

CITY COUNCIL MINUTES

City Council Chambers
April 3, 1990

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

Present on roll call: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, and Mayor Vialle. Absent: 1 - Warnick.

The Flag Salute was led by Deputy Mayor Stenger.

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

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

PETITIONS:

REM Development Co., c/o PAC-TECH Engineering, requesting the reclassification of the property located at the northwest corner of the intersection of Tyler Street and South 48th Street from a "R-2 & R-3" District to a "R-3 PRD" District.

For referral to the Hearing Examiner.

RESOLUTIONS:

Resolution No. 30820

Approving the final plat of UNGER SECOND ADDITION to subdivide a 2.37 acre parcel of land at South 90th and Asotin Streets into twelve residential building lots. (Lee Unger; File No. 125.297)

Resolution No. 30821

Setting Monday, April 23, 1990, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 8539 for the placement of permanent pavement on East "T" Street from Fairbanks Street to East 37th Street.

Resolution No. 30822

Setting Monday, April 23, 1990, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 7710 for the conversion of existing overhead primary electrical systems to underground on North Adams Street to North 38th Street.

APPEALS:

Edward B. Goldberg, appealing the decision of the Hearing Examiner regarding the denial of the request for reconsideration for reclassification of the property located at the northwest corner of South 74th Street and Tacoma Mall Boulevard from a "R-5PRD" Planned Residential District to a "C-2" Commercial District.

Setting Tuesday, May 1, 1990, at approximately 5:30 p.m. as the date for hearing by the City Council.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, April 3, 1990.
- b. Minutes of the meetings of the Tacoma Public Library Board of Trustees, February 9, and 21, 1990.
- c. Minutes of the meeting of the Appointments Committee, March 26, 1990.
- d. Minutes of the meeting of the Urban Waterfront Committee, February 28, 1990.
- e. Minutes of the meeting of the Tacoma Beautification Committee, February 21, 1990.
- f. Contract #1-90-64532 with the State of Washington, Department of Community Development - Division of Emergency Management.
- g. Urban Waterfront Committee, 1989 Annual Report.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30820, 30821 and 30822, be approved. Seconded by Council Member Mykland. 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:

Hearing Examiner recommending that L.I.D. No. 5693 for the construction of water mains and fire hydrants in Huson Street from South 7th to South 12th Streets not be formed.

Rod Kerslake, Hearing Examiner, requested that the Council remand this matter back to the Hearing Examiner.

Council Member Nielsen moved that the matter of L.I.D. 5693 be remanded to the Hearing Examiner for further hearing. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24598

Amending the Annual Budget of the City of Tacoma for fiscal year 1990.

Mayor Vialle moved to continue Ordinance No. 24598 to the meeting of April 10, 1990. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The ordinance will be considered at the regular City Council meeting of April 10, 1990.

Ordinance No. 24599

Appropriating \$30,000.00 from the Uniform Controlled Substance Trust Fund to pay for the salary, equipment and operating expenses of an additional police secretary for the Police Department Special Investigations Division.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24600

Authorizing the execution of an amendment to a grant award agreement with the Department of Housing and Urban Development in the amount of \$15,000.00; and depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for processing housing discrimination cases based on "handicap and familial status" under the Fair Housing Amendments Act.

Mayor Vialle moved to continue Ordinance No. 24600 to the meeting of April 17, 1990. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The ordinance will be considered at the regular City Council meeting of April 17, 1990.

Ordinance No. 24601

Repealing and reenacting Chapter 5.08 of the Official Code, repealing Chapters 5.12, 6.21, 6.40 and 6.55 and amending Sections 6.34.030 and 6.34.090 thereof to establish fee structures and health permits for food service establishments in the City.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24602

Amending the Official Code by creating Chapter 5.50 to establish health and sanitation regulations for swimming pools; and repealing Chapter 6.10 in its entirety.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24603

Transferring \$25,000.00 from the Unreserved Fund balance to the General Fund; and appropriating said sum for the "Tacoma Community Summit; Defining the Future for the City of Tacoma" Project; 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, Stenger,
and Mayor Vialle.

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24604

Authorizing the execution of an amendment to the agreement with Merritt + Pardini/TRA; and appropriating \$554,250.00 from the Tacoma Union Station Fund for architectural engineering services for the design, completion and related construction services at the Tacoma Union Station.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24604. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Substitute Ordinance was declared passed.

Ordinance No. 24605

Authorizing the execution of an amendment to the agreement with D.L. Hansen Company; and appropriating \$505,916.67 from the Tacoma Union Station Fund to provide consultant services for construction of the Federal Court facility at the Tacoma Union Station.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24605. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24606

Amending Chapter 13.06 of the Official Code regarding the regulations for Day Care Centers and Family Day Care Homes.

Mayor Vialle moved to suspend the rules to consider Substitute No. 1 and 2 for Ordinance No. 24606. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Stenger moved to adopt Substitute No. 1 to Ordinance No. 24606. Seconded by Council Member Nielsen.

Council Member Evans moved to amend Substitute No. 1 to Ordinance No. 24606 to include the language contained in Substitute No. 2 to Ordinance No. 24606, on Page 5, Lines 11-12, by adding "Day-care centers in "R-1," "R-2," "R-2-SRD," and "R-3" Districts shall be limited to one building face sign with a maximum area of six square feet;" and on Page 3, Line 13-14, paragraph 2, "Day care centers located in "R-1," "R-2," "R-2-SRD," and "R-3" Districts shall be limited to one building face sign with a maximum area of six square feet." Existing language "Sign regulations for day-care centers located in, new language 'PRD' and multiple-family districts" and the existing language continues. Seconded by Deputy Mayor Stenger. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken on Substitute No. 1 of Ordinance 24606, as amended, and carried.

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

Ordinance No. 24607

Authorizing the execution of a grant award contract with the Department of Housing and Urban Development in the amount of \$63,000.00; and depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for the Emergency Shelter Grant Program.

The Ordinance was set over for final reading next week.

Ordinance No. 24608

Authorizing the transfer of \$25,000.00 from the Contingency Fund to the General Fund; appropriating said sum from the General Fund; extending the agreement with Robert J. Backstein to serve as special counsel in litigation involving Initiative 62; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24609

Authorizing the transfer of \$60,000.00 from the Contingency Fund to the General Fund; appropriating said sum from the General Fund; extending the agreement with Albert Malanca to serve as special counsel in litigation involving substantial tax revenue to the City of Tacoma; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24610

Amending Section 1 of Ordinance No. 21255; and appropriating and transferring \$320,000.00 from the Tacoma-Pierce County Health Department Self Insurance Claim Fund to the Health Pooling Fund to replace funds lost by budget reductions by the City and County.

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The Ordinance was set over for final reading next week.

Ordinance No. 24611

Amending Ordinance No. 24570; authorizing the Mayor, City Manager or Director of Finance to execute a mortgage in connection with the City of Tacoma Lease Revenue Bonds (Tacoma Union Station Federal Courthouse Project), 1990; and ratifying and confirming prior acts consistent with this ordinance.

The Ordinance was set over for final reading next week.

Mayor Vialle stated that this is the time set by the City Council for Public Hearings and Appeals and asked the clerk to read Item A on the agenda.

PUBLIC HEARINGS AND APPEALS: (5:30 p.m)

- a. This is the date set for a public hearing to consider the "Draft 6th Avenue Design Plan."

Donna Stenger of the Planning Department, made a presentation to the Council regarding this matter.

No one from the audience appeared to speak.

Mayor Vialle declared the public hearing closed at 5:35 p.m.

- b. This is the date set for a public hearing to consider the 1990-91 Proposed Statement of Community Development Objectives and Projected use of Funds for the Sixteenth Year Community Development Block Grant Program.

Danna Clancy of the Urban Policy Committee made a presentation to the Council regarding this matter.

Speaking to the Council were:

- | | |
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| Angie Miller | 7215 South Alaska |
| Connie Ladenburg | South End Neighbors for Family Safety |
| Catherine Egan | Member, Metropolitan Park Board |
| Helen Harlow | South End Resident |
| Sandy Berg | South End Neighbors for Family Safety |
| Linda Howell | 926 South 78th |
| Pat Mandt | South End Neighbors for Family Safety |
| Dave DeForrest | President, McKinley Boosters |
| Dock Womack | Chairman of Beautification Committee |
| Don Dunnigan | Vice-Chairman, Wright Park |
| | Neighborhood Association |
| Thomas R. Conan | Chairman, Wright Park Neighborhood |
| | Association |
| Jean Sienko | 923 South 8th |
| Tony Sienko | 923 South 8th |

Karen Lynch	Representing Mary Bridge Childrens Hospital & Health Center
Steve Rodli	1130 East 51st
Margaret Henderson	1101 East 51st
Jeanne Darneille	1923 North Fife, Executive Director of Pierce County AIDES Foundation
Linda McCloud	Executive Director for T.A.C.I.D.
Marilyn Kimmerling	4414 North 34th Street
Verna Clark	24th & Proctor
Sandy Burgess	Planner for Tacoma Rescue Mission
Ron Thompson	Vice-Chairman, Board of Directors for Tacoma Rescue Mission
Leann Fishel	Washington Women Employment and Education
Dave Alger	Associated Ministries
Maureen Howard	Martin Luther King Ecumenical Center
Jonathan White	901 East 32nd
Louise Batchelor	5123 North 45th Street

There being no further testimony, Mayor Vialle declared the public hearing closed at 7:06 p.m.

RESOLUTIONS:

Purchase Resolution No. 30823

Awarding contracts to:

1. Traffic Parts, Inc., on their bid of \$17,113.25 for loop detector amplifier - Specification No. G-020-90;
2. Miraldi Welding Supplies, Inc., in the amount of \$18,587.57 to extend and increase the contract for welding gases and supplies - Specification No. G-004-89;
3. Territorial Supplies, Inc., on their bid of \$25,278.00 for factory ammunition for the Police Department - Specification No. G-038-90;
4. Consumer Communications, Inc., on their bid of \$15,000.14 for UHF/VHF dual band radios - Specification No. G-030-90;
5. Aratex Services, in the amount of \$6,000.00 to increase their contract for coverall, uniform & linen service - Specification No. G-025-89;
6. Chempro, Inc., on their bid of \$15,012.00 for coordination of household hazardous waste disposal - Specification No. G-040-90;
7. Rehrig Pacific Company, in the amount of \$240,693.45 for 50,000 curbside recycling containers - Emergency Purchase;
8. Sreco-Flexible, in the amount of \$42,877.45 for one set of hydraulic bucket machines, pull-in and truck loader - Specification No. G-031-90; and
9. Woodworth & Company, on their bid of \$6,000.00 for asphalt paving at the Fire Training Center, 2124 Marshall Avenue - Specification No. G-263-89.

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Council Member Nielsen moved that the Purchase Resolution be adopted and that formal bidding procedures on Item No. 7 be waived. Seconded by Council Member Evans.

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

Resolution No. 30824

Approving the preliminary plat of HOFFMAN PLAT located at 35th Street N.E. and 48th Avenue N.E. to subdivide a parcel of land into 15 residential building lots. (Randy and Karen Hoffman; File No. 125.302)

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. 30825

Expressing approval of the issuance of \$7,000,000.00 of Industrial Revenue Bonds by the Economic Development Corporation of Pierce County on behalf of Brown & Haley.

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

Council Member Nielsen stated for the record that he serves as the City's representative to the Economic Development Corporation and is their Treasurer, but this is not a conflict of interest.

Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 30826

Authorizing an amendment to the agreement with the Tacoma Chamber of Commerce Visitor and Convention Bureau to divert \$5,700.00 from the Heritage Tours brochure program to the Visitor Guide to the Arts program.

Mayor Vialle stated that staff has asked that this Resolution be withdrawn from the agenda and she so moved. Seconded by Council Member Stenger. Voice vote was taken and carried.

The Resolution was removed from the agenda.

Resolution No. 30827

Authorizing the execution of a revised retainer agreement with Foster, Pepper, & Shefelman in the amount of \$85,000.00 for bond counsel services for the Union Station Renovation.

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

Resolution No. 30828

Authorizing the release of easements at 518 Klapache N.E. and at the end of South 52nd Street and Interstate 5 to remove encumbrances from the property.

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. 30829

Authorizing the execution of an agreement with The Rockey Company in the amount of \$20,000.00 to facilitate in the development and implementation of the "Tacoma Community Summit: Defining the Future for the City of Tacoma" scheduled for June 2, 1990.

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

Council Member Mykland moved to suspend the rules to consider an additional resolution, Resolution No. 30830. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30830

Requesting that the Governor and the Legislature of the State of Washington convene a special session for the single purpose of addressing funding of the criminal justice needs of local governments.

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

Speaking to the Council was Louise Batchelor of 5123 North 45th Street.

Roll call vote was taken, resulting as follows: Ayes: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger and Mayor Vialle. Nays: 0. Absent: 1 - Warnick. The Resolution was declared adopted.

UNFINISHED BUSINESS:

Council Member Mykland moved to excuse Council Member Warnick from tonight's meeting. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, introduced Ms. Carol Mathewson from the Human Development Department, who will be serving as a special assistant in the City Manager's Office for the next three months.

Mr. Corpuz also stated that he would like a short, one-half hour, Executive Session relative to matters of litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle asked for an update on all of the legislation passed or not passed as soon as possible.

Mayor Vialle stated that today the City of Tacoma was awarded the King Alfred Award from the Daffodil Association for the City's continued sustaining membership support.

Mayor Vialle moved to recess to Executive Session to discuss matters of litigation, the session not to exceed one-half hour. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:25 p.m.

Mayor Vialle re-entered the Council Chambers at 8:00 p.m. and stated that the Executive Session would continue for another fifteen minutes.

Council reconvened at 8:08 p.m.

On proper motion, the meeting was adjourned at 8:09 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK



KAREN VIALLE, MAYOR

WPC 0840G.