

CITY COUNCIL MINUTES

City Council Chambers
April 10, 1990

The meeting was called to order at 5:03 p.m.

Present on roll call: 8 - Evans, McElliott, Miller, Moss, Mykland, Nielsen, Stenger, and Mayor Vialle. Absent: 1 - Warnick.

The Flag Salute was led by Council Member McElliott.

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

Approval of the minutes of the meeting of April 3, 1990.

RESOLUTIONS:

Resolution No. 30831

Setting Tuesday, June 5, 1990, at 10:30 a.m. as the date for a hearing by the Hearing Examiner on the request to vacate the alley between "K" and "L" Streets from Sixth Avenue to South 7th Street. (Thomas P. Comfort; File No. 124.912)

Resolution No. 30832

Setting Tuesday, June 5, 1990, at 1:30 p.m. as the date for a hearing by the Hearing Examiner on the request to vacate North 3rd Street between "K" and "L" Streets northwesterly of Division Avenue. (Jesse O. Thomas and Christ Church; File No. 124.913)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearing Examiner Agenda for Tuesday, April 10, 1990.
- b. Minutes of the meeting of the Public Utility Board, March 14, 1990.
- c. Minutes of the meetings of the Civil Service Board, February 26, and March 5, 1990.
- d. Minutes of the meeting of the Tacoma Planning Commission, March 19, 1990.
- e. Report of the Director of Finance, December 1989.

Council Member Mykland moved that the Consent Agenda, including Resolution Nos. 30831 and 30832, be approved. Seconded by Council Member Nielsen. Voice vote was taken and carried. The Consent Agenda was declared approved.

Mayor Vialle introduced a group of foreign exchange students from France who were staying with families of students from Wilson, Stadium and Foss high schools.

Mayor Vialle proclaimed the week of April 7 - 14, 1990 to be "Community Development Week", and presented the proclamation to Ms. Dana Clancy, Chair of the Urban Policy Committee.

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

ANNOUNCEMENTS, PRESENTATIONS AND APPOINTMENTS:

Resolution No. 30833

Appointing members to various committees, boards and commissions.

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

COMMUNICATIONS:

Hearing Examiner recommending approval, subject to conditions, of the request for revision to a previously granted preliminary plat and site plan to improve the site layout and reduce the number of allowable units to 253 for the property bounded by 45th Avenue N.E. on the east, Browns Point Boulevard (Norpoint Way) on the south, 43rd Street N.E. (extended) on the north and the North Shore Golf Course on the west. (North Shore Country Club Estates, Division II; File No. 125.277C and 127.238C)

Council Member Nielsen moved to concur in the recommendations of the Hearings Examiner. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Ordinance No. 24598 (Continued from the meeting of April 3, 1990.)

Amending the Annual Budget of the City of Tacoma for fiscal year 1990.

Mayor Vialle moved to suspend the rules to consider Substitute Ordinance No. 24598. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle stated that since there were substantial changes to this Ordinance she would call for public testimony on the Substitute Ordinance. Mayor Vialle called for public testimony.

No one came forth to testify.

Council Member McElliott moved that the Substitute Budget Ordinance No. 24598 be amended to fund the Van Transportation for Youth Project for \$16,227.00, and that the appropriation of the General Fund be increased by \$16,277.00. Seconded by Council Member Mykland.

After discussion, Mayor Vialle moved to amend the motion to read \$8,114.00. Seconded by Council Member Evans. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Substitute Ordinance, as amended, was declared passed.

Substitute Ordinance No. 24606

Amending Chapter 13.06 of the Official Code regarding the regulations for Day Care Centers and Family Day Care Homes.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Substitute Ordinance was declared passed.

Ordinance No. 24607

Authorizing the execution of a grant award contract with the Department of Housing and Urban Development in the amount of \$63,000.00; and depositing and appropriating said sum from the Miscellaneous Grants Summary Fund for the Emergency Shelter Grant Program.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24608

Authorizing the transfer of \$25,000.00 from the Contingency Fund to the General Fund; appropriating said sum from the General Fund; extending the agreement with Robert J. Backstein to serve as special counsel in litigation involving Initiative 62; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24609

Authorizing the transfer of \$60,000.00 from the Contingency Fund to the General Fund; appropriating said sum from the General Fund; extending the agreement with Albert Malanca to serve as special counsel in litigation involving substantial tax revenue to the City of Tacoma; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24610

Amending Section 1 of Ordinance No. 21255; and appropriating and transferring \$320,000.00 from the Tacoma-Pierce County Health Department Self Insurance Claim Fund to the Health Pooling Fund to replace funds lost by budget reductions by the City and County.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance was declared passed.

Ordinance No. 24611

Amending Ordinance No. 24570; authorizing the Mayor, City Manager or Director of Finance to execute a mortgage in connection with the City of Tacoma Lease Revenue Bonds (Tacoma Union Station Federal Courthouse Project), 1990; and ratifying and confirming prior acts consistent with this ordinance.

Mayor Vialle stated that due to necessary amendments to the Ordinance, the roll call would be delayed until "Unfinished Business" later in the agenda.

FIRST READING OF ORDINANCES:

Ordinance No. 24612

Amending Chapter 13.06 of the Official Code to reclassify the property located on the north side of South 7th Street between Union Avenue and Puget Sound Avenue from a "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow a plant nursery. (Poole's Nursery Center, Inc.; File No. 120.1297)

Council Member Nielsen 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.

Final reading of the Ordinance was set over to a date to be determined.

Ordinance No. 24613

Amending Chapter 13.06 of the Official Code to reclassify the property located at South 30th and Tyler Streets north and east of Center Street and south and west of State Route 16 (SR-16) from a "R-3" Two and Three-Family Dwelling District to a "R-4-L" Low-Density Multiple-Family Dwelling District to construct a 60 unit apartment complex with off-street parking for 90 vehicles. (John Dobler; File No. 120.1299)

Council Member Moss moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Miller. 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. 24614

Amending Chapter 8.66 and 8.12 of the Official Code relating to the regulation of firearms.

Deputy Mayor Stenger called for public testimony on this Ordinance.

No one came forth to testify.

The Ordinance was set over for final reading next week.

Ordinance No. 24615

Amending Section 8.28.010 of the Official Code relating to solicitation of sale or purchase of narcotics.

The Ordinance was set over for final reading next week.

Ordinance No. 24616

Accepting \$3,000.00 from Pierce County; depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for the reimbursement of a WATS line for Senior Information & Assistance.

The Ordinance was set over for final reading next week.

Ordinance No. 24617

Accepting \$2,500.00 from Puget Sound Bank; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$2,500.00 from the General Fund to the Miscellaneous Grants Summary Fund; appropriating \$5,000.00 from the Miscellaneous Grants Summary Fund; and authorizing the execution of an agreement with Balletacoma for the production of "Il Ballo."

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Purchase Resolution No. 30834

Awarding contracts to:

1. U.S. West Cellular, Inc., in the amount of \$17,763.00 for cellular telephones for Police - Washington State Contract No. 133-89;
2. Motorola Communications and Electronics, in the amount of \$41,032.09 for Motorola Syntor X mobile radios for Police - Washington State Contract No. 2-88 and 205-88;

3. Boise Cascade, on their bid of \$150,000.00 for office supplies - Specification No. G-037-90;
4. Don Small and Sons, Inc., in the amount of \$21,350.00, Griffin Galbraith, in the amount of \$25,039.00, Conan Fuel Services, Inc., in the amount of \$31,958.00, Reinhard Distributor, in the amount of \$133,964.00, and Associated Petroleum Products, in the amount of \$428,420.00 for heating fuel, diesel fuel #2 and gasoline - Washington State Contract No. 254-89;
5. Western Safety & Security Products, Inc., in the amount of \$26,901.49 for thirty-five emergency top lights for police vehicles - Pierce County Contract No. 5790;
6. Burien Nissan, in the amount of \$15,970.69, Smokey Point S & S, in the amount of \$30,708.99, Timberline Dodge, Inc., in the amount of \$63,523.83, Gootee Chevrolet Co., in the amount of \$110,535.32, and BBC Dodge, Inc., in the amount of \$114,314.58 for twenty-seven replacement and additional vehicles - Washington State Contract Nos. 175A-89 and 175C-89; and
7. Rejecting all bids received for a microwave digestion system for sewer utility laboratory - Specification No. G-024-90.

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

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

Resolution No. 30835

Expressing support of legislation prohibiting the issuance of a license to carry a concealed weapon to a person who has been convicted of any felony offense or of unlawful display of a firearm.

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

Resolution No. 30836

Authorizing the execution of an agreement with the Northern Trust Company in the amount of \$80,000.00 to provide custodial bank services from July 1, 1990, through June 30, 1991.

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. 30837

Authorizing the release of a sewer easement near South 66th Street and South Tacoma Way to clear title to the property.

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

Resolution No. 30839

Authorizing the execution of an Amendment to Exhibit "C" of the agreement with Pierce County regarding the Tacoma Narrows Airport to allow Pavco, Inc., and Tosch Aircraft to construct additions to their existing buildings and the Public Works Department to erect a vehicle maintenance building.

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. 30840

Approving the purchase contract for the issuance and sale of \$815,000.00 of Limited Tax General Obligation Bonds, 1990, Series "A" for equipment acquisition.

Council Member Nielsen moved to suspend the rules to consider Substitute Resolution No. 30840. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 30841

Authorizing the execution of a Consent Decree with the United States Government Environmental Protection Agency regarding settlement of the City's responsibilities and liabilities at the Tar Pits Superfund site at the intersection of Portland Avenue and Lincoln Avenue.

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

Resolution No. 30842

Approving the 1990-1991 Statement of Objectives and Projected Use of Community Development Block Grant Funds; and authorizing the filing of a request for \$2,294,000.00 with the U.S. Department of Housing and Urban Development.

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

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Mayor Vialle moved to amend Resolution No. 30842 to include in the 1990-91 Statement of Objectives and Projected Use of Community Development Block Grant Funds, the amount of \$9,697.00 for the Tacoma Vegetable Garden Project, as a matching share to an equal amount to be provided by the Metropolitan Park District of Tacoma, to carry out the project for the period July 1, 1990 to June 30, 1991. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Deputy Mayor Stenger clarified for the record that the 1990 - 1991 Statement of Objectives and Projected Use of Community Development Block Grant Funds were the objectives stated in the Memorandum dated April 10, 1990 from Keith Palmquist to Ray E. Corpuz, Jr. that was on the dias before the Council.

Voice vote was taken on the Resolution, as amended. The Resolution, as amended, was declared adopted.

UNFINISHED BUSINESS:

Mayor Vialle stated that the Council would now consider Ordinance No. 24611 which was to be amended.

Mayor Vialle moved to amend Ordinance No. 24611 on page 2, line 17 to insert the words "of Finance" following the word "Director." Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend Ordinance No. 24611 on page 3, line 2 to delete the word "and" and insert the word "or" and insert the words "of Finance" following the word "Director." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle moved to amend Ordinance No. 26411 on page 3, lines 23 to add the word "and" after the word "Mayor" and on line 24 to insert the words "of Finance" following the word "Director." Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Warnick.

The Ordinance, as amended, was declared passed.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, reminded the Council of the April 16, 1990 noon study session. He also reminded the Council of the Wednesday, April 18, 1990 Budget Workshop.


COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Deputy Mayor Stenger moved to excuse Council Member Warnick from the meeting of April 10, 1990. Seconded by Council Member Miller. Voice vote was taken and carried. The motion was declared adopted.

Mayor Vialle stated that for the Council Budget Workshop on April 18, Dwight Faust, Training and Development Director and Judy Sheridan, Budget Officer, would be interviewing each of the Council Members between now and Friday to solicit ideas for the Workshop agenda. She stated that because of the limited amount of time involved, some of the back-up materials associated with agenda items will not be available for distribution until Tuesday at noon. She said that normally the staff would provide this information in the Friday letter. She felt that there would be sufficient time to review it between the noon study session and the Workshop Wednesday night.

On proper motion, the meeting was adjourned at 6:08 p.m.

ATTEST: 
GENELLE BIRK, CITY CLERK


KAREN VIALLE, MAYOR