

CITY COUNCIL MINUTES

City Council Chambers
April 9, 1974

The meeting was called to order at 5:11 p.m.

Present on roll call: 6 - Egan, Herrmann, Hudson, Nelson, Sonntag, Warnick
Absent: 3 - Moss, Nalley and Mayor Johnston. Mr. Nalley arrived at 5:13 p.m.
Mayor Johnston arrived at 5:30 p.m.

The Flag Salute was led by Mr. Warnick.

CONSENT AGENDA

Approval of the minutes of the meeting of April 2, 1974.

PETITIONS:

Teco, Inc. requesting the rezoning of the property located on the west side of Warner Street between South 40th and 43rd Streets from an "R-3" to an "R-4-L" District.

For referral to the Planning Commission.

APPEALS:

Sign Center Northwest appealing the Tacoma Board of Adjustment's denial of a request for a sign variance on the northerly side of SR 16 (freeway) between Cedar and Steele Streets.

March 28, 1974 was the last day to file an appeal and an appeal was filed.

Suggested date for hearing is April 30, 1974.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Tacoma Employees' Retirement System Board of Administration meeting of February 28, 1974.
- b. Minutes of Metropolitan Development Council Board of Trustees meeting of March 15, 1974.
- c. Minutes of City Planning Commission meeting of March 18, 1974.
- d. Minutes of Board of Park Commissioners meeting of March 25, 1974.
- e. Monthly report, February, 1974, Fire Department.
- f. Monthly Report, Purchases and Sales of Investment, March, 1974, Tacoma Employees' Retirement System.
- g. Monthly Report, January, 1974, Traffic Div. Police Dept.
- h. City Clerk-General Services, Report of Review of Management and Fiscal Procedures, December 31, 1972--Knight, Vale & Gregory.

City Council Minutes - Page 2 - April 9, 1974.

- i. Dept. of Urban Renewal, Report of Accounting and Management Review, October 18, 1973--Knight, Vale & Gregory.
- j. 1973 Annual Report, Traffic Division, Police Department.

Mr. Warnick moved that all of the items listed on the Consent Agenda be approved. Seconded by Dr. Herrmann. Voice vote was taken and carried. The items were declared approved.

REGULAR AGENDA

PRESENTATION: Suggestion Awards.

Deputy Mayor Arnold Herrmann and City Manager, William Donaldson, presented Suggestion Awards to Firemen James Bowen, Robert Hesser and L. O. Christensen.

COMMUNICATIONS: a. Planning Commission submitting Shoreline Management Permit Application of Foss Launch and Tug Company for facility improvements at 225 East "F" Street.

Mr. Sonntag moved to approve the action of the Planning Commission. Seconded by Mr. Nalley. Voice vote was taken and carried.

b. Planning Commission submitting Shoreline Management Permit Application of St. Regis Paper Company for installation of a fuel oil storage tank.

Mrs. Egan moved to approve the action of the Planning Commission. Seconded by Mr. Warnick. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Substitute Ordinance No. 20088 (Continued from the meeting of April 2nd) Amending Chapter 9.28 of the Official Code by adding Sections 9.28.060 through 9.28.140 relative to the pedestrian mall.

Mr. Warnick moved to delete Section 9.28.130 which concerns mall activity events conducted without a permit. Seconded by Mrs. Egan. Voice vote was taken and carried, with Mr. Hudson dissenting.

Roll call was taken on the amended ordinance, resulting as follows:

Ayes: 6 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick

Nays: 1 - Hudson

Absent: 2 - Moss and Mayor Johnston

The Ordinance, as amended, was declared passed.

Ordinance No. 20095 Amending Ordinance No. 16133 relative to agreement between the City and Pierce County providing for occupancy and maintenance of the County-City Building and repealing Ordinance No. 16646.

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag and Warnick

Nays: 0

Absent: 2 - Moss and Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20096 Creating a new fund to be known as the "City Parking Lot Reserve Fund," appropriating from said fund the sum of \$35,000 or so much thereof as may be necessary for the purpose of paying the City's share of cost of engineering studies relative to parking improvements at the County-City Building.

Roll call was taken, resulting as follows:

Ayes: 7 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag and Warnick

Nays: 0

Absent: 2 - Moss and Mayor Johnston

The Ordinance was declared passed.

Mayor Johnston arrived at 5:30 p.m.

Ordinance No. 20097 Accepting a grant in the amount of \$25,000.00 from the U.S. Dept. of Labor and appropriating the sum of \$25,000.00 from the Manpower Area Planning Council Fund for the purpose of carrying out the program envisioned the

Regina Glenn, Manpower Planning Director, reported the Pierce County Commissioners had met that morning and decided not to participate in the joint venture envisioned by the Cooperative Area Manpower Planning Council. The County Commissioners gave no explanation for their decision. Mrs. Glenn said this will result in a considerable loss of money planned for Manpower Area training.

Accordingly, Mrs. Egan moved that the ordinance be removed from the Agenda. Seconded by Mr. Hudson. Voice vote was taken and carried. The ordinance was removed from the Agenda.

* * * * *

FIRST READING OF ORDINANCES:

Ordinance No. 20098 Creating a new fund to be known as the "Fire Fighters Health Care Trust Fund," relative to Pierce County Medical Bureau, Inc. credits.

111

Bernie Gayle, Property Management and Insurance Supervisor, advised this is a bookkeeping ordinance to create the fund to handle the surplus premiums returned from the Pierce County Medical Bureau.

The Ordinance was set over for final reading next week.

Ordinance No. 20099 Amending Sections 1.30.380, 1.30.550 and 1.30.665 of the Official Code relative to Employees' Retirement System to add military service credit, refund of contributions and cost of living increase.

Roger Howeler, Executive Secretary to the Retirement Board, reviewed the three improvements to the Retirement System and advised that the Retirement Board had unanimously approved them. He also advised that all three benefits will be completely covered by unreserved retained earnings plus .35 percent additional to become available January, 1976, plus contributions by those receiving military credit.

Catherine Ursich, member of the City employees' Retirement System, spoke in opposition to the military service credit portion of the ordinance on the basis that the money in the unreserved earnings fund should be used for the benefit of all persons retired and to be retired from City service rather than a certain portion of employees.

Speaking in favor of the ordinance were the following members of the City Employees' Retirement System: Harry Aspden, Underground and Substation Maintenance Supervisor; Fredrick L. James, Communications Supervisor; and Joe Fortier, Street Maintenance Supervisor. Each urged adoption and related to Council why they felt the Military service credit should be granted.

On a question of Council, Kathy Makenos, Vista Volunteer, advised that service in Vista is granted to Conscientious Objectors in lieu of military service. She asked that Vista Volunteers be included to receive military service credit.

At the conclusion of the discussion, Mr. Hudson said he would like Mr. Donaldson to work with the Board and prepare a statement setting forth what effect one way or the other the military service credit would have on employee retention in City service and how important this would be.

The Ordinance was set over for final reading next week.

Ordinance No. 20100 Accepting a grant from the National Science Foundation in the amount of \$60,000.00, creating a new fund to be known as the Technology Transfer Center Fund, appropriating \$60,000.00 from said fund for operation of a City technology transfer center and declaring an emergency that this ordinance shall take effect immediately after publication.

Regina Glenn, Manpower Planning Director, advised that this would set up the fund to accept the money. She also reviewed the background of the proposal.

The ordinance was set over for final reading next week.

Ordinance No. 20101 Amending Section 1.12.414 of the Official Code to add the position of Technology Transfer Director.

Regina Glenn advised this would establish the position for the Director of the program. She asked that the ordinance be amended to add the emergency clause to make the ordinance effective immediately after publication.

5

Mr. Sonntag moved that the amendment be made. Seconded by Mr. Hudson. Voice vote was taken and carried.

The amended ordinance was set over for final reading next week.

* * * * *

RESOLUTIONS:

Purchase Resolution No. 22760 Awarding contracts to: Lige Dickson Co. (Cheney Stadium access road \$88,783.75); and Charies Burning Co. (Whiteprint machine \$6,329.28); and rejecting all bids on W.O. 74220 & L.I.D. 2-6939 and Street Signs.

Mr. Hamilton said that the purchase ordinance should include the word "rejection" and asked that it be amended to read "Purchase or Rejection" on the 16th and 17th lines of the resolution.

Mrs. Egan moved that the amendment be made. Seconded by Mr. Warnick. Voice vote was taken and carried.

Voice vote was taken on the amended resolution and carried. The resolution, as amended, was declared adopted.

Resolution No. 22720 (Continued from the meeting of April 2nd) Establishing the Broadway Plaza Advisory Committee.

Mr. Warnick moved that the Resolution be adopted. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22757 (Continued from the meeting of April 2nd) Authorizing application to the Washington State Office of Community Development Law and Justice Planning Office for Law Enforcement Assistance Act funds in the amount of \$67,500 for Public Defender Project of the Model Cities Department during the Third Action Year.

Mrs. Egan moved that Substitute Resolution 22757 be adopted. Seconded by Mr. Warnick.

Mr. Stan Wagner, Public Defender urged adoption.

Mr. Hugh Fountain, Attorney, urged adoption.

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

Resolution No. 22758 (Second Reading) Authorizing execution of grant application to the U.S. Dept. of Housing and Urban Development for funds in the amount of \$165,000.00 for the development of an increased policy management process and capability in the City of Tacoma.

Motion to adopt was made at the previous meeting. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22761 Authorizing execution of joint agreement with Pierce County for the expert services of Dr. D. Alan Eagleson as a toxicologist.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22762 Authorizing execution of certificate of review of Phase 2 of the Urban Arterial Needs Study for the years 1974 through 1995.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22763 Authorizing execution of addendum to lease between the City and MBRM Investors, for 960 square feet of additional office space to be used by the administrative personnel of the Utility Services Division of the Department of Public Works.

Dr. Herrmann moved that the Resolution be adopted. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22764 Requesting the Governor of the State of Washington not to designate the Tacoma metropolitan area as being subject to Section 208 of the Federal Water Pollution Control Act of 1972.

Mrs. Egan moved that the Resolution be adopted. Seconded by Mr. Sonntag. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22765 Expressing the City's intent to cooperate with the Pierce County Commissioners in continuing the Special White Collar Crime Team and contribute the sum of \$1,816, one half of the matching money for the grant.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Warnick.

Ronald Hendry, Pierce County Prosecuting Attorney, spoke and urged approval.

Mr. Sonntag moved that the Resolution be amended on the 19th and 20th lines to strike the words "Pierce County Commissioners" and insert the words "Pierce County Prosecutor". Seconded by Mrs. Egan.

Robert Hamilton, City Attorney, advised that this would not be proper and that the Pierce County Commissioners should remain in the Resolution.

Mr. Sonntag and Mrs. Egan withdrew their motion.

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

Resolution No. 22766 (First Reading) Authorizing submittal of application to the Washington State Interagency Committee for Outdoor Recreation for funds in the amount of \$12,000 to complete development of the mini-park at 25th and Sheridan Streets.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Hudson. The Resolution was set over for final reading next week.

Resolution No. 22767 Authorizing execution of a lease with the Labor Temple Corporation for 750 square feet of office space to be used by the staff of the Manpower Area Planning Council.

Mr. Donaldson asked that the Resolution be continued for one week.

Dr. Herrmann moved to continue the resolution for one week. Seconded by Mr. Hudson. Voice vote was taken and carried. The Resolution was continued to April 16, 1974.

Resolution No. 22768 Authorizing the execution of a supplementary agreement with Dr. Cecil Bell and Dr. James Rosenzweig for expert services in support of Totem I Technology Transfer Program.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Warnick. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22769 Authorizing execution of amendment to agreement to extend the contract with Addison King to December 31, 1974 relative to the Handicapped Services Program of the Department of Human Development.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Nalley.

Jane Raize spoke in favor of the Resolution.

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

Resolution No. 22770 Authorizing execution of amendment to agreement to extend the contract with the Tacoma Yellow Cab Company to December 31, 1974 relative to the Handicapped Services Program of the Department of Human Development.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was declared adopted.

The Clerk read a letter from Ken Johnston, Pierce County Assessor, commending Mel Jackson, Lynda King and Wally Black of the Human Development Department for their work with the handicapped and senior citizens.

Resolution No. 22771 Authorizing execution of an amendment to contract for sale of land for private redevelopment between the City and Pacific Northwest Bell Telephone Company for Parcel 8, Wash. R-14.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 22772 Authorizing execution of an amendment to contract for sale of land for private redevelopment in Wash. R-14 between the City and B. A. and Edna E. McIvor.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mrs. Egan. Voice vote was taken and carried. The Resolution was declared adopted.

Mrs. Egan moved to suspend the rules to consider Resolution No. 22773. Seconded by Dr. Herrmann. Voice vote was taken and carried.

Resolution No. 22773 The City Council urging Congress and the Administration not to continue to impound funds or curtail Model Cities programs.

Mrs. Egan moved that the Resolution be adopted. Seconded by Dr. Herrmann. Voice vote was taken and carried. The Resolution was declared adopted.

UNFINISHED BUSINESS:

Dr. Herrmann reported that in the Executive Session of the Special Council meeting a hearing was held on the denial of sick leave usage by Mr. John Migdula, an employee of the City. He said the consensus of opinion during the hearing was that the Civil Service Board's recommendation to grant the use of sick leave should be overruled. The seven Council members present at the Executive Session expressed the opinion that the action be taken at the public Council meeting.

Mr. Hudson moved that the City Council overrule the recommendation of the Civil Service Board and Mr. Migdula not be granted 28 hours sick leave. Seconded by Mrs. Egan. Voice vote was taken and carried.

REPORTS BY CITY MANAGER:

Mr. Donaldson advised that the new procedures used in the printing of this week's agenda resulted in a reduction of 22 reams of paper and three man hours.

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Sonntag referred to last year's application to apply for jobs to the Neighborhood Youth Corps and Summer Youth Employment Programs and said if there are any suggestions to be made on the application, they should be made to Ray Corpuz in the Manpower Planning Office. He also advised that George Hauser, Ray Corpuz and Regina Glenn have acknowledged that all the additional information needed to conclude the establishing of the program was submitted to the City Manager and the City Attorney. He requested that any and all resolutions or ordinances to implement the summer youth employment program appear on next week's agenda.

Dr. Herrmann announced that Mr. Ted Amell asked him to announce that tomorrow night at the Top of the Ocean restaurant there will be an opportunity to meet the Tacoma Twins Baseball Club.

Mayor Johnston announced that on Thursday evening at 7:30 p.m. the Tacoma Twins Baseball Team will have their opening ceremony at Cheney Stadium.

Mayor Johnston advised that Mr. Moss had telephoned him to advise he would not be able to attend the Council meeting and asked to be excused. Mayor Johnston moved to excuse Mr. Moss from this evening's meeting. Seconded by Dr. Herrmann. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 8:35 p.m.

ATTEST: [Signature] H. B. BOND - CITY CLERK

[Signature] GARDON JOHNSTON - MAYOR