

C I T Y   C O U N C I L   M I N U T E S

City Council Chambers  
November 13, 1990

The meeting was called to order by Mayor Vialle at 5:05 p.m.

Present on roll call: 7 - Evans, McElliott, Mykland, Nielsen, Stenger, Warnick, and Mayor Vialle. Absent: 2 - Miller and Moss. (Council Member Miller arrived at 5:06 p.m. and Council Member Moss arrived at 5:10 p.m.)

The Flag Salute was led by Council Member Warnick.

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C O N S E N T   A G E N D A

Approval of the minutes of the meeting of November 6, 1990.

PETITIONS:

Stewart W. Rawson, requesting the reclassification of the property located at 7014 Sixth Avenue from a "C-1" Commercial District to a "C-2" Commercial District. (Stewart W. Rawson; File No. 120.1325)

For referral to the Hearings Examiner.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the Assessment Rolls for the following:

L.I.D. No. 5690 for the construction of water mains in East 44th Street from the City of Tacoma's Pipeline right-of-way to Hill Street and East "M" Street and Hill Street from East 44th Street to approximately 235 feet north.

L.I.D. No. 5682 for the construction of water mains in North 29th Street from Pine Street to Carr Street and in Oakes Street from North 29th Street to North 30th Street.

Setting Monday, December 10, 1990, at 5:00 p.m. as the date for a hearing by the Hearings Examiner.

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RESOLUTIONS:

Resolution No. 31125

Setting Tuesday, December 18, 1990, at 1:30 p.m. as the date for a hearing by the Hearings Examiner on the request to vacate a portion of the alley between Pearl and Visscher Streets, south of North Park Avenue. (A. Richard Panowicz; File No. 124.929)

Resolution No. 31126

Setting Tuesday, November 20, 1990, at approximately 5:30 p.m. as the date for a public hearing on the "Comprehensive Housing Plan."

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, November 13, 1990.
- b. Minutes of the meeting of the Landmarks Preservation Commission, October 24, 1990.
- c. Minutes of the meeting of the Tacoma Employees' Retirement System, September 27, 1990.
- d. Minutes of the meeting of the Tacoma Public Library Board of Trustees, September 19, 1990.
- e. Minutes of the meeting of the Tacoma Planning Commission, October 15, 1990.
- f. Citizen petitions regarding "Save our Community Schools."
- g. Report of the Director of Finance, September 1990.
- h. Tacoma Employees' Retirement System Acknowledgement of Investments Purchased and Sold, September 1990.

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Council Member Miller arrived at 5:06 p.m.

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Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31125 and 31126, be approved. Seconded by Council Member Mykland.

Mayor Vialle stated that the Council Minutes on page 7 contained a typographical error. Mayor Vialle moved to correct page 7 to indicate that Council reconvened at 6:45 p.m. instead of 7:45 p.m. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Voice vote was taken and carried. The Consent Agenda was declared approved.

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Mayor Vialle proclaimed the week of November 11-17, 1990, to be "American Education Week," and presented the proclamation to Dr. Lillian Barna.

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Council Member Moss arrived at 5:10 p.m.

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R E G U L A R   A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 24726

Amending Chapter 13.06 of the Official Code to reclassify the property located on the east side of South Pine Street between South 78th and South 80th Streets, extended from a "R-2" One-Family Dwelling District to a "PDB" Planned Business Development District for further development of the South Tacoma Business Park. (Comfort-Vest, Inc.; File No. 120.1287)

Mayor Vialle noted for the record that Ordinance No. 24726 had been corrected on Line 9. She stated that "R-3" had been corrected to read "PDB."

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, as corrected, was declared passed.

Ordinance No. 24755 (Continued from the meeting of November 6, 1990.)

Appropriating and transferring \$3,950,000.00 from the General Fund to the Union Station Renovation Fund to provide funding for the construction of the Federal Courts at the Union Station site; and declaring an emergency making necessary the passage of this ordinance.

Mayor Vialle moved to continue Ordinance No. 24755 to the meeting of November 20, 1990. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of November 20, 1990.

Ordinance No. 24757

Authorizing the execution of a grant award contract with the State of Washington Interagency Committee for Outdoor Recreation in the amount of \$2,280,000.00; transferring \$375,000.00 from the Open Space Fund to the Miscellaneous Grants Summary Fund; and appropriating \$750,000.00 from the Miscellaneous Grants Summary Fund to the Shoreline Property Acquisition Fund for the acquisition of shoreline properties for public recreation.

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. 24758

Amending Section 1.34.300 of the Official Code to increase the working fund advance for the Tacoma Public Library Board, Library Director from \$1,000.00 to \$4,000.00.

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. 24759

Amending Section 6.60.040 of the Official Code to increase the fees for dog and cat licenses, effective December 1, 1990.

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. 24760

Amending the Official Code to add Chapter 6.80 to provide for licensing of dealers, demonstrators, sellers and traders participating in temporary multiple-vendor area sales shows.

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. 24762

Accepting \$605.00 from Whittier PTA, Budget Signs, Busy Bee Cafe, Joseph Warren Lodge No. 235, Diana and Michael Hunt, Sulev Jarvits, Joe and Faye Carlson, Susan K. Knoeloch, and Tacoma-Pierce County Insurance Women; and depositing in and appropriating said sum from the Miscellaneous Trust Summary Fund for the expenses of 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. 24763

Amending Sections 1.23.070, 5.20.010, and 5.20.050 and adding Section 5.20.320 to the Official Code to clarify the issuing of special permits for the collection, removal and disposal of solid and infectious wastes from within the City limits.

Council Member Miller moved to continue Ordinance No. 24763 to the meeting of November 20, 1990. Seconded by Mayor Vialle. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of November 20, 1990.

Ordinance No. 24764

Accepting \$1,400.00 from individuals and organizations in payment for the Excellence in the Arts Awards event at the Tacoma Sheraton; and depositing in and appropriating said sum toward payment of the event.

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.

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FIRST READING OF ORDINANCES:

Ordinance No. 24765

Amending Chapter 8.12 of the Official Code to restore the prohibition of soliciting alms within the City.

The Ordinance was set over for final reading next week.

Ordinance No. 24766

Appropriating \$120,000.00 from the Miscellaneous Trust Summary Fund to pay for narcotics law enforcement expenses of the Tacoma Police Department; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24767

Authorizing the execution of an agreement with Puget Sound Bank; accepting \$19,188.00 through September 30, 1991; and depositing in and appropriating said sum from the Miscellaneous Grant Summary Fund to provide Puget Sound Bank with child care resource and referral services.

The Ordinance was set over for final reading next week.

Ordinance No. 24768

Accepting \$9,743.00 from rents and fees from existing encumbrances and \$1,000.00 in various donations; depositing in and appropriating \$10,743.00 from the Miscellaneous Special Revenue for financial support for the "Train to

the Mountain"; and authorizing the execution of agreements with owners of property adjacent to the railroad right-of-way granting easements, crossing rights and other privileges.

The Ordinance was set over for final reading next week.

Ordinance No. 24769

Appropriating \$150,000.00 from the Baseball Park Operating Fund for staffing and supplies for the Cheney Stadium Parking Lot operations; and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 24770

Amending Section 6.68.270 of the Official Code to grant businesses in areas to be annexed to the City a three-year exemption from the business and occupation tax.

Speaking to the Council was:

Bill Daybrock

U.S. Oil and Refining Company

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 31127

Awarding contracts to:

1. City Glass and Upholstery, Inc., in the amount of \$24,000.00 to extend and increase their contract for auto glass and flat glass - Specification No. G-003-89;
2. Six Roblees, Inc., in the amount of \$5,000.00 to increase their contract for various truck equipment parts - Open Purchase Order No. 35310;
3. Computers & Applications, in the amount of \$42,392.56 to increase their contract for personal computer hardware - Specification No. G-092-90;
4. United Airlines/Air Travel Plan, in the amount of \$20,000.00 to increase their contract for airline travel - Open Purchase Order No. 35781;
5. Gray Lumber Company, in the amount of \$7,000.00 to increase their contract for lumber, building maintenance and repair products - Open Purchase Order No. 35217;
6. Proline, on their bid of \$21,616.07 for video camera & accessories - Specification No. G-100-90;
7. Consolidated Electrical Distributors, in the amount of \$25,021.80 for uninterruptible power supply - Emergency Purchase Order No. 39169; and

8. Rejecting all bids received for the Old Town Dock Public Moorage Facility Project - Specification No. G-239-90.

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

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

Resolution No. 31128

Adopting the Tacoma-Pierce County Local Hazardous Waste Management Plan.

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. 31129

Authorizing the execution of an amendment to the agreement with Ogden-Allied Leisure Services, Inc., to change certain terms and conditions for the operation of the Gallery Restaurant.

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. 31130

Authorizing the execution of an amendment to the lease agreement with Baseball Tacoma, Inc. and the assignment of said lease to George P. Foster as incorporator and promoter of George's Pastime, Inc., purchaser of the "Tacoma Tigers."

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

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UNFINISHED BUSINESS:

Mayor Vialle moved to suspend the rules to reconsider Resolution No. 31105. Seconded by Council Member Moss. Voice vote was taken and carried. The motion was declared adopted.



Resolution No. 31105

Identifying as areas of concern the issues set forth in the "Legislative Policy Statement for the 1991 Session of the Washington State Legislature."

Mayor Vialle moved to adopt Resolution No. 31105. Seconded by Council Member Mykland.

Mayor Vialle moved to amend the legislative statement on page 12, position 5.b. to replace the position statement with the following language:

The City urges the Legislature to retain the language in the Growth Management Act allowing impact fees to be imposed on developments to cover costs of services used by the development, equitably passing on those costs to those creating the need for such services. Although the existing Growth Management Act limits the imposition of impact fees to four types of off-site improvements, the City would support legislation allowing local governments to impose fees for all off-site improvements that are affected by new developments.

Seconded by Council Member Evans.

Council Member Warnick stated that he would recommend that the statement not be amended. Instead, further information be obtained from the City Manager and this be amended at next week's Council meeting.

After discussion, voice vote was taken and carried on the motion, with Council Member Warnick voting nay. The motion was declared adopted.

Deputy Mayor Stenger moved to amend the Legislative Statement to include alternative language on pages 4 and 5, position 2.e. to read as follows:

Issue:

The Public Disclosure Act exempts certain information in State business loan files from public inspection.

Position:

The City would support legislation to exempt proprietary information in business loan files in counties, cities, and public development authorities from public inspection.

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

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

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REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., stated that the Council budget workshop would be held on Monday, November 19, 1990, beginning at 5:30 p.m. with dinner at Tee's Restaurant and the workshop beginning at 6:00 p.m. in the 6th Floor Municipal Training Room.

Mr. Corpuz then requested an Executive Session to discuss potential litigation and real estate matters.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Stenger noted that in the Friday Letter there was information regarding the SR-509 annexation. He noted that the City of Fife had a petition before the Boundary Review Board to annex a small parcel of land next to the City of Fife. He stated that the City of Tacoma should not compete with the City of Fife for such a small portion of annexation.

Council Member Warnick and Council Member Miller stated that they talked to a citizen who had called various City Departments, including the City Clerk's in order to identify her council district. She stated that no one was able to help her. They requested that this be corrected in the future.

Mayor Vialle moved to cancel the Council meeting of December 4, 1990 due to a lack of a quorum. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

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Mayor Vialle moved to recess to Executive Session to discuss potential litigation and real estate matters, the session not to exceed 15 minutes. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle stated that due to potential conflict of interest, she would not be participating in the Executive Session. (Mayor Vialle remained in the Council Chambers during Executive Session.)

Council recessed to Executive Session at 6:10 p.m. and reconvened at 6:25 p.m.

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On proper motion, the meeting was adjourned at 6:26 p.m.

ATTEST:



GENELLE BIRK, CITY CLERK



KAREN VIALLE, MAYOR

WPC.2744G.