

CITY COUNCIL MINUTES

City Council Chambers  
January 16, 1990

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

Present on roll call: 6 - Evans, McElliott, Mykland, Nielsen, Warnick, and Mayor Vialle. Absent: 2 - Moss and Stenger. Council Member Moss arrived at 5:07 p.m.

The Flag Salute was led by Council Member Nielsen.

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C O N S E N T   A G E N D A

Approval of the minutes of the meeting of January 9, 1990.

RESOLUTIONS:

Resolution No. 30729

Setting Tuesday, March 13, 1990, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of the alley between Defiance and Visscher Streets, northerly of Westgate Boulevard. (Collins Condominium Corporation; File No 124.908)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, January 16, 1990.
- b. Minutes of the meeting of the Tacoma Planning Commission, December 18, 1989.
- c. Hearing Examiner Workload Report, July through December, 1989.

Council Member Mykland moved that the Consent Agenda, including Resolution No. 30729, be approved. Seconded by Council Member Warnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

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Council Member Moss arrived at 5:07 p.m.

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R E G U L A R   A G E N D A

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30730

Appointing Paul E. Miller to fill the vacated District No. 1 City Council position effective January 16, 1990, through December 31, 1991.

Council Member Nielsen moved that the Resolution be adopted. Seconded by Mayor Vialle. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Moss, Mykland, Nielsen, Warnick and Mayor Vialle. Nays: 0. Absent: 1 - Stenger. The Resolution was declared adopted.

Acting City Clerk, Rick Rosenblatt, swore in Mr. Paul E. Miller and Mr. Miller took his place on the dais.

COMMUNICATIONS:

Hearing Examiner submitting Shoreline Management Substantial Development Permit No. 141.458 to allow the installation of a hydrocarbon vapor combustion unit at an existing petroleum product storage and distribution terminal located on the north side of East Seventh Street, between City Waterway and East "D" Street (520 East "D" Street). (Mobil Oil Corporation by Severdrup Corporation; File No. 141.458)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Mykland. Roll call vote was taken, resulting as follows: Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick and Mayor Vialle. Nays: 0. Absent: 1 - Stenger. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24548

Approving and confirming the assessment roll for L.I.D. No. 8485 for the construction of permanent asphaltic concrete pavement and cement concrete curbs and gutters with storm drainage in Cushman Avenue from South 58th to South 59th Streets, South 62nd Street from South Fife to South Prospect Streets and South Fife Street from South 74th Street to the dead end.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 1 - Stenger.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24526 (Continued from the meeting of December 19, 1989.)

Amending Title 5 of the Official Code by adding a new chapter relating to infectious waste.

Mayor Vialle moved to continue this ordinance to the meeting of January 23, 1990, per request of staff. Seconded by Council Member Moss. Voice vote was taken and carried.

The Ordinance was set over for first reading on January 23, 1990.

Ordinance No. 24549

Amending Section 12.06.050 of the Official Code to authorize the Department of Public Utilities to disconnect or refuse service to premises which create a safety risk to its employees.

The Ordinance was set over for final reading next week.

Ordinance No. 24550

Amending the Pay and Compensation Plan to make exception to the nine month period of eligibility for vacation usage and to allow vacation crediting, and to establish the salary for the position of City Manager.

The Ordinance was set over for final reading next week.

Mr. Blair Moore of Occidental Chemical presented a check to Mr. John Ladenburg, Prosecuting Attorney with regard to the Puyallup Indian land claims.

Ordinance No. 24551

Transferring \$8,200.00 from the Community Development Summary Fund to the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary Fund for the Titlow Waterfront Project.

The Ordinance was set over for final reading next week.

Ordinance No. 24552

Authorizing the modification of a grant award contract for the construction of the Lincoln Avenue Wetlands Access and Enhancement Project; accepting \$10,000.00 from the Port of Tacoma; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$11,500.00 from the Open Space Fund to the Miscellaneous Grants Summary Fund; and appropriating \$21,500.00 from the Miscellaneous Grants Summary Fund for continued improvement to the Lincoln Avenue Wetlands Access and Enhancement Project.

The Ordinance was set over for final reading next week.

Ordinance No. 24553

Providing for the operation, maintenance and administration of the Tacoma Municipal Building parking facilities; authorizing a personal services contract to manage said parking facilities; and providing for charges for parking.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 30731

Awarding contracts to:

1. Motorola Communications & Electronics, Inc., in the amount of \$62,874.13 to increase their contract for personal portable radios - Purchase Order No. 31309;
2. General Tire Service, in the amount of \$105,000.00 to increase and extend their contract for tire service, road service and recapping - Specification No. G-126-88;
3. Gootee Chevrolet Buick, on their bid of \$26,566.44 for one (1) 1990 Chevrolet one-ton step van - Washington State Contract No. 175C-89;
4. Gootee Chevrolet Buick, on their bid of \$12,857.12 for one (1) 1990 Chevrolet Celebrity station wagon - Washington State Contract No. 175A-89;
5. Gootee Chevrolet Buick on their bid of \$15,372.24 for one (1) police patrol vehicle - Washington State Contract No. 175B-89;
6. Lynnwood Truck Equipment, Inc., on their bid of \$20,027.62 for one (1) pony trailer - Grant County Contract November 27, 1989.
7. Abolins, on their bid of \$11,239.65 for photo and film supplies - Specification No. G-094-89;
8. Robert McNeel and Associates, on their bid of \$24,032.79 and Government Computer Sales, on their bid of \$42,924.34 for five (5) microcomputer systems - Specification No. G-091-89;

9. A.H. Powers, Inc., on their bid of \$312,328.94 for the North End Wastewater Treatment Plant improvements, Commencement Bay Marine Outfall - Specification No. G-241-89; and
10. VWR Scientific, on their bid of \$49,207.23 and Kamel Company Inc., on their bid of \$47,555.97 for Central Treatment Plant lab equipment - Specification No. G-071-89.

Council Member Nielsen moved that the Purchase Resolution be adopted and to waive formal bidding procedures on item nos. 3, 4 and 5. Seconded by Council Member Warnick.

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

Resolution No. 30732

Authorizing the dedication of a 10-foot-wide strip of surplus Public Utilities, Light Division property located along its Loveland Center for additional street right-of-way along 224th Street East.

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

Resolution No. 30733

Authorizing the execution of an agreement with Pierce County in the amount of \$110,937.00 to provide probation services to the City Municipal Courts through the Pierce County Department of Assigned Counsel.

Council Member 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. 30734

Authorizing the execution of an agreement with Pierce County in the amount of \$202,800.00 to provide legal services to indigent defendants appearing in the Municipal Courts through the Pierce County Department of Assigned Counsel.

Council Member 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. 30735

Authorizing the execution of interlocal agreement with the Office of the Administrator for the Courts of the State of Washington in the amount of \$13,000.00 per month beginning December 1, 1989, through December 31, 1990 to provide for data processing services.

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

Resolution No. 30736

Authorizing the execution of an agreement with Tacoma School District No. 10 in the amount of \$43,920.00 to provide for the Adult Crossing Guard Program from January 1, 1990 through December 31, 1990.

Council Member 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. 30737

Authorizing the execution of Amendment No. 2 in the amount of \$1,772,353.00 with Black & Veatch Waste Science and Technology, Inc., for engineering consultant services to perform remedial actions and State regulation compliance at the Tacoma Landfill.

Council Member 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. 30738

Authorizing the execution of an agreement in the amount of \$320,000.00 with the Tacoma-Pierce County Visitor and Convention Bureau to provide for visitor, tourism and convention promotions; and further allocating \$30,000.00 to establish a Tacoma Cultural Marketing Program to promote the Pantages Centre, Tacoma Actors Guild, Tacoma Art Museum, and the Washington State Historical Society.

Mayor Vialle moved to continue this resolution to the meeting of January 23, 1990, per request of staff. Seconded by Council Member Warnick. Voice vote was taken and carried.

The Resolution was continued to the Council meeting of January 23, 1990.

Resolution No. 30739

Authorizing the execution of a letter of agreement with Ticketmaster Northwest for ticketing service fees for the Billy Joel Concert at the Tacoma Dome.

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

Resolution No. 30740

Authorizing the execution of an agreement with Robert E. Mack in the amount of \$32,500.00 from January 1, 1990 through May 31, 1990 for coordinating legislative liaison during the 1990 session of the Washington State Legislature.

Council Member Mykland moved that the Resolution be adopted. Seconded by Council Member Warnick.

Council Member Moss excused himself from consideration of this Resolution since he has business dealings with this law firm.

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

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

This is the date set for hearing the appeal of David Pitts regarding the decision of the Hearing Examiner on the denial of his request for a 6-foot front yard variance, a 5.5-foot side yard variance, an 11-foot rear yard variance and a 3-foot side yard variance to allow the construction of a second-story addition and two decks onto an existing single family home located at 807 North 11th Street. (David Pitts; File No. 130.3176 and 131.129)

Rod Kerslake, Hearing Examiner, reviewed the facts of the appeal for the Council.

Mr. Steve Demarest, Attorney representing Mr. David Pitts, made a presentation to the Council regarding the appeal.

Mr. Bill Lynn, Attorney representing Mr. Milton, made a presentation to the Council regarding the appeal.

Council Member Mykland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Council Member Evans. Voice vote was taken and carried.

The appeal was denied.

REPORTS BY CITY MANAGER:

Ben Thompson, City Engineer, gave a report to the Council on the storm damage last week.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Moss commended Melannie White of the Human Rights Department for the Martin Luther King Jr., celebration held at the Tacoma Dome on Monday, January 15, 1990

Mayor Vialle said she also was pleased with the program put on at the Dome.

Council Member Warnick reported on the Tacoma School District program where people volunteered to go without drugs, alcohol or nicotine for a full week.

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On proper motion, the meeting was adjourned at 6:51 p.m.

ATTEST: Rick Rosenblatt  
RICK ROSENBLADT, ACTING  
CITY CLERK

Karen Vialle  
KAREN VIALLE, MAYOR

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