

CITY COUNCIL MINUTES

City Council Chambers
May 24, 1988

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

Present on roll call: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Harnick, and Mayor Sutherland. Absent: 2 - McElliott and Moss.

The Flag Salute was led by Mayor Sutherland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of May 17, 1988.

FIRST READING OF ORDINANCES:

Ordinance No. 24108

Accepting donations of two pool tables and one ping pong table having an approximate value of \$2,500.00 from Mr. Harold Gomm for the Lighthouse Senior Center.

RESOLUTIONS:

Resolution No. 30038

Setting Tuesday, July 12, 1988 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate North Lawrence Street from North 11th Street to North 18th Street and several adjacent streets and alleys. (University of Puget Sound; File No. 124.873)

Resolution No. 30039

Setting Tuesday, June 7, 1988 at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider the Six-Year Comprehensive Street Program for the years 1989-1994 and the Amended 1988 Street Program.

Resolution No. 30040

Setting Tuesday, July 19, 1988 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate South 48th Street between Lawrence and Junette Streets. (John D. Dobler; File No. 124.869)

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ASSESSMENT ROLLS:

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

L.I.D. No. 8462 for the permanent pavement and storm drainage in South Wapato Street from South 53rd to South 54th Streets.

Setting Monday, June 27, 1988 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, May 24, 1988.
- b. Minutes of the meeting of the Landmarks Preservation Commission, May 11, 1988.
- c. Minutes of the special meeting of the Public Utility Board, April 26, 1988.
- d. Minutes of the meeting of the Public Utility Board, April 27, 1988.
- e. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, March 24, 1988.
- f. Minutes of the meeting of the Urban Policy Committee, May 4, 1988.
- g. Tacoma Employees' Retirement System report of purchases and sales of investments, February and March 1988.
- h. Tacoma Public Utilities Budget Performance Analysis, March 1988.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30038, 30039, 30040, and first reading of Ordinance No. 24108, be approved. Seconded by Council Member Viale.

Mayor Sutherland stated that on Resolution No. 30038 on line 6, it has been requested to change the date to August 9, 1988 at 9:30 a.m. and he so moved to amend the resolution to read as such. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried.

The Consent Agenda, as amended, was declared approved.

Council Member Mykland abstained from voting on Resolution No. 30038.

R E G U L A R A G E N D A

COMMUNICATIONS:

- a. City Attorney submitting the Findings of Fact, Conclusions of Law, and Decision of the City Council relative to the appeal of Cliff Duvall and Hillsdale Lumber Manufacturing Company, Inc. (File No. 120.1234)
(Continued from the meeting of May 17, 1988)

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Robert Backstein, City Attorney, stated that the attorney for Mr. Duvall had not been able to get confirmation from one property owner who is in opposition and would like to have this communication held over for one week.

Council Member Warrnick moved to hold Communication a. over for a period of one week. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

- b. Submittal by the City Attorney of the supplemental agreements implementing the Loan Modification Agreement for the Sheraton Tacoma Hotel heretofore approved by the Council. These documents are submitted for information, review, and/or comments by the City Council prior to being formally executed. No further action by the Council is needed, unless the Council has concerns or requests changes thereto. Documents are on file in the City Clerk's office.

Mayor Sutherland advised that this is informational only and no action is required.

- c. City Attorney submitting the Findings of Fact, Conclusions of Law, and Decision of the City Council relative to the appeal of Jack L. and Mary-Anne Callinsky of the reclassification request of Arlie G. Masters. (A. G. Masters; File No. 120.1235)

Mr. A. G. Masters stated that he had not seen the Findings of Fact, Conclusions of Law and Decision of the City Council and could make no comment at this time.

Mayor Sutherland moved to set Communication c. over for a period of one week to allow Mr. Masters an opportunity to review the Findings. Seconded by Council Member Warrnick. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved to excuse Council Members McElliott and Moss from tonight's meeting as they are attending a conference in Virginia, as well as excusing Mrs. McElliott from last week's meeting. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland presented a certificate and plaque to Ed Faker, Jr. to give to his father, Ed Faker, Sr. as he has been named "Veteran of the Year."

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30046. Seconded by Council Member Mykland. Voice vote was taken and carried.

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Resolution No. 30046

Endorsing the formation of the South Puget Sound Higher Education Council, created for the purpose of establishing and assuring the implementation of a public university facility in Tacoma-Pierce County to meet the area's undergraduate and graduate educational needs.

Mayor Sutherland moved that the resolution be adopted. Seconded by Council Member Mykland.

Speaking to the Council were:

Brian Ebersole

House Majority Leader and
State Representative

Liz Heath
Phyllis Erickson

Economic Development Board
County Council Member

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

FINAL READING OF ORDINANCES:

Ordinance No. 23788

Vacating the alley between Yakima Avenue and "G" Street from North 1st Street to North 2nd Street to provide ingress and egress and off-street parking for the abutting buildings. (Myron Jim McNerthney; File No. 124.828)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

Ordinance No. 23975

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southwest corner of South 48th Street and Tacoma Mall Boulevard from a "R-2-T" Residential-Commercial Transitional District to a "C-2" Commercial District to convert an existing 13,756 square foot office building into a retail "high-end" furniture store. (Trammell-Crow Company; File No. 120.1224)

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Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Harnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

Ordinance No. 24098

Authorizing the execution of an amendment to the grant award agreement with the U.S. Equal Employment Opportunity Commission in the amount of \$770.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for training purposes.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Harnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

Ordinance No. 24099

Accepting a donation of \$7,500.00 from Pacific Northwest Bell; transferring \$5,000.00 from the General Fund to the Miscellaneous Grants Summary Fund and appropriating \$12,500.00 from the Miscellaneous Grants Summary Fund to support BalleTacoma's performances of "La Fille Mal Gardee," and ARTSLINE-UP.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Harnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

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Ordinance No. 24100

Transferring \$290,536.00 to the City Street Fund, \$145,096.00 to the Library Fund, and \$4,083.00 to the Airport Fund from the General Fund and appropriating said sums from said funds to pay for the cost of living increases in wages and medical/dental costs for 1988.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

Ordinance No. 24101

Amending Title 5 of the Official Code to add a new chapter designated as 5.47 regulating the removal of commercial underground storage tanks for hazardous materials.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

Ordinance No. 24102

Appropriating \$2,000.00 from the General Fund for the Tacoma Arts Commission to allow for the receipt and disbursement of ticket sales for the 1988 Excellence in the Arts Award Luncheon.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Mykland, Nielsen, Stenger, Vialle, Warnick,
and Mayor Sutherland.

Nays: 0.

Absent: 2 - McElliott and Moss.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24103

Amending Chapters 6.64, 6.65, 6.66, 6.68 and 6.89 of the Official Code relative to overpayment and underpayment of taxes, and appeal procedures.

The Ordinance was set over for final reading next week.

Ordinance No. 24104

Amending the Pay and Compensation Plan to create the classifications of Park Supervisor, Assistant Park Supervisor in the Light Division and Senior Center Van Driver in the Department of Human Development and amend certain job titles pursuant to the Ewing Study recommendations.

The Ordinance was set over for final reading next week.

Ordinance No. 24105

Authorizing the execution of a Grant Award Agreement in the amount of \$225,000.00 from the Federal Aviation Administration and a Grant Award Agreement in the amount of \$12,500.00 from the Washington State Department of Transportation Division of Aeronautics; transferring \$12,500.00 from the Airport Operations Fund to the Airport Construction Fund; appropriating \$250,000.00 for the construction of an apron/taxiway overlay and taxiway widening at the Tacoma Narrows Airport; and authorizing a temporary non-interest bearing loan from the General Fund to the Airport Construction Fund in the amount of \$250,000.00 to be repaid by September 1, 1989.

The Ordinance was set over for final reading next week.

Ordinance No. 24106

Appropriating \$25,000.00 from the Miscellaneous Special Revenue Fund for design engineering and survey of the City Waterway Public Boardwalk Project, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24107

Imposing an interim zoning provision relating to height of structures in the area bounded by SR-16 on the north, Jackson Avenue on the east, South 19th Street on the south, and the City limits on the west.

Speaking to the Council were:

Dean Wilson
Robert Camp

1401 Sunset Drive
Sr. Vice-President of the Building
Industry Association of Tacoma-
Pierce County
Resident of the North End

Scott Severn

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Mayor Sutherland moved to hold Ordinance No. 24107 over for second reading on the 7th of June and allow public testimony relative to the amendments. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried.

Final reading of the Ordinance was set over to June 7, 1988.

RESOLUTIONS:

Purchase Resolution No. 30036

Awarding contracts to:

1. Motorola Inc., in the amount of \$16,610.79 for seven (7) motorola MX-350 portable radios - Single Source;
2. Shinstine/Forness, Inc., on their bid of \$155,124.20 for the Hilltop Community Day Care Center rehabilitation - Specification No. G-028-88;
3. Western Peterbilt, Inc., on their bid of \$292,037.82 and Young Equipment Company on their bid of \$411,557.58 for four (4) tractors and eleven (11) transfer trailers - King County Bid Nos. 498-87 APK and 219-87 APK; and
4. Rejecting all bids submitted for streetlighting on South 55th Street, Park Avenue to Pacific Avenue, South 59th Street, South "D" Street to Pacific Avenue - Specification No. G-223-88.

Deputy Mayor Hyde moved that the Purchase Resolution be adopted and to waive the formal bidding procedures on Purchase Item No. 1. Seconded by Council Member Warrick. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30037

Accepting a bid for \$35,000,000.00 for the 1988 Sewer Revenue Bonds of the City and fixing certain terms of such bonds.

Council Member Warrick moved to suspend the rules to consider Substitute Resolution No. 30037. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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

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Resolution No. 30041

Authorizing the execution of Amendment Three to the Solar Access Project agreement with Benkendorf Associates Corporation in the amount of \$14,100.00 to conduct Phase III of the project which will include consultation with the City's Solar Access Advisory Committee, preparation of educational materials, and coordination of public involvement activities.

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

Resolution No. 30042

Authorizing a three month extension to the temporary non-interest bearing loan in the amount of \$160,000.00 from the General Fund to the Airport Construction Fund for the 1987 tie-down apron and taxiway construction at the Tacoma Narrows Airport.

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

Resolution No. 30043

Authorizing the execution of an agreement with Hilltop Community Day Care Center in the amount of \$175,000.00 for the rehabilitation of the Hilltop Day Care facility at 1407 South "I" Street.

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

Resolution No. 30044

Selecting Republic Parking Northwest, Inc., as the firm for negotiation for an agreement for management and operation of the North and South Park Plaza Parking Garages.

Council Member Stenger moved that the Resolution be adopted. Seconded by Mayor Sutherland.

Speaking to the Council were:

James Oliver
Gary Beck

Attorney for Diamond Parking
Executive Vice President of
Republic Parking Northwest

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Council Member Mykland moved to reject all bids and begin the process again. Seconded by Council Member Nielsen. Council Member Mykland withdrew his motion and Council Member Nielsen withdrew his second.

Roll call vote was taken on the Resolution, resulting as follows:
Ayes: 1 - Warnick. Nays: 6 - Hyde, Mykland, Nielsen, Stenger, Vialle and Mayor Sutherland. Absent: 2 - McElliott and Moss. The motion to adopt the Resolution failed.

Mayor Sutherland moved that staff be instructed to reject all proposals and start the process again and submit to the possible bidders a request for proposals for the operation of the North and South Parking Garages. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30045

Authorizing the execution of an agreement with Pioneer Business Forms, Inc., in the amount of \$1,500,000.00 to provide interim financing for working capital in the operation of its business.

Mayor Sutherland moved to suspend the rules to consider Substitute Resolution No. 30045. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the Substitute Resolution be adopted. Seconded by Council Member Stenger.

Mayor Sutherland moved to amend Page 2, Line 12, and insert the interest rate of 5.5%. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Resolution were:

Roger Zarling

Vice President, Pioneer
Business Forms

George Holman

Cascade Printing Company

Sue Holden

Employee, Pioneer Business Forms

Dwayne Bockman

Employee, Pioneer Business Forms

Roll call vote was taken on the Resolution, resulting as follows:
Ayes: 6 - Hyde, Nielsen, Stenger, Vialle, Warnick and Mayor Sutherland.
Nays: 1 - Mykland. Absent: 2 - McElliott and Moss.

The Substitute Resolution, as amended, was declared adopted.

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Resolution No. 30046

Endorsing the formation of the South Puget Sound Higher Education Council, created for the purpose of establishing and assuring the implementation of a public university facility in Tacoma-Pierce County to meet the area's undergraduate and graduate educational needs.

This Resolution was considered earlier in the meeting.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warrick stated that during the past week the Pacific Lutheran University was successful in winning a national championship in Women's Softball and was also recently awarded the undisputed championship in football. He stated he would like to give a note of congratulations to the staff, the students and the supporters of Pacific Lutheran University for their successful athletic season.

Council Member Vialle stated that the only game Pacific Lutheran University lost this year was to the University of Puget Sound and that both universities should be congratulated--the women got to the NAIA by defeating the University of Puget Sound. The University of Puget Sound is celebrating its 100th Anniversary this year and they should be congratulated for the contributions they made to the community over the last 100 years.

Council Member Mykland said that in the past he had asked Mr. Mork to review the City looking into self-insurance for medical purposes and he would like a report related specifically to that matter and copies sent to Councilmembers.

Mayor Sutherland moved to recess to Executive Session to discuss matters of personnel, real estate, and litigation; the session not to exceed 30 minutes. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 8:16 p.m. Mayor Sutherland returned to the Chambers at 8:45 p.m. and extended the Executive Session for another 15 minutes. Council reconvened at 9:06 p.m.

Mayor Sutherland stated that Ordinance No. 24041 was scheduled to come before the Council on May 31, 1988. Mayor Sutherland moved to continue Ordinance No. 24041 to the Council meeting of June 7, 1988. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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On proper motion, the meeting was adjourned at 9:08 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


DOUG SUTHERLAND, MAYOR

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