

CITY COUNCIL MINUTES

City Council Chambers
November 28, 1989

The meeting was called to order at 3:08 p.m.

Present on roll call: 7 - Hyde, McElliott, Mykland, Nielsen, Stenger, Vialle, and Mayor Sutherland. Absent: 2 - Moss and Warnick. (Council Member Moss arrived at 5:05 p.m.)

Mayor Sutherland stated that the purpose of starting the council meeting early was to allow council time to recess to executive session to discuss personnel matters.

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

Council recessed to Executive Session at 3:10 p.m. and reconvened at 5:05 p.m.

Mayor Sutherland called the meeting back to order at 5:05 p.m. and stated that council had concluded its executive session business and would now be called back to order.

The Flag Salute was led by Council Member Stenger.

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

RESOLUTIONS:

Resolution No. 30653

Setting Monday, January 8, 1990, at 5:00 p.m. as the date for a hearing by the Hearing Examiner on L.I.D. No. 5699 for the construction of a 12-inch water main in Pacific Avenue from South 99th Street to South 106th Street.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the meeting of the Hilltop Area Task Force, October 30, 1989.
- b. Minutes of the meeting of the Tacoma Arts Commission, October 9, 1989.
- c. Minutes of the meeting of the Municipal Authority, October 19, 1989.
- d. Minutes of the meetings of the Public Utility Board, October 11, and 25, 1989.

Mayor Sutherland moved to amend Resolution No. 30653 on page 4, line 14 to change the date of the hearing from January 8, 1990 to January 22, 1990. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland moved that the Consent Agenda, including Resolution No. 30653, as amended, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Sutherland stated that the video "Crackdown" was awarded first place honors from the National League of Cities NATOA Organization in the category addressing "Children, Families and Cities" issues. He then had the video played for the council for their viewing.

Mayor Sutherland then called upon Mr. Charles Simmons and Mr. Adriene Johnson of the music group "Aces" and also called on Mr. Tehere Bennett to come forward and receive awards for their participation in the production of the music video.

R E G U L A R A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 24485

Appropriating the sum of \$26,000.00 from the Radio Communications Revolving Fund for payment of maintenance and repair expenses of the City Radio Communications System, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24487

Approving and confirming the assessment roll for L.I.D. No. 7708 for the conversion of overhead electrical primary, telephone and Cable-TV lines to underground along Whitman Street N.E. from Poe Street N.E. to Soundview Drive N.E. in the Dash Point area.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

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.

The Ordinance was set over for final reading next week.

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 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)

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

The Ordinance was set over for final reading next week.

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.

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The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

Ordinance No. 24493

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

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

Ordinance No. 24496

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

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The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

Mayor Sutherland called on Mr. Gary Kidd, Ms. Lynn Reidell and Mr. Dave Kobhork of the Transamerica Title Insurance Company. They in turn presented to Mr. John Ladenburg a letter of financial commitment of \$200,000 toward the Puyallup Tribal land claim settlement in Pierce County.

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).

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

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.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 30654

Authorizing the execution of the Master Agreement of Basic Terms and Conditions governing the use of the City of Tacoma facilities by the Seattle Goodwill Games Organization Committee in connection with the 1990 Goodwill Games.

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. 30655

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.

Deputy Mayor Hyde moved to continue Resolution No. 30655 to the meeting of December 5, 1989. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of December 5, 1989.

Resolution No. 30656

Transferring \$97,519.04 from the Capital Improvement Program Fund (Commerce Street Structural Sidewalk Replacement) to: Hazardous Sidewalk Replacement (\$5,000.00); Titlow Beach Enhancement (\$22,000.00); and to Goodwill Games Beautification (\$70,519.04.)

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

Speaking to the Council was:

Alfred Kirk

3173 South L Street

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

Resolution No. 30657

Authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers Local #483, Light Division Unit effective April 1, 1989 through March 31, 1992.

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. 30658

Authorizing a temporary interest-bearing loan from the Arterial Street Fund in the amount of \$400,000.00; from the Capital Improvement Program in the amount of \$300,000.00; from the Emergency Medical Service Levy Fund in the amount of \$1,000,000.00; and from the Cumulative Reserve for replacement of fire equipment in the amount of \$1,000,000.00 to the Union Station Renovation Fund for purchase of the property for the Union Station Project.

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

Resolution No. 30659

Authorizing the execution of an agreement with Terra Technology Corporation in the amount of \$32,000.00 for the maintenance, calibration, and monitoring of the City's strong motion (earthquake) monitoring equipment; and further waiving the competitive bidding for these services.

Council Member Nielsen moved to remove Resolution No. 30659 from the agenda. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30659 was removed from the agenda.

Resolution No. 30660

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 Nielsen requested that Resolution No. 30660 be continued to December 5, 1989.

Council Member Nielsen moved to continue Resolution No. 30660 to the meeting of December 5, 1989. Seconded by Council Member Stenger.

Roll call vote was taken resulting as follows:

Ayes: 4 - Hyde, Moss, Nielsen, and Stenger.

Nays: 3 - McElliott, Mykland, and Vialle.

Absent: 2 - Warnick and Mayor Sutherland.

The motion was declared adopted.

The Resolution will be considered at the regular council meeting of December 5, 1989.

PUBLIC HEARINGS AND APPEALS: (Began at 6:06 p.m.)

- a. This is the date set for a public hearing concerning the proposed "Tacoma Solar Access Ordinance."

Jake Fey, Energy Office, gave a presentation regarding the proposed "Tacoma Solar Access Ordinance." He then introduced Mark Aalfs, Energy Office, who further explained the ramifications of the proposed ordinance.

Mike McKeever, Planning Consultant, explained the three major parts of the proposed Ordinance.

Speaking to the Council were:

Dean Wilson	1401 Sunset Drive
Yvonna McCabe	Solar Access Advisory Committee
Edwin Valbert	2101 North Huson
Mike McSorley	Washington State Energy Office
John Weaver	Attorney and Professor of Law
Alfred Kirk	3173 South L Street
Sam Tower	1346 South Fawcett
Tom Heibelbaugh	8423 South 19th Street

There being no further testimony, Deputy Mayor Hyde declared the public hearing closed at 6:39 p.m.

- b. This is the date set for a public hearing concerning an amendment to the Union Depot/Warehouse Special Review District, allowing expansion of the Union Station Historic District. (Began at 6:40 p.m.)

Mike Sullivan, Community Development Department, made a presentation on the proposed Special Review District.

Deputy Mayor Hyde, called for testimony.

There being no testimony, Deputy Mayor Hyde declared the public hearing closed at 6:43 p.m.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Mykland announced that there would be a grand opening of the South End Neighbors for Family Safety Office located at 1720 South 72nd Street, Suite 200, on Saturday, December 2, 1989 at 12:30 p.m. He indicated there would be refreshments and a rally against drugs and related criminal activity. He urged all members of the council and the public to attend.

Council Member Moss requested clarification on the Saturday, December 2 budget workshop.

After discussion, Council Member Stenger moved that the budget session be held at 3:00 p.m. on Saturday, December 2, 1989. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Hyde moved to cancel the regular Tacoma City Council meeting of December 26, 1989. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

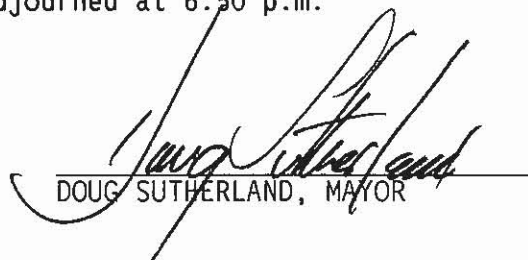
Council Member Nielsen moved to excuse Council Member Warnick from the November 28, 1989 Council Meeting. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council Member McElliott requested to know if anyone had heard of gas stations having to close because of the underground tank regulations.

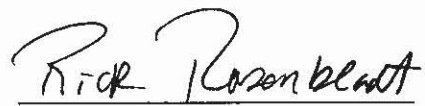
Deputy Mayor Hyde stated that he had heard there were problems with receiving bonding due to the regulations. He requested that staff investigate this matter and report back to council.

Deputy Mayor Hyde moved that the proper officers of the City of Tacoma be authorized to settle and compromise the Superior Court lawsuit brought against the City by Block Bros., WSLA and Tacoma Land Company involving LID No. 8433 on the terms and conditions outlined by William J. Baker and Fred Thompson in executive session. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

On proper motion, the meeting was adjourned at 6:50 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST: 

RICK ROSENBLADT, ACTING
CITY CLERK

WPC.9951G.