

CITY COUNCIL MINUTES

City Council Chambers
November 27, 1990

The meeting was called to order by Mayor Vialle at 5:06 p.m.

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

The Flag Salute was led by Deputy Mayor Stenger.

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

RESOLUTIONS:

Resolution No. 31142

Setting Tuesday, January 8, 1991, at approximately 5:30 p.m. as the date for a public hearing to amend Chapters 13.04 and 13.06 of the Official Code to increase user fees for land use applications.

Resolution No. 31143

Authorizing the submittal of a grant application to the Washington State Housing Finance Commission for \$3 million in mortgage revenue bond funds to continue the Single Family Home Ownership Program.

Resolution No. 31144

Approving the final plat for HARBOR RIDGE ESTATES DIVISION IIIA for 13 lots at the intersection of 51st Street Northeast and Dash Point Water Works Road. (HARBOR RIDGE ESTATES/Loran T. Peterson/ESM, Inc.; File No. 125.282E)

Resolution No. 31145

Approving the final plat for PINNACLE POINTE DIVISION I for 56 residential building lots in the vicinity of Browns Point Boulevard and Parkview Drive Northeast. (PINNACLE POINTE Division I/ESM, Inc.; File No. 125.303A)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agendas of Monday, November 26 and Tuesday, November 27, 1990.
- b. Minutes of the meeting of the Tacoma Beautification Committee, October 17, 1990.

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- c. Minutes of the meeting of the Public Utility Board, October 24, 1990.
- d. Minutes of the meeting of the Tacoma Planning Commission, November 5, 1990.
- e. Amended minutes of the meeting of the Urban Waterfront Committee, October 24, 1990.
- f. Minutes of the meeting of the Civil Service Board, November 5, 1990.
- g. Minutes of the meeting of the Tacoma-Pierce County Board of Health, October 3, 1990.
- h. Citizen petitions urging rescinding the amendment exempting developments from the 25 foot height restriction in view sensitive areas and the clear-cutting of land in Northeast Tacoma.
- i. Tacoma Public Utilities, Budget Performance Analysis, Third Quarter 1990.

Council Member Mykland moved that the Consent Agenda, including Resolution Nos. 31142, 31143, 31144, 31145, be approved. Seconded by Council Member Miller. 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

FINAL READING OF ORDINANCES:

Ordinance No. 24712

Amending Chapter 13.06 of the Official Code to reclassify the property located on the west side of South "M" Street between South 39th and South 40th Streets from a "C-1" Commercial District to a "M-1" Light-Industrial District to allow the expansion of a lumber yard, including off-street parking and a truck loading area. (Gray Lumber Company; File No. 120.1275)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24772

Adopting a revised Energy Conservation Plan.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

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The Ordinance was declared passed.

Ordinance No. 24773

Amending Ordinance No. 24730 to correct the street address of the Pt. Defiance Senior Center from 4416 North Baltimore to 4716 North Baltimore.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24774

Transferring \$2,800.00 appropriated in the General Fund to the Community Development Block Grant Summary Fund for the installation of a fire hydrant at the Family Counseling Center; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24775

Amending Chapter 5.20 of the Official Code to establish new refuse collection and disposal service rates effective January 1, 1991.

Speaking to the Council was:

Mr. McPherson

Tacoma resident

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24776

Accepting donations totaling \$4,732.00 from Elizabeth Waters, Freighthouse Square, Boze Elementary School staff, Patricia Kramer Davidson, Jalopy Auto Racing Association, Simpson Fund, Grand Aerie F.O.E., Kentucky Fried Chicken, Crane's Creations and the Last Frontier; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the Drug Awareness Resistance Education (D.A.R.E.) program.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24777

Adopting the Biennial Budget of the City of Tacoma for the fiscal years 1991-1992.

Deputy Mayor Stenger moved to suspend the rules to consider Substitute Ordinance No. 24777. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Stenger moved to adopt Substitute Ordinance No. 24777. Seconded by Council Member Evans.

Judy Sheridan, Budget Officer, spoke regarding the Substitute Ordinance.

Deputy Mayor Stenger moved to amend Substitute Ordinance No. 24777 adopting the 1991-1992 Biennial Budget as follows:

The \$50,000 identified as an additional appropriation to the Health Department for supplemental AIDS programs in the first year of the biennium shall be transferred to the community service funding, \$25,000 for each year of the biennium. Such action is necessary as Pierce County was unable to match the additional \$50,000 appropriation to the Health Department in fiscal year 1991.

Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend Substitute Ordinance No. 24777 adopting the 1991-1992 Biennium Budget as follows:

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The \$4,250 currently budgeted within the General Fund for the partial payment of the 1991 World Trade Center contract shall be budgeted and paid from Hotel-Motel Tax dollars. In addition, another \$4,250 of Hotel-Motel Tax dollars shall be appropriated for payment of the World Trade Center contract in 1991, and \$9,500 of Hotel-Motel Tax dollars shall be appropriated for payment of said contract in the last half of the biennium.

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

Mayor Vialle moved to amend Substitute Ordinance No. 24777 adopting the 1991-1992 Biennial Budget as follows:

The General Fund contribution to the Capital Improvement Fund shall be reduced by \$2,500, thus reducing the dollars available for the Waterway Pedestrian Link project by a like amount. \$2,500 shall be appropriated for use by Pierce County Department of Emergency Management to augment the current radio communications system and to create the ability for the Department of Emergency Services (DES) to communicate directly with the City of Tacoma's Public Works Department.

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

Mayor Vialle moved to amend her preceding motion relative to the World Trade Center contract to read as follows:

"In addition, another \$5,250 of Hotel-Motel Tax dollars shall be appropriated for payment of the World Trade Center contract in 1991, and \$9,500 of Hotel-Motel Tax dollars shall be appropriated for payment of said contract in the last half of the biennium."

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

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

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance, as amended, was declared passed.

Ordinance No. 24778

Appropriating \$2,220,000.00 from the General Fund unreserved fund balance to forgive repayment of said sum in outstanding General Fund loans to the Tacoma Dome Operation Fund.

Roll call vote was taken, resulting as follows:

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

Nays: 2. - McElliott and Mykland. (Council Member Mykland changed his vote from nay to aye under "Unfinished Business.")

The Ordinance was declared passed.

Mayor Vialle moved to suspend the rules to consider Ordinance No. 24716. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Ordinance No. 24716

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southeast corner of South 78th and Trafton Streets from a "R-2" One-Family Dwelling District to a "M-1" Light Industrial District to allow the development of a 20,000 square foot storage warehouse. (Sheehan & Associates; File No. 120.1309)

Roll call vote was taken resulting as follows:

Ayes: 9 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger,
Warnick, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 24779

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northeast corner of the intersection of 29th Street Northeast and 62nd Avenue Northeast from a "R-2" One-Family Dwelling District to a "R-4-L" Low Density Multiple-Family Dwelling District to allow the construction of eight dwelling units in two buildings. (The Mueller Group; File No. 120.1313)

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

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Ordinance No. 24780

Amending Chapter 13.06 of the Official Code to vacate the alley east of 62nd Avenue Northeast, north to the King County line to allow the construction of eight dwelling units in two buildings. (The Mueller Group; File No. 124.918)

Mayor Vialle moved to concur in the Findings, Conclusions and Recommendations of the Hearing Examiner. Seconded by Council Member Warnick. 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. 24781

Amending Chapter 13.06 of the Official Code for an area-wide reclassification to establish a "B-SRD" Business Special Review District from South 9th to South 15th Streets, between "A" Street and Commerce Street and an area-wide reclassification to establish an "MC-SRD" Mixed Commercial Special Review District from South 23rd to South 27th Streets, between the alley east of Pacific Avenue and Commerce Street. (City of Tacoma; File No. 120.1315)

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

The Ordinance was set over for final reading on December 11, 1990.

Ordinance No. 24782

Amending the Official Code by adding Section 1.30.880 to authorize an agreement with the cities of Seattle and Spokane for portability of benefits between retirement systems.

The Ordinance was set over for final reading December 11, 1990.

RESOLUTIONS:

Purchase Resolution No. 31146

Awarding contracts to:

1. Tacoma Screw Products, Inc., in the amount of \$7,000.00 to increase their contract for various nuts, bolts, and fasteners - Open Purchase Order No. 35308;
2. Republic Automotive, in the amount of \$3,500.00 to increase their contract for various truck and equipment parts - Open Purchase Order No. 35316;
3. Utility Services Company, Inc., on their bid of \$29,540.17 for the repair of a 42" Cascade water pump with amarillo right angle drive - Specification No. G-093-90;

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- 4. Utility Equipment, Inc., on their bid of \$18,438.29 for safety overhaul of manlift vehicle - Specification No. G-094-90;
- 5. Computerland, on their bid of \$16,546.61 for MacIntosh personal computer hardware and software - Specification No. G-104-90;
- 6. Wang Laboratories, Inc., in the amount of \$26,664.00 for personal computer hardware - Sole Source; and
- 7. Lark Development Company, in the amount of \$45,302.78 for sanitary sewer construction - Narrows Plat.

Council Member Nielsen moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on item numbers 2, 6 and 7. Seconded by Council Member Moss.

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

Resolution No. 31147

Authorizing the execution of agreements with specific human service agencies to implement certain human service projects.

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

Deputy Mayor Stenger moved to direct the City Manager to fund the following agencies and projects with the additional \$50,000 appropriated to the community service funding for the 1991-92 biennium:

<u>Project</u>	<u>1991</u>	<u>1992</u>
AIDS Housing	\$ 0	\$ 4,750
G/Mandela/Sojourn (MLK)	3,000	5,000
Housing Exchange (MLK)	6,000	6,000
Last Chance (MLK)	3,000	0
Outreach (MLK)	6,000	2,000
Seniors Against Crime	1,250	500
VOTE (Pierce College)	6,250	6,250
TOTAL		\$50,000

NEW ALLOCATION TOTALS

<u>Project</u>	<u>1991</u>	<u>1992</u>
AIDS Housing	\$25,000	\$25,167
G/Mandela/Sojourn (MLK)	79,240	93,947
Housing Exchange (MLK)	51,000	58,500
Last Chance (MLK)	68,000	75,833
Outreach (MLK)	76,000	83,667
Seniors Against Crime	7,250	7,500
VOTE (Pierce College)	6,250	6,250

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

Mayor Vialle stated that she would be abstaining due to the fact that she was a member of the State Board of Trustees of the Children's Home Society. She then absented herself from the Council Chambers.

Council Member Nielsen stated he also would be abstaining on this as he was a member of a Board of one of the agencies listed. He stated he received no funds or benefits and that this was a nonprofit corporation.

Speaking to the Council were:

Maureen Howard	Martin Luther King Ecumenical Center
Patricia Terry	Director, VOTE Program
Louise Batchelor	5123 North 45th Street
Helen Sater	Executive Director, Seniors Against Crime

Voice vote was taken and carried, with Council Member Nielsen and Mayor Vialle abstaining. The Resolution was declared adopted.

Resolution No. 31148

Adopting the Comprehensive Housing Plan as the City's housing program strategy for implementing the Housing Policy Plan and accepting the Comprehensive Housing Plan as an implementing approach for the City's Community Development Block Grant Program for community housing programs and services.

Council Member Moss moved to continue Resolution No. 31148 to the meeting of December 11, 1990. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of December 11, 1990.

Bill Barker, City Attorney, requested clarification of the Mayor's abstension on Resolution No. 31147. She clarified that she was a member of the Board of Trustees of the Children's Home Society, a nonprofit organization. She receives no funds from this organization and will receive no funds as a result of the Council Members voting on this matter.

Resolution No. 31149

Authorizing the execution of agreements with The Northern Trust Company in the amount of \$38,000.00, Frank Russell Trust Company in the amount of \$580,000.00, Scudder, Stevens & Clark in the amount of \$148,000.00, Denver Investment Advisors in the amount of \$192,000.00, and Milliman & Robertson, Inc., in the amount of \$51,000.00 to provide investment services and actuarial services for the Retirement Fund from January 1, 1991 to December 31, 1991.

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

Resolution No. 31150

Authorizing the execution of an amendment to the agreement with Smith, Alling, Lane in the amount of \$75,000.00 for legal services related to the City's landfill.

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

Council Member Moss stated that this law firm represents him. He stated he receives no remuneration and that this would not affect his decision on this matter.

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

UNFINISHED BUSINESS:

Council Member Mykland stated that due to a misunderstanding, he had voted nay on Ordinance No. 24778 and wanted the record to reflect that he is changing his vote to an aye on Ordinance No. 24778 voted on previously in the Council Meeting.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, stated that the notice of intent procedure review requested by the Mayor and Council would be reviewed by the Civil Service Board next Monday at their regular meeting.

He also requested an Executive Session regarding pending and current litigation.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Vialle reminded the Council and the Public that "City Line" will be on the Municipal Channel Wednesday night at 6:30 p.m. She stated that Art Popham would interview her and that interested parties could call in their questions.

Mayor Vialle stated that the City Council had met with State Representative Rasmussen, Marilyn Rasmussen, and Don Meyer from the Port of Tacoma regarding establishment of a Sister City Port at Vladivostok, U.S.S.R. She thanked those involved, including Secretary of State Monroe, for all their efforts in this matter.

Deputy Mayor Stenger noted that the City was actively pursuing this endeavor and expressed his appreciation for those assisting in these efforts.

Council Member Warnick stated that Mr. Rafi Aaron, an award-winning poet, would be in Tacoma this weekend. He would be presenting a poetry reading with a discussion afterward this Sunday at Temple Beth El at 11:00 A.M. located at 5975 South 12th Street.

Council Member Warnick congratulated the PLU Women's Soccer Team in receiving second place in the recent NAIA Tournament.

Council Member McElliott stated that the Tacoma Stars beat the Crunch recently.

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

Council recessed to Executive Session at 5:58 p.m. and reconvened at 6:24 p.m.

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On proper motion, the meeting was adjourned at 6:25 p.m.


KAREN VIALLE, MAYOR

ATTEST: 
GENELLE BIRK, CITY CLERK

OS.2834G.