

CITY COUNCIL MINUTES

City Council Chambers
December 3, 1991

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

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

The Flag Salute was led by Council Member Silas.

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

Approval of the minutes of the meeting of the Tacoma City Council, November 26, 1991, and study session of November 19, 1991.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 3, 1991.
- b. Minutes of the meeting of the Human Rights Commission, October 17, 1991.
- c. Minutes of the meeting of the Public Utility Board, November 6, 1991, and the special meeting of November 5, 1991.
- d. Minutes of the meeting of the Municipal Authority, October 17, 1991.
- e. Minutes of the meetings of the Municipal Authority, Economic Development, September 5, 1991 and November 7, 1991.
- f. City of Tacoma Financial Systems Requirements Study, Deloitte & Touche, November 1991.
- g. Monthly Financial Reports of the Belt Line Division, Light Division, Water Division, Data Processing Fund, Fleet Services Fund and Self-Insurance Claim Fund, October 1991.

Council Member Miller moved that the Consent Agenda be approved. Seconded by Council Member Warnick. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 31564

Appointing Sergio Armijo to the Municipal Court Judge position effective December 30, 1991 through January 8, 1993.

Mayor Vialle moved to adopt Resolution No. 31564. Seconded by Council Member Moss.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Resolution was declared passed.

Resolution No. 31556

Appointing members to various committees, boards and commissions.

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

Mayor Vialle moved to suspend the rules to consider Resolution No. 31565. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 31565

Reappointing Dick W. Judy to the Tacoma Library Board of Trustees for a five-year term through December 2, 1996.

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

FINAL READING OF ORDINANCES:

Ordinance No. 25018

Amending Section 6.66.030 of the Official Code to reduce the telephone business tax from 6.64% to 6.0% effective January 1, 1992.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Mykland.

The Ordinance was declared passed.

Ordinance No. 25019

Amending Title 6 of the Official Code relative to Business and Occupation Tax to eliminate the \$5 registration fee and \$2 minimum tax, implement a \$50,000 threshold for reporting gross income, implement a \$72 annual license fee and reduce the service classification tax rate from .005 to .0048.

Council Member Nielsen moved to amend the amount on page 7, line 21, of Ordinance No. 25019 from \$72 to \$48. Seconded by Council Member Miller.

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

Ayes: 4 - McElliott, Miller, Nielsen and Warnick.

Nays: 5 - Evans, Moss, Mykland, Silas and Mayor Vialle.

The amendment failed.

Roll call vote was taken on Ordinance No. 25019, resulting as follows:

Ayes: 6 - Evans, Moss, Mykland, Nielsen, Silas and Mayor Vialle.

Nays: 3 - McElliott, Miller, and Warnick.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25020

Approving increases on rates and charges for railway switching services effective January 1, 1992.

The Ordinance was set over for final reading next week.

Ordinance No. 25021

Accepting \$2,000 from Puget Sound National Bank, \$5,000 from Nalley's Fine Foods, \$1,000 from Pepsi, \$2,000 from Keg Restaurant or Eagle Snacks, and the donation of goods and services from Sprinker Recreation Center, Shepard Ambulance, Aabergs, KSTW, KMPS 93, West Coast Grocery and Menafee Trees; and depositing in and appropriating \$10,000 from the Tacoma Dome Operating Fund for the Holiday Skate Fest at the Tacoma Dome on December 15, 1991.

The Ordinance was set over for final reading next week.

Ordinance No. 25022

Authorizing the acceptance of \$1,000 from Pierce County; and depositing in and appropriating said sum for the development of the Artbreak brochure.

The Ordinance was set over for final reading next week.

Ordinance No. 25023

Transferring \$575.36 from the Miscellaneous Grants Summary Fund to the General Fund; and appropriating said sum for financially supporting arts programs.

The Ordinance was set over for final reading next week.

Ordinance No. 25024

Amending Title 5 and 13 of the Official Code relating to annual permit fees for infectious waste, food service establishments, swimming pools and groundwater protection for 1992.

The Ordinance was set over for final reading next week.

Ordinance No. 25025

Amending the Compensation Plan to implement the 1992 rates of pay for represented and unrepresented employees and changes in classifications to reflect the organizational structure.

Speaking before Council was:

Louise Batchelor

Resident

The Ordinance was set over for final reading next week.

Ordinance No. 25026

Appropriating \$3,000 from the Paths & Trails Fund for the preparation of Tacoma/Pierce County Bike Route Maps; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

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Ordinance No. 25027

Amending Chapter 5.20 of the Official Code to establish new refuse collection and disposal rates effective January 1, 1992.

Speaking before Council were:

Louise Batchelor	Resident
Don Sapola	City of Puyallup
David Carl	Resident
Paul Merlino	Resident

The Ordinance was set over for final reading next week.

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

- a. This is the date set for a public hearing on the "Land Use Management Plan."

There were no speakers before the Council.

The hearing was declared closed at 6:35 p.m.

- b. This is the date set for hearing the appeal of Michael L. Moodenbaugh, Delta Development, Inc. (Sunridge Development, Inc.) relative to final plat approval for Yoachim's Section addition for development of 34 residential building lots at South Ferdinand Street between South 58th and 62nd Streets.

Mr. Gordon Crandall, Hearings Examiner Pro Tem, spoke regarding his decision relative to final plat approval for Yoachim's Section addition for development of 34 residential building lots at South Ferdinand Street between South 58th and 62nd Streets.

Mr. Michael Moodenbaugh, appellant, presented his reasons for the appeal.

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner and deny the appeal. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 25028

Appropriating \$757 from the Right-of-Way Acquisition Fund to purchase two parcels of property from Pierce County located on South 94th and South 95th Streets easterly of Alaska Street to clear title to the property.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 31554 (Continued from the meeting of November 26, 1991.)

Authorizing the execution of an agreement with KJS Associates, Inc., in the amount of \$75,000 to complete a comprehensive parking study for the area bounded by South 7th Street, Thea Foss Waterway and South 23rd and Market Streets.

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. 31540 (Reconsidered from the meeting of November 19, 1991.)

Authorizing the transfer of the Billingsley lease at the Tacoma Narrows Airport to Richard Boehlke, d/b/a Crossings Aviation, Inc.

Deputy Mayor Mykland moved to continue Resolution No. 31540 to the meeting of December 17, 1991. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of December 17, 1991.

Purchase Resolution No. 31557

Awarding contracts to:

1. Motorola, Inc., in the amount of \$780,136 for an 800 MGZ data channel with 53 mobile data terminals and a five-year maintenance contract - sole source; and
2. Brodsky's Uniforms & Equipment in the amount of \$5,300 for police supplemental uniform equipment - Open Purchase Order 000585.

Council Member Nielsen moved to suspend the rules to consider Substitute 'A' of Purchase Resolution No. 31557. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen moved to adopt Substitute 'A' of Purchase Resolution No. 31557 and waive formal bidding procedures for Items No. 1, 2, and 3. Voice vote was taken and carried. The motion was declared adopted.

The Substitute 'A' of Purchase Resolution No. 31557 was declared adopted.

Resolution No. 31558

Authorizing the execution of a collective bargaining agreement with the International Federation of Professional & Technical Engineers, Local 17, AFL-CIO effective January 1, 1991 through December 31, 1992.

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. 31559

Authorizing the execution of agreements with Preston, Thorgrimson, Shidler, Gates & Ellis in the amount of \$63,000 for bond counsel services and Puget Sound Securities in the amount of \$54,000 for financial advisor services regarding the acquisition of property on Thea Foss Water Way/Commencement Bay.

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. 31560

Expressing the approval for the Municipal Authority to loan \$260,000 from the Affordable Housing Fund to Paul Merlino for the Rialto Apartments project.

Deputy Mayor 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. 31561

Designating the Masonic Temple and Temple Theatre at 47 St. Helens Avenue as a historic landmark.

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

Resolution No. 31562

Authorizing the execution of long-term license agreements with the Washington Interscholastic Activities Association and Ringling Brothers for events at the Tacoma Dome.

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

Resolution No. 31563

Authorizing the execution of an agreement with the AIDS Housing Association in the amount of \$60,745 for the renovation of a building to provide an assisted-living facility for HIV/AIDS diagnosed women and their children.

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

CITIZEN'S REQUEST TO BE HEARD:

Mr. Michael Baum requesting to speak regarding the history, current condition and possibilities for the future of the Tacoma Narrows Airport.

Deputy Mayor Mykland moved to remove this request from the agenda. Seconded by Mayor Vialle. Voice vote was taken and carried. Council Members Moss and Warnick voted in opposition. The motion was declared adopted.

The request was removed from the agenda.

UNFINISHED BUSINESS:

Deputy Mayor Mykland moved to suspend the rules to consider a motion regarding the Municipal Authority loan of \$400,000 for the Colonial Court project. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

Council Member Miller declared his affiliation with Mr. Mark Anderson, Municipal Authority President, who assisted him on his campaign; however, he has received no personal remuneration from Mr. Anderson, and would be voting on this project.

Council Member Miller moved to amend the amount listed in Item No. 3 of the memo to Ray Corpuz, City Manager, dated December 2, 1991, of \$1.1 million to \$1.8 million in order to allow an 80 percent loan to value ratio. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted. Council Member Miller indicated that the amendment should be reflected in the terms and conditions for this project.

Speaking before Council was:

Louise Batchelor

Resident

Council Member Mykland moved to approve the recommendation of the Municipal Authority to loan \$400,000 to the Colonial Court project under the terms and conditions on file with the City Clerk and approved by the Authority and authorize the Municipal Authority to disburse funds from its UDAG fund to close the loan, if funds are not available from the City at closing, subject to reimbursement from the Affordable Housing Fund. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:35 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS.6074G.