

CITY COUNCIL MINUTES

City Council Chambers
September 1, 1992

The meeting was called to order by Mayor Vialle at 5:13 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 McElliott.

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

Approval of the minutes of the Joint City Council/Planning Commission study session of July 21, 1992 and study session of July 22, 1992.

PETITIONS:

Tacoma Housing Authority, requesting the reclassification of the property located east of Cheyenne Street, 280 feet north of South 56th Street and south of the South 54th Street right-of-way, from a "R-2" One-Family Dwelling District and a "R-3" Two- and Three-Family Dwelling District to a "R-2PRD" Planned Residential Development District for the construction of 31 townhouses. (Tacoma Housing Authority; File Nos. 120.1355 and 127.315)

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 31865

Setting Tuesday, October 6, 1992, at approximately 5:30 p.m. as the date for a public hearing by the City Council on the proposed comprehensive plan and shoreline designation for the annexed 58-acre site located southeast of Marine View Drive at the head of the Hylebos Waterway.

Resolution No. 31866

Setting Tuesday, October 13, 1992, at 9:00 a.m. as the date for a hearing by the Hearings Examiner on the request to vacate a portion of surplus right-of-way at the northeast corner of Sixth Avenue and Howard Street. (Dunkin Donuts; File No. 124.961)

Resolution No. 31867

Setting Tuesday, October 13, 1992, at 9:00 a.m. as the date for a hearing by the Hearings Examiner on the request to vacate a triangular portion of surplus right-of-way on the westerly side of Browns Point Boulevard at 45th Street Northeast. (Brenda J. Dahle; File No. 124.960)

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's Agenda for Tuesday, September 1, 1992.
- b. Minutes of the meeting of the Human Rights Commission, July 16, 1992.

Council Member Nielsen moved that the Consent Agenda, including Resolution Nos. 31865, 31866 and 31867, be approved. Seconded by Council Member Evans. 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:

Mr. Johnnie Williams, the recipient of the Suggestion Award, did not attend the meeting to receive his award.

Presentation of a Suggestion Award.

City Manager Ray E. Corpuz, Jr. respectfully requested an Executive Session to discuss potential and pending litigation and labor negotiations, the session not to exceed 20 minutes. He stated he would like an Executive Session early because of staff commitments.

Mayor Vialle moved to recess to Executive Session to discuss potential and pending litigation and labor negotiations, the session not to exceed 20 minutes. Seconded by Deputy Mayor Mykland. Voice vote was taken and carried. The motion was declared adopted.

Council recessed to Executive Session at 5:15 p.m. At 5:35 p.m. Deputy Mayor Mykland extended the Executive Session for an additional 10 minutes. The Council reconvened at 5:45 p.m.

Mayor Vialle moved to the Public Hearings and Appeals portion of the agenda.

PUBLIC HEARINGS AND APPEALS: (Began at 5:50 p.m.)

This is the date set for a public hearing on the proposed amendments to the City Charter.

Speakers before the Council were:

Tom Stenger	Chair, Charter Review Committee 718 South J Street
Catherine Egan	716 South I Street
Bobby J. Gee	Municipal League 12215 Interlaken Dr. S.W.
Jim Sherrill	General Manager, Parkland Light and Water Company
Pat McElligott	Charter Review Committee 1109 South 50th Street
Dave Lovell	Teamsters Local #599 4901 Slayden Road N.E.
George Pilant	Charter Review Committee 3317 North Mullen
Dave De Forrest	Charter Review Committee 1116 East 44th Street
Linda McNairy	501 South 7th Street

The public hearing was declared closed at 6:30 p.m.

Mayor Vialle stated that there is an additional amendment that will be considered by the City Council at its meeting of September 15, 1992. She stated that public testimony will be taken at that time. The additional amendment refers to Section 4.17 of the Charter. Mayor Vialle read the recommended language as follows:

Section 4.17 - The Board Department of Public Utilities shall, so far as practicable, make use of the services of the city's General Government finance department, purchasing agent, law department, human resources/personnel department, and other city departments, offices, and agencies, except as otherwise directed by the City Council.
Except as otherwise provided in this charter, the Board may, at its own discretion, determine to provide for such services within the Department of Public Utilities.

Mayor Vialle requested the City Manager's office to schedule discussion of the proposed amendments at the Study Session of September 15, 1992. She also asked Council Members to submit any additions or amendments to staff by the end of this week.

Mayor Vialle summarized what was discussed at the Council Workshop on Saturday, August 29, 1992. She stated that the proposed amendments were grouped into the following categories:

- 1) Amendments that are pre-empted by Washington State law or court decision.

Mayor Vialle stated that these amendments could be footnoted in the City Charter would not have to appear on the ballot. They are amendments 2, 4, 5, 7, 9, 13, 14 and 21.

- 2) Amendments that the Council has the authority to implement by ordinance, resolution or administrative action.

Mayor Vialle requested the City Manager's Office to begin the process for these recommended changes for the Council's approval prior to the January, 1993. They are Amendment Nos. 1, 8, 11, 12, and 25.

- 3) Amendments that address substantive changes and additions to the Charter and those that would allow the City to follow state standards.

Mayor Vialle directed staff to prepare resolutions for these amendments for the Council's consideration at its September 15, 1992 meeting. They are Amendment Nos. 10, 15, 19, 20, 22, 23, 3, 6, 16, 17, 24, 18, 26 and the Recommended Language for Section 4.17 of the City Charter.

She also directed staff to notify interested parties that the public will have an opportunity to comment on the resolutions before the Council at the September 15, 1992 meeting, and submit written comments prior to September 15.

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.528 to allow the installation of six groundwater monitoring wells at three locations and to replace and upgrade a concrete sump pump with a high-efficiency oil/water separator at a fuel distribution and bulk storage terminal facility located at 250 East D Street. (Superior Oil Company; File No. 141.528)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Moss. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle. Nays: 0. The motion was declared adopted.

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- b. Hearings Examiner submitting Shoreline Management Substantial Development Permit No. 141.526 to allow the lowering of the existing sanitary sewer force main at its crossing point on Blair Waterway and the development of a 48-inch diameter culvert and reinforced concrete outfall to replace an existing storm drainage system located within Lincoln Avenue. (City of Tacoma; File No. 141.526)

Council Member Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Evans. Roll call vote was taken, resulting as follows: Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle. Nays: 0. The motion was declared adopted.

FINAL READING OF ORDINANCES:

Substitute Ordinance No. 25163

Amending Sections 5.20.090 and 5.20.100 of the Official Code relative to collection rates for residential refuse containers effective July 1, 1992.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25165

Authorizing the sale and issuance of Electric System Refunding Revenue Bonds in the amount of \$147,650,000 for the advance refunding of certain maturities of the 1985, 1986, 1988 and 1989 Bonds.

Deputy Mayor Mykland moved to suspend the rules to consider Substitute Ordinance No. 25165. 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 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 25166

Amending Sections 6.07.060 and 6.07.070 of the Official Code relating to charges for ambulance and emergency transport services.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25167

Approving the Tacoma Fire Department ambulance and related emergency transport services fees.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25168

Accepting \$780.00 derived from a Hate Crimes Symposium; and depositing in and appropriating said sum from the General Fund for associated program expenditures.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25169

Accepting \$2,170 from an Employers' Conference conducted by the Human Rights Department; and depositing in and appropriating \$1,354 from the General Fund for associated program expenditures.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25170

Repealing and reenacting Section 8.12.013 of the Official Code relative to criminal assaults.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Baarsma, Evans, McElliott, Miller, Moss, Mykland, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 25171

Approving and confirming the assessment roll for Sidewalk Construction Fund No. 91-1 for the reconstruction or replacement of sidewalks at 2115, 2117 and 2121 South K Street; 5237 South Yakima Avenue; and 415 North M Street.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Baarsma, Evans, McElliott, Miller, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 2 - Moss and Mykland.

The Ordinance was declared passed.

Ordinance No. 25172

Providing for the formation of L.I.D. No. 5715 for the installation of an 8-inch water main in South 94th Street from Alaska Street 600 feet west.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Baarsma, Evans, McElliott, Miller, Moss, Nielsen, Silas, and Mayor Vialle.

Nays: 0.

Absent: 1 - Mykland.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 25173

Amending Chapter 13.06 of the Official Code to reclassify the property located south of Westgate Boulevard and east of North Vassault Street from a "R-1"

One-Family Dwelling District to a "R-2-PRD" Planned Residential Development District for the development of a 60-unit retirement complex. (Tacoma Lutheran Home and Retirement Community; File Nos. 120.1349 and 127.313)

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

The Ordinance was set over for a date to be determined.

Ordinance No. 25174

Providing for the reconstruction or replacement of sidewalks at 1012 South 64th Street; 4816 South I Street; and 424 North Yakima Street; and establishing Sidewalk Construction Fund No. 92-1.

The Ordinance was set over for final reading next week.

Ordinance No. 25175

Amending Chapter 12.10 of the Official Code to add a temporary surcharge on water rates effective October 1, 1992 through May 31, 1993 and specify surcharge exemptions.

The Ordinance was set over for final reading next week.

Ordinance No. 25176

Appropriating \$59,365.46 from the Labor-Management Health Care Trust Fund to pay Pierce County Medical Bureau, Inc., for recovery of underwriting losses for the second quarter of 1992 for the Police and Fire LEOFF I contract.

The Ordinance was set over for final reading next week.

Ordinance No. 25177

Accepting \$141,305 from the State of Washington; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund for growth management activities.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 31856 (Continued from the meeting of August 18, 1992.)

Transferring \$100,000 from the Tacoma-Pierce County Health Department Self-Insurance Fund to the County-City Public Health Pooling Fund for general operating purposes.

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Mayor Vialle moved that the Resolution be adopted. Seconded by Council Member Evans. Voice vote was taken with Council Member Miller voting nay and Council Member Moss absent. The Resolution was declared adopted.

Purchase Resolution No. 31868

Awarding contracts to:

1. Don Golden Company, Inc., in the amount of \$7,235.92 to increase their contract for disposal of contaminated soil from Fire Station No. 1 - Purchase Order No. 7775;
2. Dutro Company, on their bid of \$31,712.00 for folding tables and storage carts - Specification No. G-043-92;
3. Tucci & Sons, Inc., on their bid of \$625,171.60 for L.I.D. Nos. 8540, 3946, 7713 and 5702 for the Kirkridge Plat improvement - Specification No. G-215-92;
4. Proline, on their bid of \$58,608.91 for an automatic playback system for the Municipal Channel - Specification No. G-041-92;
5. Lincoln Construction, on their bid of \$25,001.90 for a household hazardous waste building slab, Unit A - Specification No. G-231-92; and
6. Federal Way Cycle Center, in the amount of \$22,500 for motorcycle parts and supplies - Open Purchase Order No. 1085.

Deputy Mayor Mykland moved that the Purchase Resolution, including waiving formal bidding procedures on Item No. 6, be adopted. Seconded by Mayor Vialle.

Voice vote was taken and carried on the Purchase Resolution, with Council Member Moss absent. The Purchase Resolution, including waiving formal bidding procedures on Item No. 6, was declared adopted.

Resolution No. 31869

Approving the preliminary plat of WRIGHT PLACE for the property located on the north side of Browns Point Boulevard and west of Ridge Drive Northeast to subdivide a parcel of land into four single-family building sites. (Daniel Wright/Richard Fujimoto; File No. 125.323)

Deputy Mayor Mykland moved that the Resolution be adopted. Seconded by Council Member Silas. Voice vote was taken and carried, with Council Member Moss absent. The Resolution was declared adopted.

Resolution No. 31870

Authorizing the execution of a lease agreement with W. E. Aerotech Services, Inc., for Parcel C at the Tacoma Narrows Airport.

Mayor Vialle moved to continue Resolution No. 31870 to the meeting of September 15, 1992. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of September 15, 1992.

Resolution No. 31871

Designating the Hyde House located at 1926 South Yakima Avenue as a historic landmark.

Mayor Vialle moved that the Resolution be adopted. Seconded by Council Member Nielsen. Voice vote was taken and carried, with Council Member Miller voting nay and Council Member Moss absent. The Resolution was declared adopted.

Resolution No. 31872

Authorizing the execution of an agreement with Kinko's Copies in the amount of \$20,000 for advertising space in the Tacoma Dome.

Mayor Vialle moved to remove Resolution No. 31872 from the agenda. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 31872 was removed from the agenda.

Resolution No. 31873

Authorizing the execution of long-term agreements with the O'Loughlin Trade Shows Tacoma Dome Home and Garden Show and O'Loughlin Trade Shows Spring RV Show for use of the Tacoma Dome from 1993 through 1995.

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

Resolution No. 31874

Confirming the acceptance of a proposal for the purchase of Refuse Utility Revenue Bond Anticipation Notes in the amount of \$16,500,000 for the acquisition, construction and installation of additions and improvements to the refuse utility system.

Mayor Vialle moved to suspend the rules to consider Substitute Resolution No. 31874. Seconded by Council Member Evans. 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, with Council Member Moss absent. The Substitute Resolution was declared adopted.

Resolution No. 31875

Endorsing FIRST NIGHT PIERCE COUNTY, a family arts festival, sponsored by the Pierce County Arts Commission scheduled for December 31, 1992.

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

Resolution No. 31876

Amending the 16th, 17th and 18th Year Community Development Block Grant Programs to reallocate funds for certain projects.

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

UNFINISHED BUSINESS:

None.

REPORTS BY CITY MANAGER:

Ray E. Corpuz, Jr., City Manager, indicated that Council Members Evans and Miller will be interviewed on "Cityline" the live call-in talk show at noon on September 2, 1992, to discuss the Strategic Plan. He also stated that our showcase of the year, "City Hall at the Mall," will be held September 19-20, 1992 at the Tacoma Mall, and that the theme will be "citizens' involvement."

COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Council Member Evans questioned whether Substitute Ordinance No. 25163, regarding refuse collection rates, had some provisions for low-income and handicapped persons. Ray E. Corpuz, Jr., City Manager, indicated that those provisions are in the ordinance.

Deputy Mayor Mykland commended Nancy Forster for the City Council Agenda display board in the back of the Council Chambers.


Council Member Nielsen also thanked Nancy Forster for her enlightening article in CityScape regarding the dress code for City employees.

Council Member McElliott commended the staff for finding a meeting place in the city of Tacoma for the City Council workshop.

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On proper motion, the meeting was adjourned at 7:45 p.m.

ATTEST:


GENELLE BIRK, CITY CLERK


KAREN L. R. VIALLE, MAYOR

OS.7983G.