

CITY COUNCIL MINUTES

City Council Chambers
January 30, 1990

The meeting was called to order at 5:10 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.

CONSENT AGENDA

Approval of the minutes of the meeting of January 23, 1990.

RESOLUTIONS:

Resolution No. 30744

Setting Monday, February 26, 1990, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 5694 for construction of water mains and fire hydrants from 144th Street East south approximately 4,800 feet to a north line of Rainier Terrace Development, and continuing southerly in the proposed Plat of Grandridge approximately 4,500 feet to its south line.

Resolution No. 30746

Setting Monday, February 26, 1990, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 5693 for construction of water mains and fire hydrants in Huson Street from South 7th Street to South 12th Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, January 30, 1990.
- b. Minutes of the meeting of the Tacoma Beautification Committee, December 20, 1989.
- c. Minutes of the meeting of the Human Rights Commission, December 14, 1989.
- d. Minutes of the meeting of the Appointments Committee, January 22, 1990.
- e. Minutes of the meeting of the Tacoma Public Library Board of Trustees, December 20, 1989.
- f. Minutes of the meeting of the Civil Service Board, January 8, 1990.
- g. Minutes of the meeting of the Tacoma Planning Commission, January 3, 1990.
- h. Tacoma-Pierce County Humane Society Total Work Reports for November 1989, and December 1989.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 30744 and 30746, 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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Presentation of Suggestion Awards.

Mr. James Zuluaga of the Fire Department was unable to attend the Council meeting. Mayor Vialle stated that the award would be presented to Mr. Zuluaga at a later date.

FINAL READING OF ORDINANCES:

Ordinance No. 24529 (Continued from the meeting of January 9, 1990.)

Vacating South 41st Street between South Tacoma Way and Union Avenue to unify the property which is occupied by an automobile dealership on both sides of the right-of-way. (Brian Wilson; File No. 124.903)

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. 24196

Vacating a portion of the SR-5 turnback area on the south side of vacated South 50th Street westerly of the freeway fence for the development of a commercial building. (Frank S. Mitchell; File No. 124.875)

Roll call vote was taken, resulting as follows:

Ayes: 8 - Evans, McElliott, Miller, Moss, Nielsen, Stenger, Warnick, and Mayor Vialle.

Nays: 1 - Mykland.

The Ordinance was declared passed.

Ordinance No. 24386

Vacating a small "landlocked" alley right-of-way south of the SR-5 South 56th Street Interchange and east of Tacoma Mall Boulevard to combine the vacated area with the abutting properties for a proposed commercial development. (Frank S. Mitchell; File No. 124.884)

Roll call vote was taken, resulting as follows:

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

Nays: 2 - McElliott and Mykland.

The Ordinance was declared passed.

Ordinance No. 24526

Amending Title 5 of the Official Code by adding a new chapter relating to infectious waste.

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.

Substitute Ordinance No. 24555

Amending Section 1.06.259 of the Official Code to establish standards for pre-qualifications of prospective bidders as a condition of acceptance of bids for construction projects exceeding \$15,000,000.00.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24555 (Substitute No. 2). Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

The Substitute Ordinance (Substitute No. 2) was declared passed.

Ordinance No. 24556

Appropriating \$350,000.00 from the Capital Projects Waterway Fund for construction of a public boardwalk extension on Foss Waterway, 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.

FIRST READING OF ORDINANCES:

Ordinance No. 24557

Authorizing the execution of a grant award contract with the Washington State Department of Health in the amount of \$160,000.00; and depositing in and appropriating said sum from the Department of Public Utilities' Water Current Fund for water conservation purposes.

The Ordinance was set over for final reading next week.

Ordinance No. 24558

Establishing the Library Health Fund for the purpose of proper administration of Library health/welfare funds; and authorizing the transfer of funds from the Library General Fund to the newly created Library Health Fund to administer the Library's 125 plan and its health/welfare program.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30747

Awarding contracts to:

1. Brodsky's, in the amount of \$84,525.66 to increase their contract for police uniform equipment - Specification No. G-024-89;
2. Tacoma Daily Index, in the amount of \$162,000.00 for Official City printing - Specification No. G-095-89;
3. Wang Laboratories, Inc., in the amount of \$26,422.00 for Wang VS 85 and system computer hardware maintenance contract - Sole Source;

4

4. Mocon Corporation, in the amount of \$21,271.69 to increase their contract for the "T" Street Gulch, storm sewer cleaning - Specification No. G-212-88;
5. Northwest Cascade, Inc., on their bid of \$62,423.60 for the storm sewer extension South 74th Street from South "J" Street to South "L" Street - Specification No. G-245-89;
6. General Chemical, on their bid of \$208,170.00 for liquid aluminum sulfate - Specification No. G-009-90; and
7. Intellicall, Inc., on their bid of \$82,375.37 for seventy-seven (77) pay telephones - Specification No. G-004-90.

Council Member Evans moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item No. 3. Seconded by Council Member Warnick.

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

Resolution No. 30748

Authorizing the execution of an L.I.D. Guarantee and Escrow Agreement with the developers of Rainier Terrace.

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

Resolution No. 30749

Authorizing the execution of Amendment No. 1 to the Power Transfer Agreement with the Washington Water Power Company to recognize the new ownership of the transmission line.

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. 30750

Authorizing the settlement of the claim of Stafford Shaw against the Belt Line Railroad.

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

Resolution No. 30751

Authorizing the execution of a license agreement with Watchtower Bible & Tract Society of New York, Inc. for use of the Tacoma Dome from June 20-24 and from June 27 through July 1, 1990.

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

Resolution No. 30752

Authorizing the execution of an agreement with MAKERS Architecture and Urban Design in the amount of \$31,000.00 for consulting services for development of the Thea Foss Waterway Design Plan.

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

Resolution No. 30753

Authorizing the execution of Amendments No. 12,13 and 14 to the agreement with Consoer, Townsend, and Associates in the amount of \$346,435.00 to provide construction management services for the Central Plant Secondary Wastewater Treatment Facility.

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

Resolution No. 30754

Authorizing the execution of an agreement with Puget Sound National Bank to serve as an Escrow Agent for the City of Tacoma funds generated by the settlement agreement with the Puyallup Indian Tribe.

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

Resolution No. 30755

Authorizing the execution of a letter of credit for the financing of the Union Station Federal Courthouse Project.

Mayor Vialle moved to remove Resolution No. 30755 from the agenda. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30755 was removed from the agenda.

Resolution No. 30756

Authorizing the formation of a Tacoma-Pierce County Sports Commission for promotion, marketing and solicitation of regional, national and international sporting events and special events and urging Pierce County and other public and private agencies to support the Commission.

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

Resolution No. 30757

Expressing support for Proposition No. 1 to the United States Congress and the President of the United States, as passed by City of Tacoma voters on November 7, 1989.

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

Speaking to the Council were:

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| Michael Collier | Co-Chair, Proposition No. 1 |
| Rosa Franklin | Co-Chair, 10% Solution |
| Jayne Moses | Church Women United |
| Dave Alger | Associated Ministries |

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

Resolution No. 30758

Directing the Planning Commission and the Hearing Examiner to consider and make recommendations to the City Council regarding the establishment of a special review district for the Proctor Business District (North 26th and Proctor Streets).

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

Speaking to the Council was:

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| Bill Evans | President, Proctor District Association |
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Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 30759

Endorsing and supporting the Tacoma School District No. 10 two one-year operating and maintenance levies, Proposition A, and encouraging the citizens of Tacoma to vote their approval of Tacoma School District No. 10 and its levies on February 6, 1990.

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

UNFINISHED BUSINESS:

Mayor Vialle moved that the case of Johnny's Seafood Company v. City of Tacoma, Pierce County No. 86-2-09185-3, be settled on the following terms and conditions:

1. The City of Tacoma will pay Johnny's Seafood Company Fifty Thousand Dollars (\$50,000) in full settlement of all claims of Johnny's Seafood Company, reserving only the claim of insurance coverage for the City of Tacoma under Johnny's Seafood Company's insurance policy with Home Insurance Company.
2. The parties will litigate the issue of whether or not there is coverage for the City of Tacoma under the policy of Home Insurance Company. If the court determines there is coverage in favor of the City, the City will have no further liability to Johnny's Seafood Company or Home Insurance Company.
3. If the court determines that there is no insurance coverage, the City will pay an additional One Hundred Fifty Thousand Dollars (\$150,000) to the Home Insurance Company. Payment of this One Hundred Fifty Thousand (\$150,000) would be contingent only upon final resolution of the City's counterclaim for insurance coverage.
4. It is understood that both the City and Home Insurance Company will make motions to the Pierce County Superior Court on the question of insurance coverage, and both parties reserve rights to appeal from any Superior Court ruling.

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

REPORTS BY CITY MANAGER:

Mayor Vialle welcomed Mr. Ray Corpuz, Jr. as the new City Manager of the City of Tacoma.

Ray Corpuz, Jr. announced that Mr. Len Simon, the City's federal representative in Washington, D.C., would be in Tacoma on Thursday, February 1, 1990, to discuss legislative issues with the Council.

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Members Moss and Warnick spoke and made comments relative to Mr. Louis Farrakhan's recent visit to Tacoma.

Council Member McElliott expressed her appreciation of the comments of Council Members Moss and Warnick.

On proper motion, the meeting was adjourned at 6:28 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK



KAREN VIALLE, MAYOR

WPC.03036.