

CITY COUNCIL MINUTES

City Council Chambers
November 16, 1993

The meeting was called to order at 5:10 p.m.

Present on roll call: 8 - Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, Silas, and Mayor Vialle. Absent: 1 - Miller.

The Flag Salute was led by Council Member Nielsen.

Approval of the minutes of the Tacoma City Council meeting of November 9, 1993.

RESOLUTIONS:

Resolution No. 32397

Setting Tuesday, November 30, 1993, at 6:00 p.m. as the date for a public hearing by the City Council concerning amending Chapter 4.16 of the Official Code to prohibit scuba and skin diving in the areas surrounding the Les Davis Pier, the Point Defiance Boathouse and the Old Town Dock.

APPEAL:

James H. Foster, appealing a service charge for a third alarm response, as set forth in Chapter 6.02.070 of the Official Code.

Setting Thursday, December 9, 1993, at 9:00 a.m. as the date for a hearing by the Hearing Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for November 16, 1993.
- b. Minutes of the meeting of the Civil Service Board of October 18, 1993.
- c. Minutes of the meeting of the Fire Safety Education Advisory Committee of October 27, 1993.
- d. Minutes of the meeting of the Tacoma-Pierce County Board of Health of October 6, 1993.
- e. Minutes of the meeting of the Tacoma Public Library Board of Trustees of September 15, 1993.

- f. Minutes of the meeting of the Airport Advisory Committee of October 21, 1993.
- g. Minutes of the meeting of the Landmarks Preservation Commission of October 27, 1993.
- h. Minutes of the meeting of the Environmental Commission of October 11, 1993.
- i. Minutes of the meeting of the Tacoma Arts Commission of October 11, 1993.
- j. Citizens' petition for support of Resolution No. 32392 encouraging the sale of trigger locks for all firearms and asking the State Legislature to give consideration to this public safety issue and pass a law requiring the sale of firearm locks with firearms.
- k. Total Service Delivery Report of the Humane Society for Tacoma and Pierce County for July and August 1993.

Council Member Nielsen moved that the Consent Agenda, including Resolution No. 32397, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Vialle proclaimed the day of November 16, 1993, to be "Community Education Day," and presented the proclamation to Ms. Karen Smitherman, Partnership Coordinator for the Tacoma School District.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25392

Providing for the sale and issuance of Water System and Refunding Revenue Bonds in the aggregate principal amount of \$24,100,000 to pay for additions and improvements to and extensions of the existing water system, paying and retiring the Water Revenue Bonds, 1978 Refunding Series, and for defeasance of the Water Revenue Bonds, 1980 Series.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25392. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Substitute Ordinance was declared passed.

Ordinance No. 25395 (Continued from the meeting of November 9, 1993.)

Authorizing the closure of South Pine Street, north of South 80th Street, to vehicular traffic by the placement of barricades and/or gates.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25396

Accepting donations totaling \$1,500 from the Forest Foundation, Fuchs Foundation and Key Bank; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for Senior Citizens Awareness Day expenses.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25399

Amending Ordinance No. 24735, creating L.I.D. No. 5704, to reflect a 20-year Assessment Roll rather than a 10-year Assessment Roll.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

Ordinance No. 25400

Depositing \$5,805 in booth rental fees and \$964 in asbestos removal reimbursements in the Planning and Development Services Senior Account of the General Fund; appropriating \$6,769 from the General Fund for Senior Citizens Awareness Day expenses.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 -- Miller.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25401

Amending Chapter 1.06 of the Official Code relative to disclosure in bidding, purchase orders and bid award contracts.

Council Member Moss moved to delete any reference to "his or her spouse and minor children, if any," and any reference to any collective bargaining union with which the bidder has a collective bargaining agreement. Seconded by Council Member Nielsen.

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Deputy Mayor Mykland suggested that there should be a Substitute Ordinance for Council consideration.

Mayor Vialle asked the City Attorney to compare Washington State law and disclosure issues in regard to the Colorado laws pertaining to this Ordinance. She also requested to know if a national company, such as U.S. West, were to bid would they have to disclose everyone who owns five percent of the stock.

John Kouklis, City Attorney's Office, stated he would contact the City Attorney's office in Denver.

Council Member Evans stated that the Ordinance needed to be amended to indicate the submittal of record of work done for the City prior to the bid.

Council Member Evans moved to set the Ordinance over to a date to be determined until the language could be adjusted accordingly. Seconded by Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance was set over to a date to be determined.

Ordinance No. 25402

Granting American Pacific Telephone the right, privilege and permission to install, maintain and operate public telephone booths at designated locations within the City of Tacoma.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25402. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle stated that Section 8.1 of the Tacoma City Charter requires that an ordinance granting a franchise shall be passed at least 15 days after its introduction.

Speaking to the Council was:

Kathy Willis

U.S. West Communications

The Ordinance was set over for final reading on December 7, 1993.

Deputy Mayor Mykland moved that the Council take a short recess. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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Council recessed at 6:11 p.m. and reconvened at 6:25 p.m.

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

This is the date set for a public hearing by the City Council to consider the midbiennial modifications to the 1993-1994 Biennial Budget.

Mayor Vialle announced that the purpose of the public hearing was to review the 1993-1994 modified Biennial Budget for the Law Enforcement Support Agency, the Metropolitan Park District, the Tacoma-Pierce County Health Department and General Government Department.

Mayor Vialle announced that this was a regular, advertised public hearing and that notice was duly published and should be incorporated by reference in the record.

Mayor Vialle called on Ray E. Corpuz, Jr., City Manager, who gave a presentation on the proposed 1993-1994 Midbiennial Budget modifications.

Mayor Vialle called on Bob Van Gieson, Director of the Law Enforcement Support Agency.

Mr. Van Gieson gave a presentation on the Midbiennial Budget modifications for the Law Enforcement Support Agency.

Mayor Vialle called for public testimony on the LESA Budget.

No one appeared from the public to speak.

Mayor Vialle called on Peter Norman, President of the Metropolitan Park Board.

Mr. Norman gave a presentation on the budget modifications requested.

He then turned the presentation over to Niel Ofsthun, Director of the Metropolitan Park District, who continued the presentation.

Mayor Vialle then called on the public for testimony on the Park District budget modifications.

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Speaking to the Council were:

Nancy Pease Hogan	Representing Metropolitan Park District employees
Margaret Gaspari	Zoo employee
Robert Todd Hunter	Metropolitan Park District employee
Rick Owens	Zoo employee
Dr. David Tyson	Park District Volunteer
Tom Otten	Director, Pt. Defiance Zoo
Margaret Riebe	Citizen's for Responsible Park Management
Bill Factory	3520 East T Street
Gary Brown	Program Director, Indo-China Cultural Center
Sojheap Keo	Cambodian Counselor
David Thau	Vietnamese Counselor
Mitchell Collins	Teen Recreation - People's Center
June Kanz	Portland Avenue Senior Citizen Teacher
Robert Cohee	Portland Avenue Center
Charlean Eigner	5011 East L Street
Jerry Knutzen	President, Advisory People's Community Center
Dave McDonald	Metropolitan Park District employee

Mayor Vaille called on Dr. Frederico Cruz-Uribe, Director of Tacoma-Pierce County Health Department.

Dr. Cruz-Uribe spoke regarding his request for modification in the budget.

Mayor Vialle called for testimony on the proposed Tacoma-Pierce County Health Department budget modifications.

No one appeared from the public to speak.

Mayor Vialle called on Judith Shoudy, Budget Officer, City of Tacoma.

Ms. Shoudy spoke regarding the proposed 1993-1994 Midbiennial Budget modifications for General Government departments.

Mayor Vialle called on the public for testimony.

No one appeared from the public to speak.

Mayor Vialle called on Kevin Hegarty, Director of the Tacoma Public Library.

Mr. Hegarty gave a presentation regarding the Tacoma Public Library's budget.

Mayor Vialle stated that it was her intention to appoint Ella Mae Crawford and Dana Clancy to the Tacoma Public Library Board of Trustees. She indicated this information would be coming out in the Friday Letter.

Mayor Vialle called for public testimony on the comments made by Mr. Hegarty of the Tacoma Public Library.

No one appeared from the public to speak.

Mayor Vialle declared the public hearing closed at 8:30 p.m.

Ordinance No. 25403

Accepting donations in the amount of \$1,500 from TCI Cablevision of Washington, Inc. and \$1,500 from Viacom Cable; depositing in and appropriating said sums from the General Fund for a cooperative cable television production and dissemination of a production entitled "The Gift of Music from Union Station" over City Cable 12, and county-wide over Viacom Channel 29.

The Ordinance was set over for final reading next week.

Ordinance No. 25404

Amending Chapter 12.09 of the Official Code relative to increasing residential and commercial refuse collection and disposal service rates, effective January 1, 1994.

The Ordinance was set over for final reading on November 30, 1993.

RESOLUTIONS:

Purchase Resolution No. 32398

Awarding contracts to:

1. Western Paper Company, in the amount of \$47,852.70 to increase their contract for multipurpose paper - Specification No. G-051-92;
2. T. Miller Construction, on their bid of \$165,990.47 for Lincoln, Proctor and Stadium Business District Improvements - Specification No. G-246-93;
3. Technology Express, on their bid of \$25,886 for plotters - Specification No. G-054-93; and
4. Pacific Utility Equipment Co., on their bid of \$134,192.88 for one high velocity combination sewer cleaning machine - Specification No. G-036-93.

Council Member Nielsen moved that the Purchase Resolution be adopted. Seconded by Council Member Silas.

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

Resolution No. 32399

Authorizing the execution of agreements with Seattle Northwest Securities and Preston, Thorgrimson, Shidler, Gates, & Ellis for financial advisory and legal services in connection with the issuance of Sewer Utility revenue bonds for storm and sanitary sewer projects.

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. 32400

Amending the Council Rules of Procedure to include updates and procedural changes.

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

Mayor Vialle stated that all resolutions changing Council Rules require two readings.

The Resolution was set over for second reading next week.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

None.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to excuse Council Member Miller from tonight's Council meeting. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland stated that tonight's public hearing on the Budget of the Metropolitan Park District displayed that there are deeper concerns that the Council should have regarding the financial condition and operation of the Metropolitan Park District. He stated that if the City continues to increase funding then they need to look at whether they should be a department of this City. He stated it should be reviewed and possibly be considered at the next legislative session.

Council Member Nielsen stated that he echoed the concerns of Deputy Mayor Mykland. He stated he was flabbergasted at the testimony. He felt that it was incomprehensible and unconscionable that the cost of living increases for staff couldn't be forseen. He stated this magnifies far deeper problems at the Metropolitan Park District.

Council Member Baarsma stated that the Public Utilities expressed concerns regarding the Proposition 3 passed by the voters of the City of Tacoma. They indicated that there is no way there could be savings. However, he stated that now there are savings and that perhaps this could be the same with Metropolitan Parks.

Council Member Evans stated that he and Council Member Silas had gone to a meeting with Congressman Kreidler regarding the Four-Post Plan. He stated that the FAA will pay for the environmental studies and will be cooperative and provide an objective study on the Four-Post Plan.

Council Member McElliott spoke regarding potential school closures and also meal programs at the Eastside Boys' Club.

Mayor Vialle requested that the City Manager make inquiry of the Park District regarding the close proximity of the programs at the People's Center and Al Davies Boys' Club. She stated that there may be some possibility of consolidation and money

savings. She requested that the City Manager send a letter to that effect to the Metropolitan Park District.

Council Member Silas stated that there would be a need to keep both programs open.

Council Member Moss noted that the Metropolitan Park Board is elected and needs to work out their own difficulties and problems.

Council Member McElliott spoke regarding Council Member Silas' concerns about keeping recreation programs open.

On proper motion, the meeting was adjourned at 8:45 p.m.


KAREN L. R. VIALLE, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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