

CITY COUNCIL MINUTES

City Council Chambers
March 16, 1993

The meeting was called to order at 5:12 p.m.

Present on roll call: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

The Flag Salute was led by Council Member Evans.

Approval of the minutes of the Tacoma City Council meeting of March 2, 1993 and study sessions of December 8, 15, and 22, 1992.

ASSESSMENT ROLLS:

The Director of Public Works presents the assessment rolls for the following:

- a. L.I.D. No. 2615 for two-inch asphalt surface treatment on Trafton Street from South 72nd to South 70th Streets.
- b. L.I.D. No. 3945 for the installation of sanitary sewers in Browns Point Boulevard from 41st Street NE, south 700 feet.

Setting Monday, April 12, 1993, at 5:00 p.m. as the date for a hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Appointments Committee, February 22, 1993.
- b. Minutes of the meeting of the Environmental Commission, February 8, 1993.
- c. Minutes of the meeting of the Municipal Authority, February 25, 1993.
- d. Minutes of the Public Utility Board study session and meeting of February 10, 1993.
- e. Minutes of the meeting of the Tacoma Arts Commission, February 8, 1993.
- f. City of Tacoma, Citizen Participation Plan, March 1993.
- g. Humane Society Total Service Delivery Report, December 1992.

- h. CalFed, Inc., First, Second and Third Quarter Reports, 1992; Annual Report, 1991; Historical Highlights and Fact Sheet, December 16, 1992;
- i. California Federal Bank, Annual Report, 1992; and
- j. Annual Financial Reports of the Belt Line, Data Processing Fund, Fleet Services Fund, Light Division, Self Insurance Claim Fund and Water Division, 1992.

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.

REGULAR AGENDA

FINAL READING OF ORDINANCES:

Ordinance No. 25213

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

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25213. 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: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 25230

Vacating a portion of South 60th Street east of Verde Street to incorporate the area into neighboring residential yards. (Hector Garcia; File No. 124.964)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25256

Vacating the east 18 feet of Sheridan Avenue between South 38th and South 39th Streets to utilize the property for a proposed Super Safeway and parking lot. (Safeway Inc.; File No. 124.965)

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25272

Appropriating \$6,591.58 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for underwriting losses for the fourth quarter of 1992.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25273

Providing for the levy of the sixth year assessment for the Downtown Business Improvement Area (BIA); approving the BIA annual budget and work plan; and appropriating \$338,170 for project activities.

Council Member Miller indicated he would be abstaining from voting and left the Council Chambers.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Abstaining: 1 - Miller.

The Ordinance was declared passed.

Ordinance No. 25274

Approving and confirming the assessment roll for L.I.D. No. 5694 for the installation of water mains in 144th Street East, 134th Avenue East, 154th Street East, 133rd Avenue East and the proposed Plat of Grandridge.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25275

Providing for the formation of L.I.D. No. 3950 for the construction of sanitary sewers in Browns Point Boulevard from 750 feet south of 41st Street NE to a point 1,250 feet south of 41st Street NE.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25276

Providing for the formation of L.I.D. No. 7720 to install underground electrical primary system lines along East G Street from East 74th to East 75th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25277

Providing for the formation of L.I.D. No. 8564 for the placement of permanent-type pavement on Madison Street from North 36th to North 37th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 9 -- Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas,
and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25278

Providing for the formation of L.I.D. No. 8569 for the placement of permanent-type pavement on North 27th Street from Cheyenne to Mullen Streets.

Mayor Vialle indicated she would be abstaining from voting and left the Council Chambers.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Abstaining: 1 - Mayor Vialle.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25279

Amending Chapter 13.06 of the Official Code to reclassify the property located on the southwest corner of Tacoma Mall Boulevard and South 52nd Street from a "R-2" One-Family Dwelling District to a "R-2-T" Residential-Commercial Transitional District to convert an existing single-family dwelling into an office. (Ted and James Schlatter; File No. 120.1359)

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

The Ordinance was set over to a date to be determined.

Ordinance No. 25280

Vacating South 11th Street west of Shirley Street to utilize the area to provide access to a proposed single-family dwelling and yard. (Stanford Hanson; File No. 124.971)

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

The Ordinance was set over to a date to be determined.

Ordinance No. 25281

Amending Chapter 1.06 of the Official Code relative to the reorganization of Information Systems in accordance with the Strategic Information Systems Plan.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25281. 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. 25282

Amending the Pay and Compensation Plan to implement rates of pay in accordance with the collective bargaining agreements for the International Brotherhood of Electrical Workers, Local No. 483, Light Division, Teamsters, Local No. 599 and Tacoma Firefighters, Local No. 31.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 25282. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Ordinance No. 25283

Repealing Chapter 2.08 of the Official Code relative to building and facility specifications for the physically handicapped.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 32088 (Continued from the meeting of March 2, 1993.)

Approving the amendment to the Community Development Block Grant Final Statement of Objectives and Use of Funds for interim financing to Dyno Overlays, Inc., in the amount of \$3,000,000 for relocation of its facility to 2144 Milwaukee Way.

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

Resolution No. 32113 (Continued from the meeting of March 2, 1993.)

Authorizing the execution of an amendment to the agreement with the Broadway Center for the Performing Arts in the amount of \$389,257 for the management and operation of the Broadway Theater District.

Council Member Miller moved to suspend the rules to consider Substitute Resolution No. 32113. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Speaking before Council was:

Steve Harbor

Center of Performing Arts

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

Purchase Resolution No. 32112

Awarding contracts to:

1. Monarch Development, on their bid of \$71,819.63 for sanitary sewer replacement on South 45th Street from Alaska to Wilkeson Streets - Specification No. G-214-93;
2. Special Asphalt Products, in the amount of \$30,270.24 for the annual supply of crack sealant materials - Washington State Contract No. 135-87;
3. Cascade Columbia Distribution, on their bid of \$35,260 for hydrogen peroxide solution - Specification No. G-067-92;
4. Coral Construction Co., on their bid of \$89,780.50 for traffic barrier and attenuator construction - Specification No. G-212-93;
5. The Northwest Dispatch, on their bid of \$200,000 for official city printing - Specification No. G-066-92;
6. DTS Electronics, in the amount of \$87,000 to extend and increase their contract for city radio maintenance services - Specification No. G-077-89;
7. 2320 Investments, Inc., in the amount of \$30,720 for SID (Police) storage facility; and

- 8. Rejecting all bids received for surplus property for a double-wide office trailer - Specification No. G-069-92.

Mayor Vialle moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 7, be adopted. Seconded by Council Member Miller.

Voice vote was taken and carried on the Purchase Resolution. The Purchase Resolution, including waiving formal bidding procedures on Item No. 7, was declared adopted.

PUBLIC HEARINGS AND APPEALS: (Began at 5:45 p.m.)

This is the date set for a public hearing relative to the Nineteenth Year (1993-1994) Community Development Block Grant Proposed Statement of Objectives and Use of Funds.

Speaking before Council were:

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| Danna Clancy | Chair, Urban Policy Committee |
| LeAnna Dean | ACORN |
| Stella Shellenbarger | ACORN |
| Dean Wilson | Pierce County Alliance |
| James Knight | UTRA |
| Laura Jungkuntz | Resident |
| Tony Wright | Resident |
| Judy Jones | Broker |
| Mike Lonergan | Tacoma Rescue Mission |
| Sandy Burgess | Metropolitan Dev. Council |
| Julie Bondsteel | Faith Homes |
| Dave DeForrest | McKinley Boosters |
| Dianna Cummings | ACORN |
| Steven Morley | ACORN |
| Student | Gault Middle School |

The hearing was declared closed at 7:05 p.m.

Resolution No. 32121

Approving a road easement to Weyerhaeuser Company and Plum Creek Timber Company L. P. on Nagrom Road in the Green River Watershed.

Council Member Miller moved to continue Resolution No. 32121 to the meeting of March 23, 1993. Seconded Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution No. 32121 will be considered at the regular City Council meeting of March 23, 1993.

Resolution No. 32122

Authorizing the execution of an amendment to the agreement with Henderson Young and Company in the amount of \$52,810 for consultant services in the preparation of the Capital Facilities Plan.

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

Resolution No. 32123

Authorizing the utilization of South Seattle Auto Auction, Inc., Puget Sound Auto Auction, and James G. Murphy Company for the disposal of surplus vehicles through December 31, 1994.

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

Resolution No. 32124

Authorizing the execution of an agreement with the Tacoma School District No. 10 in the amount of \$43,920 for the Adult Crossing Guard Program through December 17, 1993.

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. 32125

Authorizing the execution of an extension to the agreement with the Local Development Council to provide for the administration of the Business Improvement Area from May 1, 1993 through April 30, 1994.

Council Member Miller indicated he would be abstaining from voting and left the Council Chambers.

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

Resolution No. 32126

Authorizing the execution of Amendment No. 76 to the Neighborhood Preservation Program Agreement with the Municipal Authority; and authorizing the execution of an agreement with Evergreen Development Association in the amount of \$41,250 to provide financial and technical assistance to businesses from March 1, 1993 through December 31, 1993.

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

Resolution No. 32127

Authorizing the execution of Amendment No. 77 to the Neighborhood Preservation Program Agreement with the Municipal Authority for the Hilltop Neighborhood Development Program .

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. 32128

Authorizing the execution of an agreement with the Sister Cities Council of Tacoma/Pierce County to promote tourism.

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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.

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, announced that a Safe Streets workshop with neighborhoods is scheduled for March 18 and 19, 1993.

Mr. Corpuz also announced that the Chinese monument project will be the topic of discussion on CityLine at noon, Wednesday, March 17, 1993.

Mr. Corpuz requested an Executive Session, not to exceed 30 minutes, to discuss pending and potential litigation and the acquisition of real estate property.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle announced that Marilyn Littlejohn, Executive Director, of Tacoma, Youth, Children and Family Commission, received a technical assistance award for their program.

Deputy Mayor Mykland requested that staff provide a status report on the skateboard issue.

Council Member Nielsen announced that the Urban Waterfront Committee had sunset on March 6, 1993. He asked the Council to consider whether this Committee should continue.

Council Member Evans indicated that the Council also needs to consider how to handle the appointment of members to the Urban Policy Committee whose terms had expired.

Mayor Vialle indicated that these issues will be discussed at the Council workshop later this month.

Council Member Baarsma reported on an observation he made on activities that were brought to his attention by a business owner on Martin Luther King, Jr. Way. He thanked the Police Department for providing the business owner with patrol activities that would be enforced.

Council Member Silas commended the BIA for their cleanup downtown.

Mayor Vialle moved to recess to Executive Session to discuss pending and potential litigation and the acquisition of real estate property, the session not to exceed 30 minutes. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:30 p.m. and reconvened at 8:00 p.m.

Mayor Vialle moved that settlement of the disputed claim of Rhonda Lawrence in the matter of Lawrence v. City of Tacoma, Pierce County Superior Court Cause No. 91-2-07262-8, in the amount of \$34,000 be approved, and that the proper officers and agents of the City execute the necessary documents to affect settlement. Seconded by Council Member Miller. Voice vote was taken and carried, with Council Member Nielsen and Deputy Mayor Mykland voting in opposition. The motion was declared adopted.

Mayor Vialle moved that the Council authorize the execution of the settlement agreement, on file with the City Clerk, which provides for the settlement of litigation instituted by Fred and Arlene Roberson under Pierce County Cause Number 91-2-01346-8. The agreement provides for payment of \$7.5 million to the Robersons in settlement and purchase of the apartment complex Forest Hills. Also authorized would be the issuance of Refuse Utility Bonds/Notes in an amount not to exceed \$7.5 million. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved that the proper officers of the City be authorized to execute the settlement agreement, on file with the City Clerk, settling the lawsuit filed by the City of Tacoma against Burlington Northern Railroad under Pierce County Cause Number 92-2-06123-1. The lawsuit sought compensation from the Railroad for costs incurred by the City of Tacoma during the construction of the Union Station Federal Courthouse. The settlement agreement provides for

payment to the City in the amount of \$400,000, and for protections for the City against liability for contamination of the property during the Railroad's ownership. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 8:05 p.m.


KAREN L. R. VIALLE, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

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