31st Street, between North Proctor and Washington Streets.

APPEALS:

Magnuson Enterprises, Inc., (File No. T-55985) appealing Jeopardy Audit-Assessment Notice AD5461 of the Department of Tax and License.

Setting Tuesday, December 23, 1986 at 10:00 a.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Appointments Committee, October 22, 1986.
- b. Minutes of the meeting of the Tacoma-Pierce County Board of Health, October 1, 1986.
- c. Minutes of the meeting of the Tacoma Planning Commission, October 20, 1986.
- d. Minutes of the special meetings of the Tacoma Public Library Board of Trustees, September 10, 1986, September 24, 1986 and October 1, 1986.
- e. Minutes of the meeting of the Tacoma Public Library Board of Trustees, September 17, 1986.
- f. Monthly Police Department Report, September 1986.

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Deputy Mayor Rasmussen moved that the Consent Agenda, including Resolution No. 29383, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS, AND APPOINTMENTS:

Resolution No. 29384

Appointing members to various committees, boards, and commissions.

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

COMMUNICATIONS:

- a. Hearings Examiner recommending approval of the withdrawal of the reclassification request of Continental Development Corporation and the return of the filing fee to the applicant. (Continental Development Corporation; File Nos. 120.1178, 127.260, and 130.2757)

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

- b. Hearings Examiner recommending approval of the withdrawal of the reclassification request of Stuart D. Wattles and the return of the filing fee to the applicant. (Stuart D. Wattles; File No. 120.758)

Mayor Sutherland 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.

FINAL READING OF ORDINANCES:

Ordinance No. 23655

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South Trafton and South Railroad Streets from an "R-2" One-Family Dwelling District to a "C-1" Commercial District for use as a florist, plant, and gift shop. (Mary Mason; File No. 120.1137)

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Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23691

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 31st Street and Union Avenue from an "R-3-T" Residential-Commercial Transitional District to a "C-1" Commercial District to allow a barber shop/beauty parlor within an existing office building. (Dr. Dave Jordal; File No. 120.1167)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23710

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of Center Street and South Gove Street from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow construction of a two-story office building. (Boys and Girls Clubs of Tacoma-Pierce County; File No. 120.1180)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23711

Vacating the northeast corner of Center and Gove Streets to allow construction of an office building. (Boys and Girls Clubs of Tacoma-Pierce County; File No. 124.820)

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Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23724

Vacating a portion of Eldon Street west of South Tyler Street. (Department of
Public Utilities; File No. 124.824)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23729

Amending Title 8 of the Official Code to add Chapter 8.11 relative to the
authority to arrest probationers violating their probation.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23730

Authorizing the sale and issuance of revenue bonds in the amount of
\$14,765,000.00 to provide funds necessary for additions and betterments to the
City's Refuse Utility System.

Mayor Sutherland stated that the Council would hear the proposed
amendments to Ordinance No. 23730, have discussion regarding the Ordinance,
and then hear testimony on the rate increase before taking a final vote on
Ordinance No. 23730.

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notice, it is due to the quality of the original document.

Pete Luttrupp, Finance Department, stated that the Bond Counsel had not arrived to present the amendments on Ordinance No. 23730.

Mayor Sutherland stated that consideration of Ordinance No. 23730 would be postponed until later in the meeting pending the arrival of the Bond Counsel.

Ordinance No. 23731

Providing for the sale and issuance of a note in the amount of \$750,000.00 for capital improvements for the Belt Line Railway.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Ladenburg.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23732

Vacating a portion of Ash Street, north from South 39th Street to include the vacated right-of-way in a proposed office building complex. (George Economou; File No. 124.817)

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

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 23733

Appropriating \$250,000.00 from the Capital Reserve-Communication Equipment Repair Fund to repair and rebuild various communication tower sites and purchase additional communication equipment for the Fire Department.

The Ordinance was set over for final reading next week.

Ordinance No. 23734

Authorizing the execution of a grant award contract with the U.S. Equal Employment Opportunity Commission in the amount of \$38,840.00 and depositing and appropriating \$38,840.00 from the Miscellaneous Grants Summary Fund to process 97 cases alleging discrimination in Tacoma.

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The Ordinance was set over for final reading next week.

Ordinance No. 23735

Amending Chapter 5.20 of the Official Code to set Refuse Utility collection and disposal service rates.

Mayor Sutherland stated that it would be his recommendation that public testimony be allowed during final reading of Ordinance No. 23735.

Speaking to the Council was:

Alfred Sortland

1106 South Monroe Street

Mayor Sutherland again stated that public testimony would be allowed during final reading of the Ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 29385

Awarding contracts to:

1. Mathews Heating Oils, Inc., dba Griffin Galbraith Fuel Company on their bid of \$54,500.00 and Via-Geo Resources, Inc., on their bid of \$120,000.00 for the cooperative purchase of automotive diesel fuel - Specification No. PT-19-86;
2. Platt Electric Supply on their bid of \$15,000.00 for the cooperative purchase of lamps and bulbs - Washington State Contract No. 171-84;
3. Chemical Proof Corporation on their bid of \$12,703.00 for the emergency purchase of two 8,000-gallon fiberglass tanks;
4. Safety Sign, Inc., on their bid of \$15,631.00 for the cooperative purchase of traffic lane markers - Washington State Contract No. 112-86;
5. Book Publishing Company to increase their 1986 open purchase order for City Code supplements by \$7,000.00;
6. Woodworth & Company, Inc., to increase their contract for asphalt pavement and sidewalk construction for L.I.D. No. 8841 - Specification No. G-237-86; and
7. Rejecting bid specifications to furnish and install window coverings at eight fire stations - Specification No. G-071-86.

Deputy Mayor Rasmussen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Purchase Item No. 3. Seconded by Council Member Hyde.

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

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Resolution No. 29386

Authorizing the execution of an amendment to the agreement with Tacoma Indoor Soccer, Inc., relative to liability insurance coverage.

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

Resolution No. 29387

Identifying areas of concern and priorities for the 1987 Washington State Legislative Session.

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

Resolution No. 29388

Authorizing the execution of Amendment No. 37 to the Neighborhood Preservation Program Agreement with the Municipal Authority to continue the Rental Rehabilitation Program.

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

Resolution No. 29389

Adopting policies for the Thirteenth Year Block Grant Program for implementing Community Development activities during the fiscal years 1987-1988.

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

Resolution No. 29390

Approving the Policy Review Committee Guidelines.

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

Ordinance No. 23730

Authorizing the sale and issuance of revenue bonds in the amount of \$14,765,000.00 to provide funds necessary for additions and betterments to the City's Refuse Utility System.

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Pete Luttrupp, Finance Department, passed out copies of Ordinance No. 23730 showing the proposed changes.

Speaking to the Council regarding the proposed changes was:

Robert Mack

Law firm of Smith, Alling, Hudson,
and O'Connor

Mayor Sutherland clarified that the Council was correcting Ordinance No. 23730.

Mr. Mack proceeded to present the proposed changes to Ordinance No. 23730 for Council amendment.

Mayor Sutherland moved to amend Ordinance No. 23730 on the following pages:

Page 2, line 20, to insert the word "highest" to read: ". . . equal to the highest rating . . ." and also to substitute the word "or" for the word "and";

Page 2, line 25 through page 3, line 1, to read ". . . in the case of the 1978 bonds and the 1986 bonds, to make the annual required payments into the 1978 Sinking Fund account and the 1986 Sinking Fund account to amortize or redeem the 1978 term bonds and the 1986 term bonds . . ."

Page 3, line 6 to read: "\$14,765,000.00."

The motion was seconded by Council Member Warrnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730 on page 5, lines 9 through 20, with the addition of the words:

Variable rate Parity Bonds issued or to be issued under this Ordinance shall for the purposes of the rate covenant contained in Section 11 hereof and the parity test contained in Section 12 hereof be assumed to bear interest at a fixed rate equal to the higher of (i) 9.2% and (ii) the highest variable rate borne over the preceding 24 months by any outstanding variable rate debt (issued under the Ordinance) or, if no such variable rate debt is at the time outstanding under the Ordinance, by variable rate debt for which the interest rate is computed by reference to an index comparable to that to be utilized in determining the interest rate for the debt then proposed to be issued.

Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730 on page 20, subsection 20, to insert after the words "Reserve Requirement" the words: "means an amount equal" and to add the following to subsection 20:

For purposes of determining the Reserve Requirement, maximum Annual Debt Service shall be computed assuming,

with respect to any variable rate Parity Bonds, a fixed interest rate of the lesser of 11% per annum and the maximum rate permissible, in the opinion of nationally recognized bond counsel, consistent with maintaining the exemption of interest on the Parity Bonds from federal income taxation.

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730 on page 7, subsection 24, to read:

"Term Bond Maturity Year" means any year in which any 1978 Term Bonds, 1986 Term Bonds, or any Future Parity Term Bonds mature. "Term Bonds" means any 1978 Term Bonds, 1986 Term Bonds, and any Future Parity Term Bonds. "1978 Term Bonds" means any 1978 Bonds maturing in a year in which the principal amount of any 1978 Bonds maturing exceeds an amount equal to 1.25 times the average amount of 1978 Bonds maturing in each of the other years in which 1978 Bonds shall have been scheduled to mature. "1986 Term Bonds" means any Bonds designated in the Bond Sale Resolution as 1986 Term Bonds. "Future Parity Term Bonds" means any Future Parity Bonds maturing in a year designated as a Term Bond Maturity Year.

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730 on page 10, lines 21-23, to read:

. . . landfills and related facilities, upgrade its resource recovery facility, construct a pyrolytic gasification unit, purchase additional solid waste transport trucks and trailers and expand office and maintenance buildings

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

John Rose

Financial Advisor

Mayor Sutherland moved to add a sentence to the second paragraph of Section 4 following the words ". . . the principal amount of \$14,765,000.00" to read:

In no event will the City issue more than \$25,000,000.00 of Parity Bonds (including Future Parity Bonds) to furnish and complete construction of improvements to its existing

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landfills and related facilities, upgrade its resource recovery facility, construct a pyrolytic gasification unit, purchase additional solid waste transport trucks and trailers and expand office and maintenance buildings.

and to add the words "subject to the \$25,000,000.00 limit described above" to the last sentence of the fifth paragraph, section 4.

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, fourth paragraph of Section 5, to read:

In the case of a registered owner of more than \$1,000,000.00 principal amount of the Bonds, payment of interest may be made by electronic transfer in accordance with instructions filed with the Bond Registrar by such registered owner at least three (3) Business Days before any such payment is due.

Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 8, Second priority, to read:

. . . to make all payments required to be made into the Debt Service Account to pay the interest due on any Parity Bonds for which moneys shall not have been provided by income from the investment of moneys in the Bonds Fund;

Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 8, Fourth priority, to read:

. . . into the 1978 Sinking Fund Account and the 1986 Sinking Fund Account (in accordance with the terms of the Bond Sale Resolution) . . .

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 9.A.3, to include the words:

. . . there are no 1986 Term Bonds designated in the Bond Sale Resolution, then . . .

Seconded by Council Member Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland moved to amend Ordinance No. 23730, Section 9.B.(1), to read:

. . . Beginning with the month of January, 2000 and continuing for as long as any of the 1986 Term Bonds are outstanding an amount equal to at least one-twelfth of the annual amount required to redeem 1986 Term Bonds pursuant to the Bond Sale Resolution.

Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 9.C, to delete "60 months" and to insert "12 months" and to delete "60 months" and to insert "thirty-six months."

Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 9.C, the end of the third paragraph to read:

. . . and the Reserve Account are at least equal to the Reserve Requirement.

Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 11, to add subsection I to read:

In the event the City issues revenue bonds or revenue warrants having a lien upon the Revenue of the System junior and inferior to the lien on the Parity Bonds ("Junior Lien Bonds"), the City covenants that a default on such Junior Lien Bonds will not constitute a default on the Parity Bonds and that the City will not permit to the extent legally practicable an acceleration of such Junior Lien Bonds in the event of a default on such bonds.

Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 12.A.(3)(11), to delete two conditions and to add to subsection (11) as follows:

For these purposes, customers shall mean only customers for collection and disposal of refuse (not power, steam, or gas).

Seconded by Council Member Harnick. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 12.A. to add the words:

Should the system be liable for any sum relating to contracts not subject to annual appropriations, or to leases relating to the disposal of solid waste, in either case in excess of \$200,000 per annum, such payment obligation shall be deemed to constitute Future Parity Bonds for the purposes of complying with the parity conditions set forth in this Section 12.

Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 12.B, to read:

Subject to Section 11 hereof, nothing herein contained shall prevent the City from issuing revenue bonds or other obligations which are a charge upon the Revenue of the System junior or inferior to the payments required by this ordinance to be made out of such Revenue into the Bond Fund and Accounts therein to pay and secure the payment of any outstanding Parity Bonds.

Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 14, the particular sentence to read:

In the case of a registered owner of more than \$1,000,000 principal amount of Bonds, payment of interest may be made by electronic transfer in accordance with instructions filed with the Bond Registrar by such registered owner at least three (3) Business Days before any such payment is due.

Seconded by Council Member McElliott. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 14 (Additional Provisions) to read:

. . . shall promptly notify the Bond Registrar which will give notice in the name of the City

Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland moved to amend Ordinance No. 23730, Section 17 (third paragraph) to read:

The terms of such sale are set forth in the Notice of Bond Sale substantially in the form of Exhibit A attached hereto, the provisions and form of which are hereby approved and made a part of this ordinance by this reference.

Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 20 to delete the existing subsection 3 and to replace it with subsection 4.

Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to amend Ordinance No. 23730, Section 20, subsection 3, third paragraph, to change the uppercase letters "B" and "T" in the words "Bondowners" and "Trustee" to the lowercase letters "b" and "t," respectively.

Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

David Dow, Finance Director, recommended the deletion of the last sentence of the fifth paragraph of Section 4 relative to the \$25,000,000.00 limitation.

Deputy Mayor Rasmussen moved to amend Ordinance No. 23730, Section 4, last sentence of the fifth paragraph, to delete the words "subject to the \$25,000,000.00 limit described above."

Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, on the Ordinance, as amended, resulting as follows:

Ayes: 6 - Hyde, Mykland, Nielsen, Rasmussen, Warrick, and Mayor Sutherland.

Nays: 1 - McElliott.

Absent: 2 - Ladenburg and Stenger.

The Ordinance, as amended, was declared passed.

Robert Backstein, City Attorney, advised that Council should ask for public comment on the Ordinance due to the number of amendments.

Mayor Sutherland moved to reconsider Ordinance No. 23730. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

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Ordinance No. 23730

Authorizing the sale and issuance of revenue bonds in the amount of \$14,765,000.00 to provide funds necessary for additions and betterments to the City's Refuse Utility System.

Mayor Sutherland called for public testimony on Ordinance No. 23730, as amended.

No one from the public appeared to testify.

Voice vote was taken and carried, with Council Member McElliott voting "May" for adoption of Ordinance No. 23730, as amended, according to the prior vote. The motion was declared adopted.

Council Member Hyde recommended that more lead time be allowed for this type of ordinance in the future to provide for corrections, public hearings, and the like.

PUBLIC HEARINGS AND APPEALS: (Began at 6:25 p.m.)

This is the date set for hearing the appeal of Jerry and Renae Nelson relative to their request for a variance to build a deck on the property located at 4302 North 19th Street.

Gary Sullivan, Hearings Examiner, made a presentation to the Council regarding the appeal.

Mayor Sutherland explained the rule relative to appeals before the City Council.

Jerry Nelson stated the reasons for the appeal.

Kathy Lewis, 1814 North Mason Street, spoke in support of the Hearings Examiner's decision.

Mayor Sutherland asked Ms. Lewis to verify that she was not the Kathy Lewis who is an employee at Tacoma Tent & Awning Company.

Ms. Kathy Lewis stated that she not the Kathy Lewis employed by Mayor Sutherland at Tacoma Tent & Awning Company.

Mayor Sutherland moved to amend Conclusion 3(c) of the Hearings Examiner, the last sentence, to read: ". . . that under these circumstances, the Nelsons and/or their successors in interest would not unreasonably withhold consent." Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Sutherland moved to deny the appeal. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The appeal was denied.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that the Assistant Personnel Director needed to address the Council with a request.

Ruben Nieto, Assistant Personnel Director, requested a moving expense reimbursement in accordance with the Pay and Compensation Plan provisions. He requested a \$1,905.93 reimbursement for moving expenses for Mr. Eli Ashley, Managing Director of the Pantages Centre.

Council Member Hyde moved to approve the requested reimbursement. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried, with Council Member McElliott voting "Nay." The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Mykland stated that he was presented with petitions from residents of the East 30th Street area in opposition to the extension of two City streets onto the Puyallup Indian Reservation. He made a request to the Public Works Department for clarification whether the City was in fact extending those streets.

Fred Thompson, Public Works Director, stated that the Federal government was extending those streets from the Puyallup Indian Reservation onto the City of Tacoma streets.

Council then discussed concerns relative to increased traffic in the area, sale of illegal goods on the reservation, the lack of a public hearing on this matter, recreational uses near the area in question, and the environmental impact on the area.

Discussion followed relative to what action the Council should take in this matter.

Council Member Hyde moved that the City Council request that the Bureau of Indian Affairs hold a timely public hearing regarding this street construction as soon as possible and, further, that if the Bureau of Indian Affairs is not cooperative, then the City will hold a public hearing relative to the same. Seconded by Council Member Mykland.

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Council Member Nielsen moved to amend the motion to eliminate the "further . . ." portion of this motion and to limit this motion only to the request that the Bureau of Indian Affairs conduct a public hearing at this point.

Council Member Hyde accepted this as a friendly amendment.

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

Mayor Sutherland stated that the City Council has cancelled the budget workshop scheduled for November 24, 1986. He stated that the first reading of the budget ordinance for 1987 would be on November 25, 1986, instead of December 2, 1986.

Council Member Hyde requested that staff also detail out the prioritized Council List and proposed City revenues.

Council Member Hyde stated that he had requested that the Health Department staff meet with the Health Department's legal staff and a representative from Public Works and City legal staff regarding small generator and household generator waste problems relative to the disposal of oil and antifreeze materials.

Mayor Sutherland moved to excuse Council Member Ladenburg's absence from tonight's meeting. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland stated that Council Member Ladenburg was in Washington, D.C., to accept an award on behalf of the City of Tacoma from the United States Secretary of Energy.

Mayor Sutherland stated that Washington State law requires that the election be certified by November 19, 1986, and at that time the Council would know whether Council Member Ladenburg was successful in his bid for the office of Pierce County Prosecutor. He stated that Council Member Ladenburg intended to remain on the Council until the last week of December, 1986. If Council Member Ladenburg was successful, he suggested that by December, 1986, the Council should make notification and actively seek to appoint someone to fill the vacancy before January, 1987.

Mayor Sutherland stated that he had instructed staff to advise persons who wished to be considered for this vacancy to submit a biographical sketch to the City Clerk's Office.

Council Member Hyde concurred with Mayor Sutherland's suggestion for submitting a biographical sketch and requested that the vacancy be filled as rapidly as possible.

Council Member Warnick inquired whether the appointment would be made by the City Council as a whole.

Mayor Sutherland stated that the appointment would be made by the Council as a whole.

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Mayor Sutherland stated that it may be appropriate for the Council Appointments Committee to review the list of applicants and make recommendations to the Council for the filling of this vacancy.

Council Member Harnick suggested that those Council members who are not on the Appointments Committee be invited into the interview process.

On proper motion, the meeting was adjourned at 7:21 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

NPC.9001.G

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