

CITY COUNCIL MINUTES

City Council Chambers
April 16, 1991

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

Present on roll call: 6 - Evans, McElliott, Miller, Mykland, Nielsen,
and Mayor Vialle.

Absent: 3 - Moss, Stenger and Warnick.

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 April 9, 1991.

RESOLUTIONS:

Resolution No. 31301

Setting Tuesday, April 23, 1991, at approximately 5:30 p.m. as the date for a public hearing to consider the 1991-92 Proposed Statement of Community Development Objectives and Projected Use of Funds for the 17th Year Community Development Block Grant Program.

Resolution No. 31302

Setting Monday, May 13, 1991, at 5:00 p.m. as the date for a hearing by the Hearings Examiner for L.I.D. No. 5702 for the construction of water mains and a fire hydrant in Alaska Street from South 86th Street 400 feet north; Asotin Street from South 86th Street 400 feet south; South 86th Street from Alaska Street to Ainsworth Avenue; and in South 85th Street from Alaska Street east to cul-de-sac.

Resolution No. 31303

Setting Monday, May 13, 1991, at 5:00 p.m. as the date for a hearing by the Hearings Examiner for L.I.D. No. 5712 for the construction of water mains and fire hydrants in South 86th Street from Ainsworth Avenue to Sheridan Avenue; South 87th Street from Cushman Avenue to Sheridan Avenue; and in Sheridan Avenue from South 86th to South 87th Streets.

Resolution No. 31304

Setting Monday, May 13, 1991, at 5:00 p.m. as the date for a hearing by the Hearings Examiner for L.I.D. No. 7713 for the placement of an underground primary electrical system along Alaska Street south of South 87th Street to a point 250 feet north of South 86th Street and along South 86th Street from Ainsworth Street to Alaska Street and Asotin Street south 420 feet.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, April 16, 1991.
- b. Minutes of the meeting of the Tacoma Employees' Retirement Investment Committee, February 28, 1991.
- c. Minutes of the meetings of the Tacoma Employees' Retirement Board Meeting, February 26 and 28, 1991.
- d. Minutes of the meeting of the Tacoma-Pierce County Board of Health, March 6, 1991.
- e. Tacoma Beautification Committee 1990 Annual Report.
- f. Tacoma-Pierce County Humane Society Total Service Delivery Report, February 1991.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31301, 31302, 31303, and 31304, be approved. Seconded by Council Member Evans. Voice vote was taken and carried. The Consent Agenda was declared approved.

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

Ms. Lisa Wojtanowicz of the Planning and Development Services Department announced that the weekend of April 20 and 21, 1991 is "Earth Day Cleanup."

Mayor Vialle announced that April 20 and 21, 1991 is "Earth Day Cleanup" weekend.

Mayor Vialle proclaimed the week of April 14-20, 1991, to be "Drug Free Washington Week," and presented the proclamation to Mr. Lou Horton of Alpha House.

Mayor Vialle proclaimed the month of April 1991, to be "Fair Housing Month," and presented the proclamation to Mr. Calvin Pharr, Consultant for the Community Housing Resource Board. Mayor Vialle and Pierce County Executive Director, Joe Stortini presented awards to children who won in the Fair Housing Poster contest.

COMMUNICATIONS:

Hearings Examiner recommending approval of the request to amend Condition 6.c. of a previously-approved vacation for the alley lying between South Tacoma Way and South Puget Sound Avenue south of South 74th Street to combine the vacated alley right-of-way with abutting properties to permit expansion of an automobile sales lot. (Robert L. Larson; File No. 124.902.A)

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Council Member Nielsen moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24678

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of South 7th and L Streets from a "R-4" Multiple-Family Dwelling District to a "R-4-T" Residential Commercial Transitional District to allow the development of a medical office building. (Thomas P. Comfort; File No. 120.1305)

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, McElliott, Miller, Mykland, Nielsen, and Mayor Vialle.

Absent: 3 - Moss, Stenger and Warnick.

Nays: 0.

The Ordinance was declared passed.

Substitute Ordinance No. 24879

Amending Chapter 12.08 of the Official Code to adopt the revised Sanitary Sewer Rate Structure and the revised Storm Drainage Utility Rates.

Mayor Vialle moved to continue Substitute Ordinance No. 24879 for one week. Acting Deputy Mayor Mykland seconded the motion. The motion was declared adopted.

The Substitute Ordinance will be continued to the meeting of April 23, 1991.

Ordinance No. 24881

Accepting \$9,000 from Simpson Tacoma Kraft Company and depositing said sum in the Tacoma Fire Department Trust and Agency Fund for a mobile decontamination/rehabilitation unit for the Fire Department.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Evans, McElliott, Miller, Mykland, Nielsen, and Mayor Vialle.

Absent: 3 - Moss, Stenger and Warnick.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24883

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 12th and Washington Streets from a "R-2" One-Family Dwelling District to a "R-2-T" Residential Commercial Transitional District to allow the conversion of an existing structure into an office for legal practices. (Michael Cina; File No. 120.1323)

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

Ordinance No. 24884

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of South Oxford Street and Sixth Avenue from a "C-1" Commercial District to a "C-2" Commercial District to allow a portion of the building to be used as a pet store. (Stewart W. Rawson; File No. 120.1325)

Acting Deputy Mayor Mykland moved to continue Ordinance No. 24884 for one week. Seconded by Council Member Evans. The motion was declared adopted.

The Ordinance was continued to April 23, 1991.

Ordinance No. 24885

Granting a non-exclusive franchise to Olympic Pipe Line Company for the construction and maintenance of petroleum products pipelines in certain areas of the City of Tacoma.

Mayor Vialle announced that Section 8.1 of the City Charter requires that amendments of a franchise shall be passed at least fifteen (15) days after introduction.

The Ordinance was set over for final reading on May 7, 1991.

Ordinance No. 24886

Authorizing the execution of a grant agreement with the United States Department of Housing and Urban Development in the amount of \$59,000; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to implement projects in the 1991 Emergency Shelter Grant Program.

The Ordinance was set over for final reading next week.

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Ordinance No. 24887

Appropriating and transferring \$45,000 from the City Open Space Fund and transferring \$13,000 from the Titlow Beach Fund to the Miscellaneous Grants Summary Fund; appropriating \$70,000 from the Miscellaneous Grants Summary Fund to provide funds to pay for three additional floats and other amenities for the Ruston Way Transient Moorage Facility project; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 31305

Awarding contracts to:

1. North American Rotomolding Corporation, in the amount of \$657,580 to extend their contract for 60, 90 and 300 gallon refuse containers - Specification No. G-076-90;
2. Wang Laboratories, Inc., in the amount of \$26,422 for a Wang VS85 and System 5 computer hardware maintenance contract - Sole Source; and
3. Don Small and Sons Oil Dist. Co., in the amount of \$53,750 to extend their contract for motor oil and lubricants - Washington State Contract No. 254-89.

Acting Deputy Mayor Mykland moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 2, be adopted. Seconded by Council Member Evans.

Voice vote was taken and carried on the Purchase Resolution including waiving formal bidding procedures on item No. 2. The Purchase Resolution was declared adopted.

Resolution No. 31306

Authorizing the release of easements in various areas in the city of Tacoma.

Acting 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. 31307

Authorizing the execution of an agreement with KPMG Peat Marwick in the amount of \$125,000 to develop a strategic plan for the delivery of city services.

Acting Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member McElliott. Voice vote was taken and carried with Council Member McElliott voting in opposition. The Resolution was declared adopted.

Resolution No. 31308

Approving the sales and terms and the purchase contract for \$1,650,000 of Limited Tax General Obligation 1991 Series "A" Bonds for equipment acquisition.

Council Member Nielsen moved to suspend the rules to consider Substitute Resolution No. 31308. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 31309

Authorizing the execution of an agreement with Golden Coast Environmental Services in the amount of \$115,000 to develop a comprehensive urban tree management program for the City of Tacoma.

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

Resolution No. 31310

Authorizing the payment of \$31,015.08 to Republic Parking Northwest, Inc., for reimbursement of expenditures for the operation of Park Plaza North and three surface parking lots under I-705.

Acting 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. 31311

Authorizing an extension to the agreements with Diamond Parking, Inc., for the operation of Park Plaza South and with Republic Parking Northwest, Inc., for Park Plaza North from January 1, 1991, through December 31, 1992.

Acting 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. 31312

Authorizing the execution of Revision No. 1 to Amendment No. 13 and Amendment No. 15 to the Consulting Engineering Agreement with Consoer, Townsend, and Associates, Inc., to provide supplemental engineering and construction management services for the One-Year Certification Program for the Central Wastewater Treatment Plant.

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Acting Deputy Mayor 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. 31313

Adopting the 1991 Washington State Department of Transportation and the State Chapter of the American Public Works Association Standard Specifications for Road, Bridge, and Municipal Construction, and the 1991 City of Tacoma amendments to said specifications as the official specifications for the City of Tacoma.

Acting Deputy Mayor 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. 31314

Amending the 12th through 16th Years Community Development Block Grant Programs by deleting and adding certain projects from the reallocation of CDBG Funds; and transferring two 1991 CIP projects to the 16th year CDBG program.

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

UNFINISHED BUSINESS:

Mayor Vialle moved that \$20,000 in Community Development Block Grant contingency funds and \$23,000 in supplemental appropriation from HUD, pending release of the funds by HUD, be allocated to the Union Station District Revitalization Project and that the \$22,200 balance of funds requested for the project be included in the 1991-92 Community Development Block Grant Program as the first alternate project to be funded if additional funds become available. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved that the Municipal Authority be authorized and directed to pay legal fees to the law firms of Kane and Johnson and Eisenhower and Carlson, from the funds previously authorized under the motion adopted by the City Council at its meeting on May 8, 1990.

The May 8, 1990 motion begins: ". . . move that the Municipal Authority be authorized and directed to defend and save harmless the City from any claim or liability arising from the Section 108 loan program administered by the Municipal Authority, and to make available to the City funds as needed to retain the law firm of Kane and Johnson, using therefore income derived only from programs administered while under contract to the Municipal Authority,

including program and miscellaneous income from the Community Development Revolving Loan Fund (program income) and/or Business Revolving Loan Fund (program income) from funds previously transferred from the UDAG Trust Fund to the Business Revolving Loan Fund (miscellaneous income).

The proper officers of the City are authorized and directed to enter into an agreement with the firm of Kane and Johnson for such purposes, in a form to be approved by the City Attorney and City Manager, authorizing the expenditure of up to \$35,000 without further Council authorization.

The Municipal Authority is further authorized and directed to extend the scope of work in the contracts with the law firm of Eisenhower Carlson to respond to the concerns of the federal government relative to the Section 108 loan program and to defend that certain lawsuit filed by the Morning News Tribune against the Municipal Authority under Pierce County Cause No. 90-2-09004-1, expending an additional \$10,000 from the foregoing sources."

REPORTS BY CITY MANAGER:

City Manager Ray E. Corpuz, Jr. announced that Mr. Mike Fitzgerald has been appointed as management analyst, effective April 29, 1991.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to excuse the absences of Deputy Mayor Stenger and Council Members Moss and Warnick. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to continue the appeal of Robert Cleaveland, set for April 23, 1991, to June 18, 1991. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 6:20 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS.4155G.