

CITY COUNCIL MINUTES

City Council Chambers
March 26, 1991

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

Present on roll call: 6 - Evans, McElliott, Miller, Mykland, Warnick, and Mayor Vialle. Absent: 3 - Moss, Nielsen, and Stenger.

The Flag Salute was led by Council Member McElliott.

CONSENT AGENDA

RESOLUTIONS:

Resolution No. 31278

Setting Tuesday, April 2, 1991, at approximately 5:30 p.m. for a public hearing by the City Council to consider the amendment of the Generalized Land Use Plan by adopting the Interim Urban Design Policies which will provide development guidelines for land use and environmental project reviews until the final guidelines are adopted.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, March 26, 1991.
- b. Minutes of the meeting of the Appointments Committee, March 18, 1991.
- c. Minutes of the meeting of the Public Utility Board, February 27, 1991.
- d. Minutes of the meeting of the Tacoma Employees' Retirement System Investment Committee, January 31, 1991.
- e. Minutes of the meeting of the Board of Administration of the Tacoma Employees' Retirement System, January 31, 1991.
- f. Minutes of the meeting of the Tacoma-Pierce County Board of Health, February 6, 1991.
- g. Minutes of the meeting of the Tacoma Planning Commission, March 4, 1991.
- h. Total Service Delivery Report of the Tacoma-Pierce County Humane Society & S.P.C.A., December 1990.
- i. Tacoma Employees' Retirement System report of purchases and sales of investments, January 1991.
- j. Annual Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund and Water Division, 1990.

Council Member Miller moved that the Consent Agenda, including Resolution No. 31278, 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

COMMUNICATIONS:

- a. Hearings Examiner recommending that the Shoreline Management Substantial Development Permit No. 141.443 for C & I Company be reissued as a final permit to be filed with the Washington State Department of Ecology. (C & I Company (George L. Berry); File No. 141.443)

Mayor Vialle moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Evans. Voice vote was taken and carried.
Ayes: 6 - Evans, McElliott, Miller, Mykland, Warnick and Mayor Vialle.
Nays: 0
Absent: 3 - Moss, Nielsen and Stenger

The motion was declared adopted.

- b. City Attorney recommending approval of the withdrawal and closure of the Street Vacation Request of Lewis R. Jones to vacate the 20-foot alley right-of-way southerly of South 11th Street between Orchard and Villard Streets. (Lewis R. Jones; File No. 124.822)

Council Member Warnick moved to concur in the recommendations of the City Attorney. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

- c. City Clerk advising that the Civil Service Board has filed a proposed amendment to Section 124.920 of the Civil Service and Personnel Rules regarding seniority rights.

Mayor Vialle advised that this is informational only and no action is required.

FINAL READING OF ORDINANCES:

Ordinance No. 24780

Amending Chapter 13.06 of the Official Code to vacate the alley east of 62nd Avenue Northeast north to the King County Line to allow the construction of eight dwelling units in two buildings. (The Mueller Group; File No. 124.918)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Ordinance No. 24865

Accepting \$973 from TeleCommunications, Inc.; depositing in and appropriating said sum from the General Fund for the City's participation in the National Academy of Cable Programming's 13th Annual Local ACE Award Ceremony; and declaring an emergency making necessary the passage of this ordinance.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24865. 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: 6 - Evans, McElliott, Miller, Mykland, Warnick, and Mayor Vialle.

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Substitute Ordinance was declared passed.

Ordinance No. 24866

Appropriating and transferring \$125,432 from the Capital Improvement Fund to the Community Development Block Grant Summary Fund for the South End Playground Project located at South 80th and "D" Streets.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Ordinance No. 24867

Appropriating \$233,000 from the Arterial Street Fund; authorizing the execution of an agreement with the Washington State Department of Transportation (WSDOT) for additional Environmental Impact Statement preparation and preliminary engineering for the SR-509 East-West Corridor Project; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

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Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Ordinance No. 24868

Amending the Compensation Plan to implement rates of pay for the International Brotherhood of Electrical Workers, Local 483, Light Division, effective April 1, 1991, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Ordinance No. 24869

Amending Chapter 1.10 of the Official Code to revise and update Emergency Management Policies for the City of Tacoma.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Substitute Ordinance No. 24870

Amending Chapter 8.32 of the Official Code to revise definitions relative to "indecent acts."

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

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The Ordinance was declared passed.

Ordinance No. 24871

Appropriating and transferring \$50,625.70 from the Contingency Fund to the General Fund to retain special counsel to assist the City Attorney with the ASARCO Cleanup Project; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

Ordinance No. 24872

Repealing Chapter 1.43 of the Official Code to assign the responsibilities of the Citizen Suggestion Award Board to the Citizen Appreciation and Participation Program Steering Committee.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24873

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of South 86th and Hosmer Streets from a "C-F-V" Freeway Commercial Vehicular Services District to a "C-F-P" Freeway Personal Services District to allow the development of a 35-unit motel. (Mr. Soo c/o Spruce Motel; File No. 120.1324)

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

Final reading of the Ordinance was set over to a date to be determined.

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Ordinance No. 24874

Authorizing a new fund designated as the Library Automated System Sinking Fund to provide funds for the replacement of computer equipment; and transferring \$50,000 from the Library Fund to the new fund.

Mayor Vialle moved to amend Line 4 of Ordinance No. 24874 by deleting the words "the Library Fund" and replacing it with the words "Fund 3230," and to amend line 13 by deleting the words "that same" and insert the number "3230" after the word "Fund." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Amended Ordinance was set over for final reading next week.

Ordinance No. 24875

Appropriating \$60,612.84 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for recovery of underwriting losses for the fourth quarter of 1990 and to Washington Dental Service for underwriting losses for 1990.

The Ordinance was set over for final reading next week.

Ordinance No. 24876

Amending Section 1.24.920 of the Official Code to allow employees who are transferred as part of a reorganization to carry their seniority from their previous department to the department to which they are transferred.

The Ordinance was set over for final reading next week.

Ordinance No. 24877

Amending Chapters 1.42 and 13.07 of the Official Code by amending various sections relative to unifying the use of a Historic Special Review District as a term, defining the historic properties eligible for a Special Valuation tax incentive, and clarifying public notice requirements of the City's landmark ordinance.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 24877. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance was set over for final reading next week.

Ordinance No. 24878

Accepting \$1,000 from the New Life Church; and depositing in and appropriating said sum from the General Fund for the implementation of a youth leadership program as a part of the ongoing Tacoma Community Summit.

The Ordinance was set over for final reading next week.

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.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 24879. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council were:

Rick Finnigan	Vandeberg & Johnson
Graham Reed	Nalley's Fine Foods
Rick Bates	Washington Textile Environmental Council
Steve Pederson	Pederson Fryer Farms
Ernie Montoya	Workers in poultry
Cheryl Miller	3303 North 36th Street
Bill Henry	Paper Corporation
Frank Pribbenow	4122 S. Thompson
Jeff Straw	42nd and N. Verde
Emma Pulley	Resident
Mel Waller	Resident

The Substitute Ordinance was set over for final reading on April 9, 1991.

RESOLUTIONS:

Purchase Resolution No. 31279

Awarding contracts to:

1. Associated Petroleum Products, in the amount of \$688,001, Reinhard Distributors, in the amount of \$303,034, Don Small & Sons, Inc., in the amount of \$73,200, Conan Fuel Services, in the amount of \$43,800, and Griffin Galbraith, in the amount of \$23,500 for heating fuel, diesel fuel #2 and gasoline - Washington State Contract No. 254-89;
2. Tucci & Sons, Inc., in the amount of \$585,747.20 to increase their contract for the Tacoma Landfill - Stage I - North Closure - Specification No. G-226-90;
3. Truck Center Corporation, on their bid of \$45,279.67 for the purchase of one hook lift truck - Specification No. G-011-91;
4. Bill's Towing, Inc., in the amount of \$56,255 to increase and extend their contract for towing services for the North Zone - Specification No. G-023-89;

5. Burn's Towing, Inc., in the amount of \$58,358 to increase and extend their contract for towing services for the South Zone - Specification No. G-022-89;
6. Woodworth & Company, Inc., on their bid of \$42,988.65 for two-inch asphalt pavement and storm drainage - L.I.D. No. 2614 - Specification No. G-212-91; and
7. InterAcc Northwest, Inc., in the amount of \$88,679 and Kelly Temporary Services, in the amount of \$179,239 for temporary services - Pierce County Contract No. 5913.

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

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

Resolution No. 31280

Authorizing the execution of a lease agreement with H.D. Baker Business Systems in the amount of \$15,000 for advertising space in the Tacoma Dome.

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

Mayor Vialle moved to continue Resolution No. 31280 to the meeting of April 2, 1991. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of April 2, 1991.

Resolution No. 31281

Authorizing the execution of Amendment No. 55 to the Neighborhood Preservation Program agreement with the Municipal Authority to exercise its rights of redemption to acquire the property located at 728 Pacific Avenue.

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

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

Roll call vote was taken, resulting as follows:

Ayes: 5 - Evans, McElliott, Miller, Mykland, Warnick

Abstaining: 1 - Mayor Vialle

Nays: 0.

Absent: 3 - Moss, Nielsen, and Stenger

The Ordinance was declared passed.

Mayor Vialle moved to accept the resignation of Deputy Mayor Stenger and directed staff to initiate the procedures for appointment of a replacement for Deputy Mayor Stenger from District 3. Seconded by Council Member Evans.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 3 - Moss, Nielsen and Stenger

The motion was declared passed.

Council Member Warnick indicated that he had received a letter from the American Association of University Women asking for information on the direction the City is taking with the Hate Crime Task Force. Council Member Warnick requested staff to provide a time table and action plan of the Task Force and when efforts will be made to contact other jurisdictions and entities to develop a regional plan.

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

On proper motion, the meeting was adjourned at 7:30 p.m.

ATTEST


GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS. 393TG.