

CITY COUNCIL MINUTES

City Council Chambers
October 16, 1990

The meeting was called to order by Deputy Mayor Stenger at 5:04 p.m.

Present on roll call: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Absent: 2 - Council Member Mykland and Mayor Vialle. Mayor Vialle arrived at 5:29 p.m.

The Flag Salute was led by Council Member Nielsen.

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

Approval of the minutes of the meeting of October 9, 1990.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, October 16, 1990.
- b. Minutes of the meeting of the Tacoma Arts Commission, September 10, 1990.
- c. Minutes of the meeting of the Municipal Authority, September 20, 1990.
- d. Report of the Director of Finance, August 1990.
- e. Volunteer Services Half Yearly Report, January - June, 1990.
- f. Departments of Planning, Community Development and Human Development Comprehensive Housing Plan, August 30, 1990.
- g. Findings of Fact, Conclusions of Law, and Decision of the Hearings Examiner regarding Olympic Pipe Line Company, File No. T-63402.

Council Member Nielsen moved that the Consent Agenda be approved. Seconded by Council Member Moss. 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 submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.485 to allow the retention of a 12-foot by 22-foot, 1-1/2 story addition, and an 8-foot by 22-foot upper level deck on the waterside of an existing one-story, overwater, single-family dwelling located at #25 Salmon Beach constructed without benefit of valid building and shoreline permits. (David V. Neagle; File No. 141.485)

Council Member Warnick moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member McElliott.

Rod Kerslake, Hearings Examiner, stated that in two previous cases considered by the City Council in regard to the Salmon Beach community, the Council imposed an additional condition which requires the applicant to enter into a hold harmless agreement. This agreement is similar to the one they entered into at the time of the sewer construction in the area--that condition is not included in the report. He suggested that the Council may wish to add that condition.

Council Member Moss said that it was his intent in making the motion, that the condition should be made part of any improvements that are authorized for Salmon Beach for any of that property at any time.

Council Member Warnick moved that the motion be amended to include the wording that has been used in prior Salmon Beach approvals to show the City has been held harmless from any sewer damage on the construction taking place. 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: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 0. Absent: 2 - Mykland and Mayor Vialle. The motion was declared adopted.

- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.477 to allow the retention of moorage buoys for recreational boaters at Titlow Beach, located at the west end of Sixth Avenue Extended and on the east shore of the Tacoma Narrows. (Metropolitan Park District of Tacoma; File No. 141.477)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 0. Absent: 2 - Mykland and Mayor Vialle. The motion was declared adopted.

- c. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.479 to allow the retention of moorage buoys for recreational boaters at Marine Park located at Warner Street to Campbell Street and Ruston Way. (Metropolitan Park District of Tacoma; File No. 141.479)

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 0. Absent: 2 - Mykland and Mayor Vialle. The motion was declared adopted.

- d. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.478 to allow the retention of moorage buoys for recreational boaters at Point Defiance Park/Owens Beach located at North 54th and Pearl Streets. (Metropolitan Park District of Tacoma; File No. 141.478)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. Roll call vote was taken, resulting as follows: Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick and Deputy Mayor Stenger. Nays: 0. Absent: 2 - Mykland and Mayor Vialle. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24739

Accepting \$2,250.00 from the Allied Arts of Tacoma/Pierce County, Children's Museum of Tacoma, Nalley's Fine Foods, Preston Thorgrimson Ellis & Holman, Second City Chamber Series, Tacoma Actor's Guild, University of Puget Sound and the Washington State Historical Society; and depositing in and appropriating said sum from the General Fund to defray the expenses involved in the publication of the ARTBREAK brochure.

Council Member Miller moved to suspend the rules to consider Substitute Ordinance No. 24739. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 2 - Mykland and Mayor Vialle.

The Substitute Ordinance was declared passed.

Ordinance No. 24740

Accepting \$7,208.00 from the Greater Tacoma Community Foundation, Forrest Foundation and Horizon Foundation; and depositing in and appropriating said sum from the General Fund for computer equipment for the Tacoma Arts Commission.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick, and Deputy Mayor Stenger.

Nays: 0.

Absent: 2 - Mykland and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24741

Providing for the formation of L.I.D. No. 5707 for the installation of water mains and fire hydrants in East "F" Street from East 88th to East 91st Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick,
and Deputy Mayor Stenger.

Nays: 0.

Absent: 2 - Mykland and Mayor Vialle.

The Ordinance was declared passed.

Ordinance No. 24742

Approving and confirming the Assessment Roll for L.I.D. No. 5686 for the installation of water mains and fire hydrants in 53rd Street West from Orchard Street to approximately 1,000 feet west.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, McElliott, Miller, Moss, Nielsen, Warnick,
and Deputy Mayor Stenger.

Nays: 0.

Absent: 2 - Mykland and Mayor Vialle.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24743

Amending Chapter 1.06 and Chapter 1.20 of the Official Code to revise various sections relating to purchasing, contracting and property sale procedures.

The Ordinance was set over for final reading next week.

Ordinance No. 24744

Authorizing the execution of a grant award agreement with the State of Washington Department of Social and Health Services in the amount of \$4,000.00; depositing in and appropriating said sum from the Miscellaneous

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Grants Summary Fund; and authorizing the extension of a non-interest bearing loan in the amount of \$4,000.00 from the General Fund to the Miscellaneous Grants Summary Fund for the continued development of the Child Care Resource and Referral System.

The Ordinance was set over for final reading next week.

Ordinance No. 24745

Authorizing the execution of Amendment No. 1 to a grant award contract with the Department of Housing and Urban Development in the amount of \$60,000.00; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the continuation of the Rental Rehabilitation Program.

The Ordinance was set over for final reading next week.

Ordinance No. 24746

Amending Title 6 of the Official Code to reduce the utility tax gross earnings rate for light, natural gas and telephone services effective January 1, 1991.

The Ordinance was set over for final reading next week.

Ordinance No. 24747

Amending various sections of the Official Code to terminate the administrative appeal of tax and license matters at the Hearings Examiner level rather than at the City Council level and require the payment of tax assessments prior to allowing appeals therefrom.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 31092

Awarding contracts to:

1. Morse Industrial Supply, in the amount of \$6,500.00 to increase their contract for hardware and tool supplies - Open Purchase Order No. 35088;
2. Firesafe Fire & Safety Equipment, in the amount of \$11,700.00 to extend and increase their contract for miscellaneous fire extinguishers, refills and cylinder tests - Informal Bid No. 007416;
3. West Coast Paper Company, in the amount of \$5,077.23 to increase their contract for janitorial supplies - Specification No. G-075-89;
4. Jo-Lynn, Inc., in the amount of \$6,500.00 to increase their contract for office supplies - Open Purchase Order No. 35510;
5. Tacoma Steel Supply, in the amount of \$6,000.00 to increase their contract for steel supplies - Open Purchase Order No. 35307;

6. Poe Construction, Inc., on their bid of \$823,330.00 for Sewer Transmission Maintenance Building Phase II and Technical Services Division Building Phase III - Specification No. G-230-90;
7. ADS Equipment, in the amount of \$21,369.00 for system computer boards for the Fischer Porter computer - Sole Source;
8. Treatment Equipment Company, on their bid of \$19,943.00 and West Coast Wire, Inc., on their bid of \$26,798.92 for the North End Wastewater Treatment Plant bio-chemical oxygen demand alternative, Linpor Process equipment purchase; and
9. Olson Brothers Excavating, Inc., on their bid of \$187,965.00 to re-establish the ditch grade on the Lincoln Avenue ditch - Specification No. G-209-90.

Council Member Nielsen moved that the Purchase Resolution be adopted, and to waive formal bidding procedures on Item Nos. 2, 5, 7 and 8. Seconded by Council Member Miller.

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

Resolution No. 31093

Authorizing the sale of surplus flume line right-of-way located near 172nd Street East and Canyon Road to Patrick L. and Shirley Keogan for \$500.00.

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

Resolution No. 31094

Authorizing an amendment to the agreement with North American Morpho Systems, Inc. (NAMSI) to release NAMSI from assessed penalties for delayed installation in exchange for release of the County and City from payment for additional conversion costs, extended warranties and improvements to the Automated Fingerprint Identification System.

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

Resolution No. 31095

Authorizing the execution of an agreement with the Washington State Historical Museum in the amount of \$22,500.00 for the presentation of the exhibit, "Russian America, the Forgotten Frontier."

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

Mayor Vialle arrived at 5:29 p.m.

Resolution No. 31096

Adopting the 1991-1992 Community Development Block Grant Program Policy Statement.

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

Speaking to the Council was:

Maureen Howard

1424 Tacoma Avenue South #A.

Deputy Mayor Stenger moved to amend the Policy Statement under Section A4, which now reads "a minimum of 65% of each annual Block Grant allocation would be set aside for housing programs." He proposed that the Council add a second sentence to that to read "Of this 65%, up to 15% can be used for public service housing related programs." Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 31097

Authorizing an extension to the agreement with Harper, McLean & Company for underwriting services for marketing certain Local Improvement District bonds through October 31, 1992.

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

Resolution No. 31098

Authorizing the execution of agreements with Preston, Thorgrimson, Shidler, Ellis & Gates in the amount of \$40,000.00 for bond counsel services; and with Harper, McLean & Company and Whitfield Inc., in the amount of \$17,000.00 for financial advisory services for the acquisition of property on Thea Foss Waterway/Commencement Bay.

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

UNFINISHED BUSINESS:

Mayor Vialle stated that Council needs to appoint three members to a Joint Determining Authority to review the request for open space use classification submitted by North Shore Golf Associates for the property described in Resolution No. 31042. She stated that Council Members Evans and McElliott have had experience at this and Council Member Mykland served before.

Mayor Vialle moved that Council Members Evans, Miller and McElliott serve again on the Joint Determining Authority, representing the Council along with that of the County Council for open space designation. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated there had been a question on when the next budget workshop was going to be held. He stated there had been some difficulty in scheduling a workshop on the 24th and 25th. He stated he anticipated holding the workshop at the regular Study Session on October 30th.

Mr. Corpuz requested a 15 minute Executive Session on matters related to real estate.

Mr. Corpuz stated there was a request for approval of some moving expenses for a new employee.

Jan Gilbertson, Director of Human Resources, stated he was presenting a request on behalf of the Department of Public Utilities to pay the relocation expenses for their Utilities Personnel Manager, Sedonia Young, from Seattle to the corporate limits of Tacoma in the amount of \$576.

Mayor Vialle moved to allow reimbursement of moving expenses. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle said that if members of the Council are planning to go to the National League of Cities meeting in Houston to please let Cheryl know so arrangements can be firmed up so advantage can be taken of the air fare specials.

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

Mayor Vialle moved to recess to Executive Session to discuss matters related to real estate, the session not to exceed 15 minutes. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:00 p.m. and reconvened at 6:22 p.m.

On proper motion, the meeting was adjourned at 6:23 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR

WPC.2475G