

CITY COUNCIL MINUTES

City Council Chambers  
December 20, 1988

The meeting was called to order at 5:09 p.m.

Present on roll call: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

The Flag Salute was led by Council Member Moss.

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C O N S E N T   A G E N D A

Approval of the minutes of the regular meeting of December 6, 1988.

RESOLUTIONS:

Resolution No. 30266

Setting Monday, January 9, 1989 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 3913 for the construction of sanitary sewers in South Mullen Street from South 19th Street 270 feet, more or less, and west 190 feet more or less.

Resolution No. 30267

Setting Monday, January 9, 1989 at 5:00 p.m. as the date for a hearing by the Hearings Examiner on L.I.D. No. 8508 for the installation of permanent pavement along South Baltimore Street from South 12th Street to South 14th Street.

Resolution No. 30268

Setting Tuesday, February 14, 1989 at 1:30 p.m. as the date for a hearing by the Hearings Examiner on the request to vacate East 32nd Street between the Freeway and East "D" Street. (Ralph H. Kerr; File No. 124.882)

Resolution No. 30278

Authorizing the submission of a grant application to the Washington State Department of Ecology for the Remedial Investigation, Feasibility Study, and Remedial Actions conducted at the Tacoma Landfill.

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APPEALS:

Pac-Tech Engineering, Inc., appealing the decision of the Hearings Examiner relative to the reclassification of the property located at the northwest corner of 29th Street N. E. and Norpoint Way from a "R-3" PRD Planned Residential Development District to a "C-1" Commercial District. (George Schilling; File Nos. 120.1256 and 121.1117)

Setting Tuesday, January 24, 1989 at approximately 5:30 p.m. as the date for hearing by the City Council.

ASSESSMENT ROLLS:

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

L.I.D. No. 5670 for the construction of water mains in East 48th Street from McKinley Avenue to East "I" Street.

Setting Monday, January 23, 1989 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, December 20, 1988.
- b. Minutes of the meeting of the Landmarks Preservation Commission, November 9, 1988.
- c. Minutes of the meeting of the Tacoma-Pierce County Board of Health, November 9, 1988.
- d. Tacoma Union Station District Master Plan, Phase III Report, December 2, 1988.
- e. Final Report of the Recommended Washington State Policy on Freight and Passenger Rail Service, December 1988.

Council Member Vialle moved that the Consent Agenda, including Resolution Nos. 30266, 30267, 30268, and 30278, be approved. Seconded by Council Member Moss. Voice vote was taken and carried. The Consent Agenda was declared approved.

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R E G U L A R   A G E N D A

FINAL READING OF ORDINANCES:

Ordinance No. 24253 (Continued from the meeting of December 13, 1988.)

Appropriating \$500,000.00 from the Miscellaneous Trust Summary Fund to the Community Development Grants Summary Fund; appropriating \$575,000.00 from the Community Development Grants Summary Fund to recapitalize the Business Revolving Loan Fund; and authorizing an amendment to the agreement with the Municipal Authority for the Business Revolving Loan Fund program, inclusive of Municipal Authority administrative costs.

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Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24253. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Council Member Warnick announced that he would abstain from consideration of this matter and left the Council Chambers.

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Abstaining: 1 - Warnick.

The Substitute Ordinance was declared passed.

Ordinance No. 23952

Vacating South 53rd Street from Tacoma Mall Boulevard to I-5, the alley between South 52nd and South 53rd Streets east from Tacoma Mall Boulevard, and an adjacent portion of I-5 turned-back area, to incorporate vacated rights-of-way for a proposed retail shopping center. (Richard L. Kloppenburg; File No. 124.843)

Mayor Sutherland noted for the record that the Ordinance was corrected on page 1, line 16, by deleting the words: "except the westerly 5 feet thereof."

Roll call vote was taken, resulting as follows:

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

Nays: 1 - Mykland.

The Ordinance was declared passed.

Ordinance No. 24255

Vacating small portions of "A" Street, South 10th Street and Schuster Parkway abutting the Frank Russell Building at 909 "A" Street to "clear" some minor encroachments of the building and appurtenances. (Frank Russell Company; File No. 124.879)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

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Ordinance No. 24258

Authorizing the issuance and sale of water revenue bonds in the amount of \$3,000,000.00 for improvements and extension of the Municipal Waterworks System.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24258. Seconded by Council Member Mykland. Voice vote was taken and carried. The motion was declared adopted.

Joni Ostergaard, Attorney from Bond Counsel of Foster, Pepper, & Shefelman, reviewed the changes in the Substitute Ordinance and also indicated the corrections to page 5 of the Substitute Ordinance.

After discussion, Robert Yeasting, Financial Advisor from the firm of Yeasting and Associates, spoke regarding the Substitute 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 Substitute Ordinance, as corrected, was declared passed.

Ordinance No. 24259

Appropriating \$2,131,741.00 from the Tacoma-Pierce County Health Department Pooling Summary Fund for various programs in the City of Tacoma; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24260

Appropriating \$25,000.00 from the Radio Communications and Maintenance Revolving Fund for unanticipated maintenance expenses of the City's radio communications system; and declaring an emergency making necessary the passage of this ordinance.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24261

Appropriating \$75,000.00 from the Firemen's Relief and Pension Fund for unanticipated relief and pension benefits during the year 1988; and declaring an emergency making necessary the passage of this ordinance.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24261. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24262

Appropriating \$665,000.00 from the Labor-Management Health Care Trust Fund for Pierce County Medical Bureau underwriting losses for 1988; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24263

Amending Section 1.12.110 to the Compensation and Pay Plan to increase the bus pass subsidy to \$8.00 and to remove the sunset provision effective January 1, 1989.

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Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24264

Amending Chapter 2.09 of the Official Code to revise Building, Mechanical, and Plumbing permit fees effective January 1, 1989.

Mayor Sutherland moved to suspend the rules to consider Substitute Ordinance No. 24264. 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: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Substitute Ordinance was declared passed.

Ordinance No. 24265

Appropriating \$110,000.00 from the Workmen's Compensation Self-Insurance Fund for unanticipated and increased claims costs for the year 1988; and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, McElliott, Moss, Mykland, Nielsen, Stenger, Vialle, Warrnick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 24266

Amending Section 6.68.370 of the Official Code relative to "Underpayment of Tax."

Roll call vote was taken, resulting as follows:

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

Nays: 1 - Stenger.

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The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 24267

Amending Chapter 13.06 of the Official Code and Ordinance No. 23230 to correct the property description for the property located at the north side of 27th Street West at the intersection of Elwood drive, extended north, and include it in the "R-2-PRD Planned Residential Development District. (R. Lowell Hagoon; File No. 120.1087)

The Ordinance was set over for final reading on January 3, 1989.

Ordinance No. 24268

Authorizing the execution of an agreement with the Port of Tacoma in the amount of \$1,650.00; and depositing in and appropriating said sum from the Miscellaneous Grants Summary Fund to provide enhanced child care resource and referral services to Port of Tacoma employees.

The Ordinance was set over for final reading on January 3, 1989.

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Mayor Sutherland indicated that there was an Ordinance and a Resolution on the dias for the Council's consideration. He indicated that he would make a motion to consider the Resolution.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 30282. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 30282

Expressing the intent of the City Council to adopt an ordinance authorizing execution of an Agreement settling land titles and other disputes with the Puyallup Indian Tribe and other governments and parties, and further providing for participation by the City of Tacoma in the Agreement for a total of \$6,133,000 in land, improvements, and cash, and providing for the distribution thereof.

Mayor Sutherland moved that the Resolution be adopted. Seconded by Deputy Mayor Hyde.

Mayor Sutherland reviewed the Resolution for the Council.

Council Member Mykland moved to amend the Resolution on page 3, line 3, to read "Blair Bridge Improvement/East-West Project." Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

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Council Member Stenger moved to place this Resolution on the agenda and consider it at the meeting of January 3, 1989.

Discussion followed regarding why this Resolution was being introduced at this meeting and whether it should be continued to the next regular City Council meeting.

Council Member Stenger moved to continue Resolution No. 30282 to the meeting of January 3, 1989. Seconded by Council Member Mykland.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, McElliott, Mykland, Nielsen, Stenger, and Vialle.

Nayes: 3 - Moss, Warrnick, and Mayor Sutherland.

The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of January 3, 1989.

**RESOLUTIONS:**

**Purchase Resolution No. 30269**

Awarding contracts to:

1. Thompson Pump and Manufacturing Company, Inc., on their bid of \$13,026.75 for one (1) six-inch portable pump with trailer - Specification No. G-101-88;
2. RT&T Construction, on their bid of \$64,340.00 for storm sewer extension at South Huson Street to South Mullen Street - Specification No. G-277-88;
3. Analytical Resources, Inc., Analytical Technologies, Inc., Biomed Research Labs, Inc., AmTest, Inc., Lauck's Testing Laboratories, Inc. Meyerhauser Technology Center, Wadsworth/Alert Laboratories, Inc., in the cumulative amount of \$40,000.00 for laboratory services for the Sewer Utility Division;
4. SNC Distributors, Inc. on their bid of \$58,204.42 for Police Department handguns - Specification No. G-117-88;
5. Absher Construction Company, on their bid of \$2,424,637.60 for the Tacoma Union Station exterior restoration and rehabilitation - Specification No. G-283-88;
6. Wang Laboratories, Inc., in the amount of \$16,750.00 for the Wang VS-85A Word Processing System upgrade - Single Source;
7. Puget Sound Bank on their bid of \$285,000.00 for lockbox services - Specification No. G-104-88;
8. Standard Parts Corporation, in the amount of \$5,500.00 to increase their contract for automotive accessories and parts - Open Purchase Order No. 23050;
9. ZEP Manufacturing Company in the amount of \$8,000.00 to increase their contract for janitorial and chemical supplies - Open Purchase Order No. 23215;

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10. Six Robblee's, Inc., in the amount of \$2,500.00 to increase their contract for vehicular equipment, engine maintenance and repair parts - Open Purchase Order No. 23045; and
11. Various vendors on their bids for open purchase orders for 1989.

Mayor Sutherland stated that the Agenda Title listed Item No. 9 as "Randles Sand and Gravel for purchase of aggregates." He stated that the actual Purchase Resolution did not contain this item. He stated that the numbering sequence had been corrected on the copies on the dias and should be noted for the record.

Deputy Mayor Hyde moved that the Purchase Resolution be adopted, including waiving the formal bidding procedures on Item Nos. 3, 10, and 11. Seconded by Council Member Warnick.

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

Resolution No. 30270

Authorizing the execution of a Consent, Assignment and Release that releases Union Carbide Corporation from the existing electrical power sales contract and assigns Union Carbide Industrial Gases, Inc. all obligations, liabilities, claims and demands of the contract.

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

Resolution No. 30271

Authorizing the execution of an agreement with Bonneville Power Administration to participate in the PowerADDvantage Program designed to market short-term firm surplus power in the Pacific Northwest region.

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

Resolution No. 30272

Approving the Supplement and Addendum to the Occidental Chemical Corporation Power Sales Contract to supply firm surplus power.

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

Resolution No. 30273

Authorizing the execution of an agreement with Pierce County to operate a joint communications center through the Law Enforcement Support Agency.

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

Resolution No. 30274

Authorizing the execution of an agreement with Donald L. Hansen, P.E. to provide construction management consultant services required to implement and supervise the exterior restoration of the Tacoma Union Station building.

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

Resolution No. 30275

Authorizing the execution of an agreement with Tacoma Professional Soccer, Inc., for use of the Tacoma Dome for professional indoor soccer.

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. 30276

Approving the travel authorization and expense reimbursement policy for the officers and employees of the City of Tacoma.

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

Mayor Sutherland moved to continue Resolution No. 30276 to the meeting of January 3, 1989. Seconded by Deputy Mayor Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of January 3, 1989.

Resolution No. 30277

Authorizing the execution of an agreement with Black & Veatch Engineers in the amount of \$35,000.00 to provide an engineering and financial feasibility study for the issuance of Refuse Utility Revenue Bonds in conjunction with the Utility's Capital Improvement Program.

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

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Resolution No. 30279

Authorizing the execution of an agreement with Tacoma-Pierce County Chapter of the American Red Cross Nutrition Program in the amount of \$75,000.00 to provide hot meals five days a week to senior citizens at Tacoma mealsites and homebound senior citizens.

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. 30280

Directing the Personnel Department to develop a formal process to guide formulation of compensation programs for unrepresented employees to be presented to the City Council by April 30, 1989.

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

Resolution No. 30281

Authorizing the execution of a lease agreement with Hygrade Food Products in the amount of \$10,500.00 for advertising space in the Tacoma Dome.

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.

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UNFINISHED BUSINESS:

Council Member Warnick stated that the Bond Counsel for the Park District had reviewed the legality of using interest earnings from bond project dollars for new capital outlay for the parks. He indicated that he had reviewed the legal opinion of Bond Counsel and felt that it would be best to suited to all concerned to provide the \$300,000 from the General Fund to the Park District's budget.

Council Member Warnick moved that the \$300,000 which had been authorized for the Metropolitan Park District as a contingency, awaiting the opinion from Bond Counsel on the legality of using interest earnings on the bond project dollars, for new capital outlay presently in the Park District's General Fund budget, now be released and allowed to be a part of the Park District's General Fund budget, now be released and allowed to be a part of the Park District's General Fund budget, based upon the opinion received this week from Bond Counsel for the Park District.

Seconded by Deputy Mayor Hyde.

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After discussion, Council Member Mykland moved to continue this motion to the meeting of January 3, 1989. Seconded by Council Member Stenger. Voice vote was taken and carried, with Council Members Nielsen and Warnick voting nay. The motion was declared adopted.

The motion will be considered at the regular City Council meeting of January 3, 1988.

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COMMENTS AND COMMITTEE REPORTS OF CITY COUNCIL:

Mayor Sutherland stated that the meeting of January 3, 1989 would be a joint meeting with the Port of Tacoma Commissioners to consider the Resolution on the East-West Road Project. He stated that with the concurrence of the Council, the Resolution would be considered at approximately 5:30 p.m. and then the rest of the agenda would be considered subsequent to that Resolution.

Deputy Mayor Hyde wished everyone a merry Christmas and a happy New Year and expressed appreciation to staff for all their work.

Council Member Vialle thanked Fred Thompson, of the Public Works Department, for his work as chairman of the Staff Budget Committee.

Council Member Warnick requested a response in the future from Jim Walton, Deputy City Manager, regarding the recently formed Drug Task Force. He asked whether a formal Resolution of Support by the Council would be needed.

Jim Walton, Deputy City Manager, stated that a report would be given to the Council at a future study session and that time an official Resolution of Support would be appreciated.

Mayor Sutherland reviewed for the Council the recent meeting conducted at Northeast Tacoma regarding the proposed Steam Plan No. 2 with the Mayor, City staff, and citizens of Northeast Tacoma in attendance.

Council Member Warnick complimented the Metropolitan Parks Department "Zoolights" program and recommended that all attend this activity.

Council Member Vialle concurred with Council Member Warnick's comments on the Zoolights program.

Council Member McElliott stated that there were many people in her constituency that were interested in participating in working with the recently formed Drug Task Force and stated that she would refer those individuals to Mr. Walton.

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On proper motion, the meeting was adjourned at 6:51 p.m.

ATTEST:

  
GENELLE BIRK, CITY CLERK

  
DOUG SUTHERLAND, MAYOR

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