

CITY COUNCIL MINUTES

City Council Chambers
December 18, 1990

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

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

The Flag Salute was led by Council Member Evans.

C O N S E N T A G E N D A

Approval of the minutes of the meeting of November 27, 1990.

PETITIONS:

Gunvald Rusdal & Bill Sullivan, requesting the reclassification of the property located at 4602 North Pearl Street from a "C-1" Commercial District to a "C-2" Commercial District. (Gunvald Rusdal & Bill Sullivan; File No. 120.1328)

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 31169

Authorizing the submittal of a grant application to the Washington State Department of Ecology in the amount of \$15,000.00 for partial funding for the collection of household hazardous waste at the 1991 Tacoma Home and Garden Show.

Resolution No. 31180

Setting Wednesday, January 2, 1991, at approximately 5:30 p.m. as the date for a public hearing by the City Council concerning the proposed purchase of property on Ruston Way and Thea Foss Waterway to be financed with a bond issue and Metropolitan Park District and State Interagency for Outdoor Recreation funds.

ASSESSMENT ROLLS:

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

L.I.D. No. 3900 for the construction of sanitary sewers at various streets and easements in northeast Tacoma in the vicinity of 49th Avenue N.E. and 43rd Avenue N.E.

Setting Monday, January 28, 1991, at 5:00 p.m. as the date for a hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 18, 1990.
- b. Minutes of the meeting of the Public Utility Board, November 14, 1990.
- c. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, October 25, 1990.
- d. Minutes of the meeting of the Tacoma Employees' Retirement Board, October 25, 1990.
- e. Minutes of the meeting of the Tacoma Employees' Retirement System Quarterly Manager's Meeting, November 14, 1990.
- f. Report of the Director of Finance, October 1990.
- g. Monthly Financial Reports of the Belt Line Division, Light Division, Water Division, Data Processing Division, Fleet Services Fund and Self-Insurance Claim Fund, October 1990.

Council Member Mykland moved that the Consent Agenda, including Resolution Nos. 31169 and 31180, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Vialle announced that the City and the Washington State Historical Society have executed an agreement for the transfer by the City to the Society of the parcel of land south of Union Station to be used by the Society for the construction of a new State Historical Museum. Mayor Vialle then presented to Mr. David Nicandri, Director of the Washington State Historical Society, a recorded copy of the deed to the property.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 31179

Appointing Bruce Brennan to the Planning Commission.

Mayor Vialle moved that the Resolution be adopted. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The Resolution was declared adopted.

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.491 to allow the construction of two overwater pile platforms/walkways, a platform for a boom deployment boat and a concrete float to provide storage of a spill containment boom at 516 East D Street. (Unocal; File No. 141.491)

Deputy Mayor Stenger moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick and Mayor Vialle. Nays: 0. The motion was declared adopted.

Council Member Mykland excused himself from hearing the next item since he is the Project Manager concerning this particular project for Pierce Transit. Mr. Mykland then left the Council Chambers.

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.490 to allow the development of a bus shelter, restroom facility, bus layover and turnaround area at the Point Defiance Ferry Terminal. (Pierce Transit; File No. 141.490)

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

FINAL READING OF ORDINANCES:

Ordinance No. 24756

Vacating the alley south of East 26th Street from East "C" Street west to SR-705 to develop a paved parking lot for an existing office building (formerly Engine House #4). (Fire Station Partnership/Bruce Dees; File No. 124.923)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24783

Authorizing the closure of the Stadium Development Fund.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24784

Authorizing the acceptance of a Lowery organ valued at \$700.00 from Mike and Vicki Durand to be used at the Lighthouse Senior Center.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24786

Increasing the LI Guaranty Fund 1990 appropriation by \$65,000.00; and declaring an emergency making necessary the passage of this ordinance.

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.

Ordinance No. 24787

Providing for the levy of ad valorem taxes for fiscal year 1991.

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.

Ordinance No. 24788

Amending Section 6.70.040 of the Official Code to apply the 6% gross earnings utility tax on the Department of Public Utilities bulk power sales and wheeling transactions.

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.

Ordinance No. 24789

Appropriating \$150,000.00 from the Central Stores Fund to cover higher than anticipated use of Central Stores services.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24790

Authorizing the issuance and sale of revenue bonds in the amount of \$20,000,000.00 to provide for funds to be used to construct capital improvements to the Refuse Utility System.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

Ordinance No. 24795

Amending the annual budget of the City of Tacoma for 1990; appropriating \$10,000,000.00 from the Light Current Fund to reflect the additional current fund expenditures; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24796

Amending the annual budget of the City of Tacoma for 1990; appropriating \$630,000.00 from the Water Current Fund to provide for certain unanticipated business expenditures; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24797

Accepting \$5,000.00 from the Everett Opera Guild; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$5,000.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$10,000.00 from the Miscellaneous Grants Summary Fund for Tacoma Opera's production of "Amahl and the Night Visitor"; and authorizing the execution of a related agreement with the Tacoma Opera.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24798

Authorizing the execution of a Cooperation Agreement with Lewis County for preservation of the Tacoma Eastern Railroad corridor; and accepting and recording deeds from the Chehalis Western Railroad and Weyerhaeuser Company providing for reversion of the railroad corridor to the grantor if it ceases to be used for railroad purposes.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24799

Amending Chapter 1.06 of the Official Code and providing for the preparation of amendments to bring other Code provisions into conformance with the City's Administrative Code.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24800

Appropriating \$30,000.00 from the Radio Communications Revolving Fund for payment of additional radio repair and maintenance expenses.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24802

Appropriating \$6,288.76 in investment income from the Tacoma Parking Facility Acquisition and Improvement Fund for improvements to the North and South Parking Garages.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24803

Transferring \$115,896.00 from the General Fund to the Union Station Fund; appropriating said sum from the Union Station Fund for project expenses for the Union Station project; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24804

Appropriating \$300,000.00 from the Communications Systems Fund to cover higher than anticipated use of Telecommunications services; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24805

Accepting donations of \$2,000.00 from Puget Sound Bank and \$2,500.00 from Nalley's Fine Foods and goods and services from Pepsi, Shepard Ambulance, Aaberg's Rentals, KTAC, West Coast Grocery, the Morning News Tribune, Sign Language and Menefee Tree's in support of the Free Skate Day at the Tacoma Dome on December 16, 1990.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24806

Amending the Annual Budget of the City of Tacoma for 1990 to increase the Health Pooling Summary Fund by \$3,451,692.00.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24807

Amending Title 5 of the Official Code to update the fees relating to health and sanitation and toxic waste, food service and shops, public and semi-public swimming pools, and groundwater protection.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24808

Providing for the issuance and sale of Taxable Limited Tax Levy General Obligation Bond Anticipation Notes in the amount of \$1,000,000.00 for acquisition of private income-producing waterfront property in cooperation with other local governments.

Mayor Vialle moved to set this ordinance over to the meeting of January 8, 1991. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Final reading of the ordinance was set over to the meeting of January 8, 1991.

Ordinance No. 24809

Transferring \$2,300,000.00 from the Self-Insurance Program Claim Fund to the Union Station Fund; and appropriating said sum to provide contingency funds for construction of the Federal Courts at the Union Station site, and declaring an emergency making necessary the passage of this ordinance.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24809. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared passed.

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

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24810

Appropriating and transferring \$375,000.00 from the Open Space Fund to the Miscellaneous Grants Summary Fund; appropriating said sum from the Miscellaneous Grants Summary Fund for the acquisition of shoreline properties; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading on January 8, 1991.

Ordinance No. 24811

Authorizing the execution of amendments to the agreements with D.L. Hansen Company and Merritt + Pardini/TRA for consultant services for the Union Station/Federal Courts Project; and appropriating the sums of \$294,189.00 and \$205,000.00, respectively, from the Union Station Renovation Fund to pay related costs.

The Ordinance was set over for final reading on January 2, 1991.

RESOLUTIONS:

Resolution No. 31161 (Continued from the meeting of December 11, 1990.)

Authorizing the execution of a lease agreement with Harnish Lincoln-Mercury in the amount of \$1.00 for the use of a 1989 Mercury Tracer in support of the Crime Stoppers Program.

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.

Purchase Resolution No. 31170

Awarding contracts to:

1. Various vendors on their bids for open purchase orders for 1991;
2. Allied Colloids, Inc., in the amount of \$86,240.00 to extend and increase their contract for dry polymers used to dewater digested sludge at the Central Wastewater Treatment Plant - Specification No. G-067-89;
3. RT & T Construction, on their bid of \$130,564.75 for storm water extension and cleaning in the Browns Point area - Specification No. G-208-90;
4. Gilchrist Chevrolet, in the amount of \$553,559.72 for 41 police patrol vehicles - State Contract No. 180B-90;
5. Dictaphone Corporation, on their bid of \$132,027.00 for a digital voice dictation system - Specification No. G-109-90; and
6. Rejecting all bids received for a mailing machine - Specification No. G-095-90.

Mayor Vialle moved that the Purchase Resolution be adopted and to waive the formal bidding procedures on Item No. 1. Seconded by Council Member Evans.

Mayor Vialle moved to suspend the rules to consider Substitute Exhibit "A." Seconded by Council Member Mykland. 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. 31171

Authorizing the execution of an agreement with Bankers Trust Company in the amount of \$90,000.00 for investment counseling services for the Retirement Fund from January 1, 1991, through December 31, 1991.

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

Resolution No. 31172

Authorizing the execution of an agreement with Deloitte & Touche in the amount of \$38,820.00 to study the City's Business and Occupation Tax structure and facilitate and guide the Citizens' Tax Study Committee.

Mayor Vialle moved that Resolution No. 31172 be continued to January 2, 1991. Seconded by Council Member Mykland. Voice vote was taken and carried.

The Resolution was continued to the meeting of January 2, 1991.

Resolution No. 31173

Authorizing the payment of \$19,076.00 to the Tacoma-Pierce County Humane Society to match the amount collected in contributions from Tacoma residents above 1989 collections as the City's contribution to financial maintenance at the Tacoma-Pierce County Humane Society.

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. 31174

Authorizing the execution of Amendment No. 3 to the agreement with Black and Veatch Waste Science and Technology, Inc., in the amount of \$540,339.00 for engineering and consultant services in connection with remedial action requirements at the Tacoma Landfill.

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

Resolution No. 31175

Authorizing the execution of an agreement with Loschky, Marquardt and Nesholm in the amount of \$55,000.00 for preliminary planning and cost estimating for the Tacoma Convention Center Expansion.

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

Resolution No. 31176

Authorizing the execution of an amendment to the construction contract with CeCon Construction in the amount of \$236,000.00 for additional excavation and soil remediation in conjunction with the underground storage tank abatement project at the Tacoma Union Station site.

Council Member 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. 31177

Authorizing the execution of a two-year agreement with the Economic Development Board of Tacoma-Pierce County in the amount of \$66,500.00 to provide assistance and advice in furthering the economic development of the City.

Mayor Vialle moved to continue Resolution No. 31177 to the meeting of January 2, 1991. Seconded by Council Member Nielsen. Voice vote was taken and carried.

The resolution was continued to the meeting of January 2, 1991.

Resolution No. 31181

Establishing a Vladivostok, U.S.S.R., Steering Committee to pursue establishment of a Sister City/Sister Port relationship with Vladivostok, U.S.S.R.

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.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated that Council had received the audit report for the City of Tacoma by the State Auditor. There are some issues in the audit that staff would be addressing but, on the whole, the audit was a fairly good audit.

Deputy Mayor Stenger expressed his concern regarding the four different occasions that the City was not in compliance with previous findings of the State Auditor. He requested to hear further on why the City was not complying with previous comments from the State Auditor.

Mr. Corpuz said that staff would respond to Council on that issue and provide a full report.

Mayor Vialle asked if it were possible that some of those items were discretionary opinions of the State Auditor. Mr. Corpuz responded that he hadn't had a chance to review it, since he had just received it today.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved that the City accept the settlement offer proposed by Pacific Northwest Bell concerning its tax dispute with the City of Tacoma in Pierce County Cause No. 89 2 00400 9. The settlement shall be substantially in the form of the settlement agreement on file in the office of the City Attorney. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.


Council Member McElliott stated that on their trip to Houston, four people went on housing tours and gave a brief report. She stated that she had gone on a tour of the port and had taken pictures which she plans to share with the Council. She stated that she has some tapes from the workshops that she attended. She stated MCATV could run those tapes for them.

Council Member Mykland wished everyone happy and safe holidays.

Mayor Vialle wished everyone a happy holiday and a prosperous New Year.

On proper motion, the meeting was adjourned at 6:01 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR

OS 3048G.