

## CITY COUNCIL MINUTES

City Council Chambers  
December 14, 1993

The meeting was called to order at 5:12 p.m.

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

The Flag Salute was led by Council Member Silas.

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Approval of the minutes of the Tacoma City Council meeting of December 7, 1993.

### PETITIONS:

Oscar Hokold, requesting the reclassification of property located at 7829 Pacific Avenue from a "R-2" One-Family Dwelling District to a "R-4-L" Low-Density Multiple-Family Dwelling District for the conversion of a basement/garage to a one-bedroom rental unit and for future removal of a two-bedroom and garage/storage building and addition of a two-story multiple family unit.

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### RESOLUTIONS:

#### Resolution No. 32432

Authorizing the submittal of a grant application to the Washington State Department of Ecology for funds for remedial design and action conducted within and adjacent to the Thea Foss Waterway.

#### Resolution No. 32433

Setting Monday, January 10, 1994, at 5:00 p.m. as the date for a hearing on L.I.D. No. 8575 for grading and placing asphaltic concrete pavement, including asphalt wedge curbs, storm drain lines, and storm water catch basins on North 28th Street from Carr to Steele Streets.

Resolution No. 32434

Setting Monday, January 10, 1994, at 5:00 p.m. as the date for a hearing on L.I.D. No. 8573 for grading and placing asphaltic concrete pavement, including asphalt wedge curbs, storm drain lines, and storm water catch basins on Bell Street from South 46th to South 48th Streets.

Resolution No. 32435

Setting Monday, January 10, 1994, at 5:00 p.m. as the date for a hearing on L.I.D. No. 8577 for grading and placing asphaltic concrete pavement, including asphalt wedge curbs, storm drain lines, and storm water catch basins on South 59th Street from Montgomery Street east 215 feet, more or less, to the dead end.

Resolution No. 32436

Setting Tuesday, January 25, 1994, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of South 45th Street between Adams Street and the Burlington Northern Railroad right-of-way. (Victor J. Yaconetti; File No. 124.991)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for December 14, 1993.
- b. Minutes of the meeting of the Fire Safety Education Advisory Committee of October 27, 1993.
- c. Minutes of the meeting of the Transportation Committee of November 18, 1993.
- d. Minutes of the meeting of the Commission on Children, Youth and Families of November 18, 1993.
- e. Revised minutes of the meeting of the Environmental Commission of November 8, 1993.
- f. Report of the Director of Finance of October 1993.

Council Member Nielsen moved that the Consent Agenda be approved, including Resolution Nos. 32432, 32433, 32434, 32435, and 32436. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Vialle proclaimed the day of December 14, 1993, to be "Neighborhood Council Accomplishment Day," and presented the proclamation to Ms. Marion Weed and Mr. Skip Vaughn.

Council Members then presented certificates of recognition to representatives from the neighborhood council districts.

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**REGULAR AGENDA**

FINAL READING OF ORDINANCES:

Ordinance No. 25409

Amending Chapter 13.06 of the Official Code to reclassify the property located in the vicinity of 45th Street N.E. and High Point Drive from a "R-3PRD" Planned Residential Development District and a "R-3T" Residential Commercial Transitional District to a "R-2" One-Family Dwelling District to subdivide a 10.42-acre site into 61 single-family building lots. (Laurence Ortengren (HIGH POINTE); File No. 120.1342)

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Deputy Mayor Mykland.

Nays: 0.

Absent: 1 -- Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25411

Accepting donations totaling \$12,652.93 from various parties and depositing said sum in the Miscellaneous Trust Fund for the Drug Awareness Resistance Education Program.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25412

Amending Sections 6.32.030, 6.75.010, 6.75.020, 6.75.030 and 6.76.030 of the Official Code and adding a new Chapter 3.09 relative to Fire Department permit and service fees for vehicles carrying petroleum products, fire alarm licenses, public fireworks displays, fuel tank installations and removals, industrial welding and various inspections.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25413

Amending Chapter 1.12 of the Official Code to implement 1994 rates of pay.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25414

Amending Section 1.06.210 of the Official Code relative to the Finance Department to provide language regarding debt financing consistent with the City Charter.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 25415

Approving the ad valorem tax levies for 1994.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Substitute Ordinance was declared passed.

Substitute Ordinance No. 25416

Amending Chapter 11.05 of the Official Code relative to reducing the current  
breath and blood alcohol standards for driving while under the influence and  
physical control of a vehicle from 0.10 to 0.08 percent.

Mayor Vialle moved to suspend the rules to consider Substitute No. 2 for  
Ordinance No. 25416. Seconded by Deputy Mayor Mykland. Voice vote was  
taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Substitute No. 2 for Ordinance No. 25416 was declared passed.

Ordinance No. 25417

Providing for the formation of L.I.D. No. 3951 for laying local sanitary sewers in  
the alley between Warner and Windom Streets from South 30th Street north 320  
feet, more or less.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 25418

Accepting \$3,000 from Nalley's Fine Foods, \$1,500 from ALPAC and goods and services from West Coast Grocery, The Morning News Tribune, KMPS, Menefee Trees and Peninsula Crowd Management Services; depositing in and appropriating \$4,500 from the Tacoma Dome Operating Fund for the Holiday Skate Fest at the Tacoma Dome on December 19, 1993.

The Ordinance was set over for final reading on January 4, 1994.

Ordinance No. 25419

Vacating the east 10 feet and the west 10 feet of Wilkeson Street between South 41st and South 42nd Streets to accommodate the existing encroachments on both sides of the 70-foot wide right-of-way. (Jerry L. Gettmann, et al; File No. 124.989)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. 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.

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RESOLUTIONS:

Purchase Resolution No. 32437

Awarding contracts to:

1. Wardell-Rogers Corp., on their bid of \$231,172 for WR2 Polymer for the North End Treatment Plant - Sole Source;
2. Various vendors for open purchase orders for 1994;
3. Square Deal Concrete Construction, in the amount of \$50,000 to increase their contract for sidewalk reconstruction - Citywide - Specification No. G-229-93;

4. Northwest Cascade, Inc., on their bid of \$131,820.19 for residential street, storm sewer, sanitary sewer and water main construction from Sweet Street 650 feet east from Portland Avenue, L.I.D. Nos. 8562, 3949B and 5719 - Specification No. G-204-93;
5. Buckley Nursery Co., on the bid of \$64,667 for the tree project/supply and tree delivery - Specification No. G-254-93;
6. U.S. West Cellular, on their bid of \$184,000 for 1994 cellular phone airtime billing - Washington State Contract No. 92-PUR-011;
7. Woodworth & Company, on their bid of \$115,535.42 for residential street construction for L.I.D. No. 8564 - North Madison Street from North 36th to North 37th Streets, L.I.D. No. 8569 - North 27th Street from North Mullen to North Cheyenne Streets; two-inch asphalt pavement for L.I.D. No. 2616 - South Wilkeson Street from South 41st to South 42nd Streets, and L.I.D. No. 2617 - East K Street from Wright Avenue to East 34th Street - Specification No. G-250-93;
8. Northwest Cascade, Inc., on their bid of \$41,057.91 for sanitary sewer replacement on North Fife Street from North 19th to North 21st Streets - Specification No. G-217-93;
9. J.L.R., Inc., on their bid of \$93,101 for business district street furniture installation at the Tacoma Dome and Sixth Avenue districts - Specification No. G-252-93; and
10. JWC Environmental, on their bid of \$36,396 for a muffin monster for the primary digest system - Sole Source.

Mayor Vialle moved that the Purchase Resolution be adopted. Seconded by Deputy Mayor Mykland.

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

Voice vote was taken and carried on the Purchase Resolution, including Substitute Exhibit "A." The Purchase Resolution, including Substitute Exhibit "A" and including waiving formal bidding procedures on Item Nos. 1, 2 and 10, was declared adopted.

Resolution No. 32438

Approving the preliminary plat for MARISA ESTATES located in the vicinity of 37th Avenue N.E. between Brown's Point Boulevard and 33rd Street N.E. (Kerr-Built, Inc.; File No. 125.335)

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member Evans.

Council Member Miller announced that he would abstain from consideration of this matter and left the Council Chambers.

Voice vote was taken and carried, with Council Member Miller abstaining. The Resolution was declared adopted.

Resolution No. 32439

Establishing Council policies regarding the employment and personnel system as set forth by Proposition No. 11.

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

Resolution No. 32440

Authorizing negotiations with Budgeting Technology, Inc., for the purchase of budget software.

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

Resolution No. 32441

Authorizing the execution of a 12-year "Cheney Stadium Lease Agreement" with Pierce County and George's Pastime, Inc., for the exclusive management, operation and use of Cheney Stadium for the Tacoma Tigers Baseball Club and other events.

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member Baarsma.

Speaking to the Council was:

George Foster                      Owner, Tacoma Tigers Baseball Club

Roll call vote was taken, resulting as follows:

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

Nays: 0.



The Resolution was declared passed.

Resolution No. 32442

Authorizing the execution of an agreement with Loschky Marquardt & Nesholm, a Washington Partnership, to assist in the development of a capital needs assessment plan for the Department of Public Assembly Facilities.

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

Resolution No. 32443

Identifying as areas of concern those issues set forth in Tacoma's 1994 Legislative Priorities.

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

Resolution No. 32444

Authorizing the execution of an interlocal agreement with Pierce County, in an amount not to exceed \$47,500 to jointly fund the Commission for Children, Youth and Families through December 31, 1994.

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

Resolution No. 32445

Authorizing Amendment No. 87 to the NPP Agreement with the Municipal Authority, in the amount of \$100,000 for continued implementation of the Scattered Site Affordable Housing Project in accordance with agreements between the Municipal Authority and Martin Luther King Housing Development Association (MLKHDA).

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

Resolution No. 32446

Authorizing the execution of an agreement with the Hilltop Home Ownership Development Center (HHDC), in the amount of \$1,059,560 for the Hilltop Homeownership Program and amending the Community Development Statement of Objectives and Use of Funds and the HOME Program Description.

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

Resolution No. 32447

Authorizing the execution of an agreement with the Tacoma-Pierce County Chapter of the American Red Cross, in an amount not to exceed \$85,000 for providing certain services and food items to senior citizens.

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.

Resolution No. 32448

Authorizing the execution of agreements with specific human service agencies, in an amount not to exceed \$1,554,753 to implement certain human service projects.

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member Evans.

Mayor Vialle declared that she was on the Children's Home Society Board but that she received no fee for this nor had any financial interest in the matter.

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

Resolution No. 32449

Authorizing the extension of an agreement with Terra Communications, Inc., for a one-year period and a maximum amount of \$75,000 for maintenance of the City's Premier telephone equipment for 1994.

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

Resolution No. 32450

Authorizing the execution of an agreement with U.S. West Communications, Inc., for a three-year period, at a cost of \$1,150 per month for the provision of Digital Switching Service.

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

Resolution No. 32451

Authorizing an extension to the agreement with Macro Com, Inc., for a one-year period and a maximum amount of \$200,000 for maintenance of the City's telephone equipment for 1994.

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

Resolution No. 32452

Authorizing an amendment to the agreement with Gordon, Thomas, Honeywell, Malanca, Peterson & Daheim, in conjunction with B & V Waste Science and Technology Corporation, in the amount of \$350,000 for implementation of the Thea Foss Environmental Master Plan.

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

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UNFINISHED BUSINESS:

None.

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated that on behalf of the staff he appreciated serving with the Council. He stated that the Council's accomplishments were positive. He stated that the Council should be proud of their contributions. He then wished the best for their future.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans commended Alice Bush for her work as Special Assistant in the City Manager's Office for the last three months.

Council Member Silas, on behalf of the Council, said good-bye to the members of the Council who were leaving.

Mayor Vialle read a proclamation listing the accomplishments of Hal Nielsen and presented him with a plaque.

Mayor Vialle next called on Council Member McElliott, read a proclamation listing her accomplishments, and then presented her with a plaque.

Mayor Vialle next called on Deputy Mayor Mykland, read a proclamation listing his accomplishments, and then presented him with a plaque and a gavel.

Deputy Mayor Mykland read a proclamation that listed the achievements of Mayor Vialle and presented her with a plaque and a gavel.

Council Members Nielsen, McElliott, and Deputy Mayor Mykland, and Mayor Vialle gave their farewell comments and remarks.

Council Member Moss then presented a gift and spoke regarding the accomplishments of Council Member Nielsen.

Council Member Evans presented a gift and spoke regarding the accomplishments of Deputy Mayor Mykland.

Council Member Baarsma presented a gift and spoke regarding the accomplishments of Council Member McElliott.

Council Member Miller presented a gift and spoke of the accomplishments of Mayor Vialle.

The departing members of the Council gave their thanks and final comments.

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On proper motion, the meeting was adjourned at 6:56 p.m.

  
KAREN L. R. VIALLE, MAYOR

ATTEST:   
GENELLE BIRK, CITY CLERK

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