

CITY COUNCIL MINUTES

City Council Chambers
December 5, 1989

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

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Warnick.

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

Approval of the minutes of the meetings of November 14, 21, and 28, 1989, and minutes of the meeting of the Budget Hearing of November 15, 1989.

RESOLUTIONS:

Resolution No. 30661

Setting Tuesday, January 9, 1990, at 10:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate the north 20 feet of 31st Street N.E. between 57th and 58th Avenues N.E. (James A. Ruff; File No. 124.905)

Resolution No. 30662

Setting Tuesday, January 16, 1990, at 9:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate a portion of East "E" Street along with East 55th Street and portions of the adjacent alley between East "D" and "E" Streets. (Donald L. Rebsamen; File No. 124.906)

Resolution No. 30663

Authorizing the submittal of a grant application to the State of Washington, Department of Social and Health Services in the amount of \$5,800.00 for market and technical assistance in the area of employer support to child care.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, December 5, 1989.
- b. Minutes of the meeting of the Tacoma Planning Commission, November 6, 1989.
- c. Minutes of the meeting of the Appointments Committee, November 27, 1989.
- d. Minutes of the meeting of the Civil Service Board, November 6, 1989.
- e. Minutes of the meetings of the Human Rights Commission, September 21, 1989 and October 19, 1989.

- f. Monthly Financial Reports of the Belt Line Division, Data Processing Division, Fleet Services Fund, Light Division, Self-Insurance Claim Fund, Water Division, October 1989.
- g. Report of the Director of Finance, October 1989.

Council Member Warnick moved that the Consent Agenda, including Resolution Nos. 30661, 30662 and 30663, 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:

City Attorney recommending approval of the withdrawal and closure of the street vacation request of Arthur DeCaro and Edward Cuzzetto to vacate North 11th Street between Jackson Avenue and Cascade Avenue, northerly of SR-16. (Arthur DeCaro and Edward Cuzzetto; File No. 124.881)

Mayor Sutherland moved to remove the communication item from the agenda. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The communication item was removed from the agenda.

Mayor Sutherland stated with Council's concurrence, he would like to discuss Resolution No. 30660 followed by the first reading of the budget ordinance.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30660. Seconded by Deputy Mayor Hyde.

Deputy Mayor Hyde also requested that Council consider Resolution No. 30667 following the first reading of the budget ordinance.

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

Resolution No. 30660 - (Continued from November 28, 1989)

Authorizing a system of Emergency Medical Service (EMS) wherein the City of Tacoma Fire Department shall provide all paramedic and advanced life support patient transport for 9-1-1 emergencies and that private ambulance companies shall provide all other non-emergency patient transport.

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

Deputy Mayor Hyde moved to suspend the rules to consider Substitute Resolution No. 30660, which was sponsored by Council Members Hyde, McElliott,

Mykland and Stenger. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council Member Hyde spoke to Substitute Resolution No. 30660. Council Members Neilsen and Vialle stated that they accepted the substitute as rewritten.

Mayor Sutherland called for public testimony.

No one appeared to speak.

Mayor Sutherland stated that he would not introduce his substitute; however, he spoke against the proposed substitute resolution before the Council.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle and Warnick.

Nays: 1 - Mayor Sutherland.

The Substitute Resolution was declared adopted.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 24511. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24511

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

Mayor Sutherland asked the Council whether the final reading of the Budget Ordinance should be on December 12 or December 19. After discussion, Council decided that the Ordinance should be set over for final reading on December 12, 1989.

Council Member Mykland stated that at the December 2, 1989 Council budget workshop, it was decided that public testimony would be allowed on second reading of the budget ordinance.

The Ordinance was set over for final reading next week.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30667. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30667

Approving the City's Annual Housing Action Plan for the period of

October 1, 1988 through September 30, 1989 and authorizing submission to the Department of Housing and Urban Development.

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

FINAL READING OF ORDINANCES:

Ordinance No. 24483

Vacating a portion of Prospect Street north of South 56th Street to combine the vacated area with the abutting property to provide a building site for a new single-family residence or duplex. (Donald A. Meyer; File No. 124.894)

Roll call vote was taken, resulting as follows:

Ayes: 7 - McElliott, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Hyde and Vialle.

The Ordinance was declared passed.

Ordinance No. 24484

Vacating portions of the alley west of Sheridan Avenue between South 12th and South 13th Streets to "clear" the encroachment of the existing garage. (Gloria R. Jean; File No. 124.897)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Vialle.

The Ordinance was declared passed.

Ordinance No. 24486

Authorizing and approving renewal of a line of credit in the amount of \$15,000,000.00 to provide a source of borrowing to finance operations of the Electrical System of the City; and authorizing the issuance of revenue anticipation notes in the amount of \$15,000,000.00.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24488

Amending Chapter 13.06 of the Official Code to establish a View Sensitive Overlay District for the North End View Sensitive Area (Area 2) generally City bounded by Commencement Bay on the northeast, Ruston Way on the north, and North 44th Street, North Stevens Street, North 26th Street, North Steele Street, North "K" Street, and North Fourth Street on the southwest in which the height limit of structures would be reduced to 25 feet. (City of Tacoma (Planning Department)); File No. 120.1285)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Moss.

The Ordinance was declared passed.

Ordinance No. 24489

Creating and establishing the Department of Public Utilities Water Assurance Fund for water resource development and watershed protection purposes; and directing the monies received by the City from timber sales in the Green River Watershed and from the sale of the Wapato Hills property be placed in said fund.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Moss and Warnick.

The Ordinance was declared passed.

Ordinance No. 24490

Accepting donations totaling \$1,845.00 from various firms and individuals; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the Police Department DARE program.

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Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 3 - Moss, Warnick, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24491

Amending Chapter 2.06 of the Official Code by repealing and reenacting Chapter 2.06 to adopt the 1988 Uniform Plumbing Code.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 3 - Moss, Warnick, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24492

Amending Chapter 2.07 of the Official Code by repealing and reenacting Chapter 2.07 to adopt the 1988 Uniform Mechanical Code.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 3 - Moss, Warnick, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24493

Amending Chapter 2.02 of the Official Code to adopt the 1988 Uniform Building Code.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Mykland, Nielsen, Stenger, and Vialle

Nays: 0.

Absent: 3 - Moss, Warnick, and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24494

Transferring \$12,000.00 from the Contingency Fund to the General Fund; appropriating said sum for the purchase of a theater lighting system control console; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 – Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24495

Transferring \$13,000.00 from the Vacated Street Right-of-Way Fund to the Titlow Waterfront Project Fund; appropriating said sum for the purpose of awarding the bid for Titlow Park Project; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 – Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24496

Amending Section 10.22.030 of the Official Code to exempt persons or corporations with a valid City of Tacoma Sign Erectors License from posting a Street Obstruction Bond or other surety to be issued permits to work in the public right-of-way.

Roll call vote was taken, resulting as follows:

Ayes: 7 – Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 – Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24497

Repealing Section 1.08.030 of the Official Code requiring individual public official bonds for the City Treasurer and Tax and License Director.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 1 - McElliott.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24498

Accepting donations totaling \$5,613.64 from various businesses and organizations; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for expenses associated with Senior Citizens Awareness Day (SCAD).

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24499

Amending Chapters 6.64, 6.65, 6.66 and 6.68 to provide tax rate revisions for cable television (CATV), wholesaling, retailing and banking and to provide penalties for nonpayment of natural gas, cable TV and telephone business taxes effective January 1, 1990.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24500

Amending the Pay and Compensation Plan to implement 1989 and 1990 rates of pay pursuant to the Collective Bargaining Agreement with the International

Brotherhood of Electrical Workers, Local 483, Light Division effective April 1, 1989 through March 31, 1991.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24501

Authorizing the execution of an amendment to the agreement with D.L. Hansen Company for consultant services through completion of the design development phase for the Union Station Project, and appropriating \$51,000.00 from the Union Station Renovation Fund to pay said costs.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

Ordinance No. 24502

Authorizing the execution of an amendment to the agreement with Merritt + Pardini/TRA for consultant services through completion of the design development phase for the Union Station Federal Courts Project, appropriating \$540,750.00 from the Union Station Renovation Fund to pay said costs, and authorizing an interest-bearing loan of \$591,750.00 from the UDAG Grant Summary Fund to the Union Station Renovation Fund.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, and Vialle.

Nays: 0.

Absent: 2 - Warnick and Mayor Sutherland.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24503

Amending Chapter 2.01 of the Official Code to eliminate the requirement for publishing dangerous building complaints in certain instances.

The Ordinance was set over for final reading next week.

Ordinance No. 24504

Authorizing the execution of a grant award agreement with the State of Washington in the amount of \$4,000.00; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to continue design and implementation of a Child Care Resource System.

The Ordinance was set over for final reading next week.

Ordinance No. 24505

Amending Chapters 13.07 and 1.42 of the Official Code to incorporate various amendments to the Union Station Warehouse Historic District and the Landmarks Preservation Commission.

The Ordinance was set over for final reading next week.

Ordinance No. 24506

Amending the Pay and Compensation Plan to provide for 1990 rates of pay.

The Ordinance was set over for final reading next week.

Ordinance No. 24507

Amending Chapter 1.30 of the Official Code to bring the City's Retirement Plan into compliance with recent changes to the Internal Revenue Code 401(a)4 and further to add language to the definition of compensation specifically including the Deferred Compensation Plan (457) and the Cafeteria Plan (125).

Deputy Mayor Hyde moved to suspend the rules to consider Substitute Ordinance No. 24507. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 24508

Accepting \$317,204.28 in interest income from investment of UDAG repayment funds and a loan to the Union Depot Renovation Fund; depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund to pay for eligible UDAG projects.

The Ordinance was set over for final reading next week.

Ordinance No. 24509

Amending Chapter 13.06 and adding Chapter 13.13 relative to Solar Access.

The Ordinance was set over for final reading next week.

Ordinance No. 24510

Amending Section 5.20 of the Official Code to establish new Refuse Utility collection and disposal service rates to be effective January 1, 1990.

Deputy Mayor Hyde stated that tonight was also the night for a public hearing on the Refuse Utility rates. He then called for public testimony.

There being no testimony, Deputy Mayor Hyde declared the public hearing closed at 6:05 p.m.

The Ordinance was set over for final reading next week.

Ordinance No. 24512

Appropriating \$80,000.00 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau Inc., for recovery of underwriting losses for 1989; appropriating \$150,000.00 from the Fireman's Relief and Pension Fund to meet unanticipated relief and pension benefits for 1989; appropriating \$100,000.00 from the Police Relief and Pension Fund to meet unanticipated relief and pension benefits during 1989; appropriating \$7,000.00 from the Dome Property Self Insurance Fund to meet an unanticipated claim cost during 1989; appropriating \$250,000.00 from the Central Stores Fund to cover higher than anticipated use of Central Stores services by General Government Departments.

The Ordinance was set over for final reading next week.

Ordinance No. 24513

Amending Chapter 1.34 of the Official Code to increase the working fund advance for the Tacoma Public Library Board/Library Director to \$1,000.00.

The Ordinance was set over for final reading next week.

Deputy Mayor Hyde moved to suspend the rules to consider Ordinance No. 24514. Seconded by Council Member Vialle. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24514

Accepting a donation of \$1,000 from Puget Sound National Bank; depositing in and appropriating said sum from the Tacoma Dome operating fund, to support Free Skate Day at the Tacoma Dome on December 17, 1989.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 30655 - (Continued from November 28, 1989)

Reallocating \$50,000.00 of Community Development Block Grant funds from the West End Senior Center Project to the Family Counseling Center Project; and reallocating \$50,000.00 of Capital Improvement funds from the Family Counseling Center Project; and further authorizing the execution of a lease and operating agreement with the Family Counseling Service.

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

Purchase Resolution No. 30664

Awarding contracts to:

1. Mobile Equipment Systems, Inc., in the amount of \$4,000.00 to increase their contract for refuse collection truck repair parts and maintenance - Purchase Order No. 29620;
2. Consolidated Electric Distributors, in the amount of \$6,000.00 to increase their contract for electrical and electronic equipment components - Purchase Order No. 29519;
3. Standard Parts Corp., in the amount of \$5,000.00 to increase their contract for vehicular equipment, engine maintenance and repair parts - Purchase Order No. 29566;
4. Quigg Brothers - McDonald, Inc., on their bid of \$245,512.79 for Titlow Beach Enhancement Project Unit A - Specification No. G-253-89; and Harlow Construction Company, on their bid of \$100,649.14 for Titlow Beach Enhancement Project Unit B - Specification No. G-254-89;
5. Motorola Communications & Electronics, Inc., in the amount of \$29,975.62 for hand-held portable radios for the Tacoma Dome - Kitsap County Contract No. KC-095-83;
6. Pease Construction, in the amount of \$43,683.47 to increase their contract for the North End Wastewater Treatment Plant improvements chemical feed building - Specification No. G-214-89;
7. Analytical Resources, Inc., Analytical Technologies, Inc., Biomed Research Labs, Inc., AmTest, Inc., Lauck's Testing Laboratories Inc., Sound Analytical Services, Spectra Laboratories, Weyerhaeuser Technology Center and Wadsworth/Alert Laboratories, Inc., in the total amount of \$40,000.00 for outside laboratory services;
8. Wingard & Company, Inc., on their bid of \$11,603.59 for Fire Communication Center (415 Tacoma Avenue South) phase III HVAC system improvements - Informal Bid No. 007426;
9. Sequoia Illumination, on their bid of \$19,525.62 for replacement of lighting controls for the Pantages Center for the Performing Arts;
10. Asahara, Inc., on their bid of \$46,900.00 for curb ramps, City wide, 14th and 15th Year Capital Improvement Project No. CP101A - Specification No. G-257-89; and
11. Rejecting all bids for hazardous sidewalk replacement at the Beacon and Lighthouse Senior Centers - Specification No. G-261-89.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving formal bidding procedures on item nos. 7, 8 and 9. Seconded by Council Member Mykland.

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

Resolution No. 30665

Authorizing the Board of Administration of the Tacoma Employees' Retirement System to execute agreements with Frank Russell Trust Company (two contracts), Denver Investment Advisors, Inc., The Northern Trust Company, and Scudder, Stevens & Clark for investment counseling services; and further authorizing the execution of an agreement with Milliman & Robertson, Inc., for actuarial consultation services from January 1, 1990 through December 31, 1990; and further amending the 1989 agreements with Bankers Trust Company and Denver Investment Advisors for investment services.

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. 30666

Authorizing the amendment to the concomitant zoning agreement with Block Brothers (USA) Inc., concerning the requirements to install sidewalks and street lighting adjacent to Harbor Ridge Estates.

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.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Warnick stated that he represented the City at a recent National League of Cities meeting. He reported on the selection of the City's T.R.A.S.H. program video that had been given an award and stated that it would be broadcast on Sunday, December 10, 1989 at 5:00 p.m. on the Arts and Entertainment Cable Network.

Council Member Warnick offered congratulations to the Curtis Vikings for winning the AAA championship recently and also to Charles Wright for their fine showing in the finals.

Deputy Mayor Hyde stated that Council Members McElliott, Vialle and he had drafted a resolution regarding environmental issues that was available for the Council to review.

Council Member McElliott noted that the newspaper had recently done a county-wide poll regarding recycling efforts. She noted that the City of Tacoma was doing the right efforts in this area.

Council Member McElliott stated that at the recent budget workshop she had several questions raised regarding police matters. She indicated that all questions had been answered by the police chief.

Deputy Mayor Hyde stated that next week he would bring a resolution regarding the City's waterway, open space and demolition of two buildings adjacent to the waterway, for the Council's consideration.

Deputy Mayor Hyde stated that Council would take a five minute recess. Council recessed at 6:35 p.m. and reconvened at 6:40 p.m.

Deputy Mayor Hyde moved to recess to Executive Session to discuss personnel matters, the session not to exceed one hour. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 6:40 p.m.


At 7:25 p.m. Deputy Mayor Hyde re-entered the Council Chambers and stated the Executive Session would continue for one additional hour.

Council reconvened at 8:25 p.m.

On proper motion, the meeting was adjourned at 8:26 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST: 

RICK ROSENBLADT, ACTING
CITY CLERK

WPC.9986G.