

## CITY COUNCIL MINUTES

City Council Chambers  
January 12, 1993

The meeting was called to order at 5:06 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 Nielsen.

Mayor Vialle requested that a moment of silence be observed for former Mayor Al "Slim" Rasmussen.

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### CONSENT AGENDA

Approval of the minutes of the Tacoma City Council meeting of January 5, 1993.

#### PETITIONS:

Washington State Department of General Administration, requesting the reclassification of the property located in the vicinity of Portland Avenue and East 72nd Street from a "R-2" One-Family Dwelling District to a "R-2-T" Residential-Commercial Transitional District for the construction of an office building for the Department of Social and Health Services. (Washington State Department of General Administration; File No. 120.1363)

For referral to the Hearings Examiner.

#### RESOLUTIONS:

##### Resolution No. 32052

Setting Tuesday, January 26, 1993 at approximately 5:30 p.m. as the date for a public hearing by the City Council relative to a loan of federal Community Development Block Grant funds to Dyno Overlays to assist in the financing of expanding their business.

**ASSESSMENT ROLLS:**

The Director of Public Utilities presents the assessment roll for the following:

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 in the "Sunrise" Development.

**ITEMS FILED IN THE OFFICE OF THE CITY CLERK:**

- a. Hearings Examiner Agenda for Tuesday, January 12, 1993.
- b. Minutes of the meetings of the Civil Service Board, November 2 and December 7, 1992.
- c. Minutes of the meeting of the Tacoma Arts Commission, December 14, 1992.
- d. Minutes of the meetings of the Tacoma Public Library Board of Trustees for October 12, 21, 28, November 4 and November 18, 1992.
- e. Report of the Director of Finance, September/October 1992.
- f. City of Tacoma Legislative Policy Manual for 1993.

Mayor Vialle moved to amend the Consent Agenda to set February 8, 1993, at approximately 5:00 p.m. as the date for a hearing by the Hearings Examiner relative to the assessment roll for L.I.D. No. 5694. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Council Member Nielsen moved that the Amended Consent Agenda, including Resolution No. 32052, be approved. Seconded by Council Member Silas. Deputy Mayor Mykland declared that he would be abstaining from voting because of a conflict of interest concerning the petition filed by the Washington State Department of General Administration and that he would be abstaining from voting. Voice vote was taken and carried with Deputy Mayor Mykland abstaining from voting. The Amended Consent Agenda was declared approved.

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**REGULAR AGENDA**

**COMMUNICATIONS:**

Hearings Examiner submitting Findings of Fact, Conclusions of Law and Recommendation relative to the appeal of penalties set forth in a Cease and Desist Order issued to Modutech Marine, Inc., requiring the removal of a 47-slip covered marina located on the Hylebos Waterway.

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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.

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FINAL READING OF ORDINANCES:

Ordinance No. 25249

Changing the name of a portion of K Street, from 6th Avenue to South 28th Street, to Martin Luther King, Jr., Way and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

Ayes: 8 – Baarsma, Evans, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 1 – McElliott.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25229 (Continued from the meeting of December 15, 1992.)

Providing for the method of operation for City-owned parking facilities.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 2. Seconded Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

The Substitute Ordinance No. 2 was set over for final reading next week.

Ordinance No. 25250

Amending Title 13 of the Official Code to revise fees for reclassification and land use applications.

The Ordinance was set over for final reading next week.

**Ordinance No. 25251**

Accepting \$500 from TeleCommunications, Inc.; and depositing in and appropriating said sum from the General Fund to support cooperative cable television productions and the dissemination of said productions over the City's Municipal Channel.

The Ordinance was set over for final reading next week.

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**RESOLUTIONS:**

Resolution No. 32029 (Continued from the meeting of December 22, 1992.)

Authorizing the execution of a lease agreement with Dock Street Tacoma Associates for the lease of land at 535 Dock Street.

Council Member Nielsen moved that the Resolution be adopted. Seconded by Council Member Moss. Deputy Mayor Mykland moved to set Resolution No. 32029 to a date to be determined. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 32030 (Continued from the meeting of December 22, 1992.)

Authorizing the amendment to the "Master Program for Shoreline Development" relative to the "S-6" Ruston Way Shoreline District.

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

Purchase Resolution No. 32053

Awarding a contract to:

U.S. West Cellular, in the amount of \$28,000 to increase their contract for cellular phone airtime - Washington State Contract No. 133-89.

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

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

**Resolution No. 32054**

Designating the Community Development Block Grant, HOME Investment Partnership and HUD Special Purpose Grant programs as "Special Projects of Limited Duration" for the hiring of temporary employees.

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. 32055**

Authorizing the execution of agreements with Inca Engineering, Inc., in the amount of \$150,000 and Consoer Townsend & Associates, in the amount of \$150,000 for engineering consultant services for the planning and design of various storm and sanitary sewers.

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

**Resolution No. 32056**

Authorizing the execution of an agreement with the State of Washington Gambling Commission for the production of a training videotape on gambling subjects for license use.

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

**Resolution No. 32057**

Authorizing the execution of agreements with Robert E. Mack in the amount of \$27,600 for legislative representation during the 1993 session of the Washington State Legislature and Simon and Company, Inc., in the amount of \$25,000 for congressional representation for 1993.

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

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

This is the date set for hearing the appeal of the residents of Beverly Avenue NE and Broadview Avenue NE on the decision of the Hearings Examiner relative to L.I.D. No. 7718 for the undergrounding of utilities in Northeast Tacoma.

Mr. Rod Kerlake, Hearings Examiner, spoke regarding his decision relative to L.I.D. No. 7718. Mr. Rod Kaseguma, attorney representing the appellants of Beverly Avenue NE and Broadview Avenue NE, presented reasons for the appeal.

Mr. Gary Jacobson and Mr. Jonathan Hurst spoke in support of the Hearings Examiner's decision relative to L.I.D. No. 7718

Council Member Miller moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. Voice vote was taken and carried with Deputy Mayor Mykland and Council Member Silas voting in opposition. The motion was declared adopted.

The Council recessed at 7:00 p.m. and reconvened at 7:10 p.m.

**UNFINISHED BUSINESS:**

None.

**REPORTS BY CITY MANAGER:**

Mr. Ray E. Corpuz, Jr., City Manager, requested an Executive Session, not to exceed 60 minutes, to discuss acquisition of real estate property, potential litigation and labor relations issues.

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Mayor Vialle moved to grant a six-month residency waiver to Kevin Lyon, Assistant City Attorney. Seconded by Council Member Nielsen. Voice vote was taken and the motion carried with Deputy Mayor Mykland and Council Member McElliott voting in opposition.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Baarsma requested that consideration be given to recommendations outlined in the Customer Advisory Panel report on underground wiring. Council Member Baarsma specifically noted that priority recommendation #3 of the report recommends the laying of conduit at the same time when major road construction occurs and would eliminate the need to tear and repair the same roads again.

Mayor Vialle announced that the Dr. Martin Luther King celebration will be held on Monday, January 18, 1993 at the Tacoma Dome, starting with breakfast at 10:00 a.m. and the program starting at 11:00 a.m.

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Mayor Vialle moved to recess to Executive Session to discuss acquisition of real estate property, potential litigation and labor relation issues, the session not to exceed 60 minutes. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 7:20 p.m. and reconvened at 8:20 p.m. At 8:20 p.m., Council Member Nielsen extended the Executive Session an additional 30 minutes. At 8:50 p.m. Council Member Nielsen extended Executive Session an additional 10 minutes. At 8:50 p.m. Deputy Mayor Mykland announced that Executive Session would be extended an additional 15 minutes. Council reconvened at 9:15 p.m.

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On proper motion, the meeting was adjourned at 9:17 p.m.

ATTEST:   
GENELLE BIRK, CITY CLERK

  
KAREN L. R. VIALLE, MAYOR