

CITY COUNCIL MINUTES

City Council Chambers
November 24, 1992

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

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

The Flag Salute was led by Council Member Moss.

CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meetings of November 10 and 17, 1992, and the budget hearing of November 12, 1992.

PETITIONS:

Lowe Enterprises Northwest, requesting the reclassification of the property located in the vicinity of Northshore Parkway and Norpoint Way N.E. from a "C-P-C" Planned Community Shopping Center District to a "R-1," "R-2" and "R-3" Planned Residential District for a single-family subdivision and a neighborhood commercial center. (Lowe Enterprises Northwest; File No. 120.1360)

RESOLUTIONS:

Resolution No. 31982

Setting Tuesday, December 8, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council to consider proposed amendments to the 1993-1998 Six-Year Comprehensive Street Program and the 1992 Street Program.

Resolution No. 31983

Setting Tuesday, January 5, 1993 at 1:30 p.m. as the date for a hearing by the Hearings Examiner on the request to vacate walkways from North Dahl Drive to North 11th Street between Bennett and Villard Streets . (Thomas R. Erker; File No. 124.968)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agendas for Tuesday, November 24 and December 1, 1992.
- b. Minutes of the meeting of the Tacoma Beautification Committee, October 21, 1992.
- c. Minutes of the meeting of the Tacoma-Pierce County Board of Health, October 7, 1992.
- d. Minutes of the meeting of the Municipal Authority, October 29, 1992.
- e. Minutes of the meeting of the Urban Waterfront Committee, October 14, 1992.
- f. Volunteer Services, Third Quarter Report for 1992.
- g. Tacoma Public Utilities, Performance Report, Third Quarter 1992.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution No. 31982. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen moved that the Consent Agenda, including Substitute Resolution No. 31982 and Resolution No. 31983, be approved. Seconded by Council Member Baarsma. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 31984

Appointing Mayor Karen L. R. Vialle and Randall Lewis to serve as City of Tacoma representatives on the Rainier Cable Commission.

Council Member Mykland moved to continue Resolution No. 31984 to the meeting of December 8, 1992. Seconded Council Member Silas. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 31984 will be considered at the regular City Council meeting of December 8, 1992.

FINAL READING OF ORDINANCES:

Ordinance No. 25179

Vacating American Lake Boulevard and the abandoned Pacific Traction Company right-of-way and portions of South Stevens Street and Grove Place to unify Tacoma School District No. 10 and Metropolitan Park District properties into one contiguous parcel to be developed as the new combination Manitou Elementary School and park recreational facility. (Tacoma School District No. 10 and Metropolitan Park District; File No. 124.957)

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Miller.

The Ordinance was declared passed.

Ordinance No. 25207

Amending the boundaries of L.I.D. No. 5694 for the construction of water mains from 144th Street East south 4800 feet to a north line of Rainier Terrace Development continuing southerly to the proposed Plat of Grandridge 4500 feet to its south line for Sunrise Development.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Miller.

The Ordinance was declared passed.

Ordinance No. 25208

Amending Title 11 of the Official Code by adopting the Washington Model Traffic Ordinance and other statutes to regulate traffic in the City of Tacoma.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Miller.

The Ordinance was declared passed.

Ordinance No. 25210

Accepting \$1,000 from Telecommunications, Inc.; and depositing in and appropriating said sum from the General Fund for participation in the 1992 Arts and Entertainment Network's City Videos Competition Award Ceremony on November 30, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 7 -- Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, and Silas.

Nays: 0.

Absent: 2 - Miller and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25211

Amending Chapter 2.09 of the Official Code relative to building and plumbing permit fees.

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Roll call vote was taken, resulting as follows:

Ayes: 6 -- Baarsma, McElliott, Moss, Mykland, Nielsen, and Silas.

Nays: 0.

Absent: 3 - Evans, Miller and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 25212

Amending Chapters 13.06 and 13.10 of the Official Code to include that portion of the Hylebos Creek within the City limits with the Fjetland/Hauff properties as part of the "S-10" Port Industrial Shoreline District in the Master Program for Shoreline Development.

Council Member Mykland moved to suspend the rules to consider Substitute Ordinance No. 25212. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 8 -- Baarsma, Evans, McElliott, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Miller.

The Substitute Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25213

Vacating a portion of East 45th Street west of East E Street to utilize the vacated area to provide a single-family residential building site and an access easement. (Gordon Eklund; File No. 124.966)

Mayor Vialle 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 the Ordinance was set over to a date to be determined.

Ordinance No. 25214

Providing for the defeasance of \$5,000,000 of the principal amount of the 1985 City's Electric System Refunding Revenue Bonds.

Speaking before the Council was:

Louise Batchelor

Resident

The Ordinance was set over for final reading to the meeting of December 8, 1992.

Ordinance No. 25215

Amending the Pay and Compensation Plan to implement the 1991-1992 rates of pay for the International Brotherhood of Electrical Workers, Local 483, Clerical and Customer and Field Service Units and create a new classification; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

Ordinance No. 25216

Accepting \$3,000 from Telecommunications, Inc.; and depositing in and appropriating said sum from the General Fund for developing and disseminating cooperative cable television productions over the City's Municipal channel.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

Ordinance No. 25217

Approving the ad valorem tax levies for 1993.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

Ordinance No. 25218

Accepting \$1,000 from Puget Sound Bank, \$500 from Pierce County Medical Bureau and \$250 from Pacific First Bank; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating \$5,071.93 from the Miscellaneous Grants Summary Fund for expenses related to Senior Citizen's Awareness Day.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

Ordinance No. 25219

Accepting \$5,045 in booth rental fees and \$1,563 in asbestos removal reimbursements; and depositing in and appropriating \$6,608 from the General Fund for activities related to the City's senior program.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

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

This is the date set for a public hearing to rename I-705 "Martin Luther King, Jr. Way."

Mayor Vialle moved to accept public testimony on the renaming of a portion of K Street from Sixth Avenue to 28th Street "Martin Luther King, Jr. Way" together with public testimony on renaming I-705 "Martin Luther King, Jr. Way." Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Speaking before the Council were:

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|----------------------------|-----------------------------|
| Laurie Jinkins | Task Force on Hate Crimes |
| Rev. E. S. Brazill | 1723 South K Street |
| Rev. Arthur Banks | 1913 So. M Street |
| Bishop Thomas L. Westbrook | Hilltop Resident |
| Rev. L. Brown | Tacoma Ministerial Alliance |
| Rev. Boles | Hilltop Resident |
| Howard Draine, Sr. | 1530 So. Sprague Ave. |
| Lane Jenkins | Resident |
| Tom Dixon | Urban League |
| Dr. James Groves | 1212 So. 11th #20 |
| Don Anderson | Sons of Norway |

David McGoldrick	820 A Street, Suite 600
Bill Bichsel	1417 So. G Street
Rev. David Alger	Associated Ministries
Vince Young	1201 So. Proctor
Felila Leutiota	1424 So. L Street
Artee Young	1802 So. K Street
Tony Lorenzo Wright	1802 So. K Street
Brad Hammer	5115 No. 9th
Stephen Smith	1206 So. 11th #10
Bob Gallucci	1415 So. 9th
Rev. Julian McClain	1418 Alameda Ave., Fircrest
Oscar Morris	NAACP
W. Monk	Resident
Rev. Carbaugh	Resident
Louise Batchelor	Resident

The hearing was declared closed at 7:12 p.m.

Council recessed at 7:12 p.m. and reconvened at 7:30 p.m.

Ordinance No. 25220

Amending Chapter 8.106 of the Official Code relative to malicious harassment.

Speaking before the Council were:

Paul Valencia	1501 So. Sheridan
Kevin Valencia	1501 So. Sheridan
Abraham Valencia	1501 So. Sheridan
Jack Warnick	Task Force on Hate Crimes
Dick Sonntag	Resident
Helen Myrick	Resident
David Alger	Associated Ministries
Tom Dixon	Tacoma Urban League
Mark Downey	Populist Party
Joseph Reincars	Resident
Klaus Griffin	Resident
Linda BeMiller	Resident
Jim Slatter	Resident

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Diane Clarkson	Task Force on Hate Crimes
D. DeVille	Resident
L. Campbell	Resident
Laura Yonkins	Resident
Bill Bichsel	Resident
Lee Landrud	3200 So. 356, Auburn
Brad Cullen	3302 N. 19th
Leon Walker	Task Force on Hate Crimes
Ted Brusard	Task Force on Hate Crimes
Patrick Butler	Resident
Louise Batchelor	Resident

Deputy Mayor Mykland requested to amend line 26 of page 3 of Ordinance No. 25220 to strike the words "his or" and to add his name as a sponsor of the Ordinance.

Mayor Vialle directed staff to amend Ordinance No. 25220 as requested by Deputy Mayor Mykland.

Ordinance No. 25221

Amending Chapter 5.20 and Title 12 of the Official Code relative to solid waste, recycling and hazardous waste practices and standards.

The Ordinance was set over for final reading to the meeting of December 8, 1992.

RESOLUTIONS:

Resolution No. 31967 (Continued from the meeting of November 10, 1992.)

Adopting the policy in the event of personnel reductions that preference be given to the classified service for continued employment and that unclassified employees not receive wage adjustments as a result of limited funds in the 1993-1994 biennial budget.

Council Member Baarsma moved to continue Resolution No. 31967 to the meeting of December 15, 1992. Seconded Council Member Evans. Voice vote was taken and carried with Council Member McElliott voting in opposition. The motion was declared adopted.

The Resolution No. 31967 will be considered at the regular City Council meeting of December 15, 1992.

Resolution No. 31979 (Continued from the meeting of November 17, 1992.)

Authorizing the execution of an agreement with Peninsula Ambulance, Inc., for the provision of emergency medical services for Public Assembly Facilities events.

Mayor Vialle moved to continue Resolution No. 31979 to the meeting of December 8, 1992. Seconded Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 31979 will be considered at the regular City Council meeting of December 8, 1992.

Purchase Resolution No. 31985

Awarding a contract to:

Schneider-Simpson Sheet Metal & Blower Co., in the amount of \$9,000 to increase their contract for sheet metal fabrication - Open Purchase Order No. 0805.

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. 31986

Authorizing the execution of an easement to Lewis County to improve and maintain Beach and Village Roads leading into Lake Mayfield County Park.

Council Member 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. 31987

Authorizing the execution of collective bargaining agreements with the International Brotherhood of Electrical Workers, Local No. 483, Customer and Field Services Unit effective January 1, 1991 through December 31, 1994.

Council Member 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. 31988

Authorizing the execution of collective bargaining agreements with the International Brotherhood of Electrical Workers, Local No. 483, Clerical Unit effective January 1, 1991 through December 31, 1994.

Council Member 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. 31989

Authorizing the execution of an agreement with MacMillan-Piper, Inc., in the amount of \$250,000 for the construction of an industrial track.

Mayor Vialle moved to continue Resolution No. 31989 to the meeting of December 22, 1992. Seconded Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 31989 will be considered at the regular City Council meeting of December 22, 1992.

Resolution No. 31990

Authorizing the execution of an access and utility easement to Dan R. Russell for the property located in Northeast Tacoma, southerly of Cliffside Drive.

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.

Resolution No. 31991

Opposing the existing Federal Fishery Management Council policies establishing a shoreside processor preference in U.S. fisheries favoring Alaska-based processors over Washington State-based at-sea processing fleets; and urging the Secretary of Commerce to reject the extension and expansion of the shoreside processor preference in the U.S. waters of the north Pacific.

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

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Mr. Ray E. Corpuz, Jr. requested an Executive Session, not to exceed 20 minutes, to discuss pending and potential litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle moved to cancel the City Council meeting of December 29, 1992. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Mykland moved to excuse the absence of Council Member Miller. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vaille announced that the December 1, 1992 Council meeting has been canceled and the next meeting will be held on December 8, 1992, at 5:00 p.m. in the Council Chambers.

Mayor Vialle moved to recess to Executive Session to discuss potential and pending litigation, the session not to exceed 20 minutes. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 9:45 p.m. and reconvened at 10:05 p.m.

Mayor Vialle moved that the settlement of the outstanding issues related to the audit of the Section 108 Loan Guarantee Program (Audit Report 90-SE-249-1008) in the manner as set forth in the settlement proposal dated November 10, 1992, a copy of which is on file with the City Clerk, be approved and the City Manager be authorized and directed to execute appropriate documents evidencing that the City Council has approved the settlement and to transmit the same to HUD, and to take all other steps necessary to implement the settlement, provided that any City General Funds will only be spent in accordance with the Washington State Constitution and laws. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 10:06 p.m.


KAREN L. R. VIALLE, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK