

CITY COUNCIL MINUTES

City Council Chambers
December 9, 1975

The meeting was called to order at 5:08 p.m.

Present on roll call: 7 - Egan, Herrmann, Nalley, Nelson, Sonntag, Warnick and Mayor Johnston. Absent: 1 - Hudson. (One Council Vacancy). Mr. Hudson arrived at 5:09 p.m.

The Flag Salute was led by Mr. Nelson.

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PROCLAMATION:

Mayor Johnston commented on Foss High School winning the State Triple A Football Championship this year and declared December 9, 1975 as "Foss Football Champion's Day". He presented the proclamation to Coach Jack Sonntag who introduced the Foss High School Principal and Football Team Captain.

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Mayor Johnston moved to suspend the rules and recess into Executive Session in order to discuss labor negotiations. Seconded by Mr. Sonntag. Voice vote was taken and carried. The meeting recessed at 5:14 p.m. The meeting reconvened at 5:48 p.m.

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Mayor Johnston announced that Council will first consider the agenda of December 2, 1975 on which no action had been taken on December 2nd due to the lack of a quorum.

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

Approval of the minutes of the meeting of November 25 and the Budget Hearing minutes of November 20, 21, 24 and 25, 1975.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Tacoma-Pierce County Civic Arts Commission meeting of October 9, 1975.
- b. Minutes of Public Utility Board meeting of November 12, 1975.
- c. Minutes of Tacoma Employees' Retirement System meeting of October 30, 1975.
- d. Minutes of City Planning Commission meeting of November 17, 1975.
- e. Minutes of Pierce County Commissioners meeting of November 24, 1975.
- f. Minutes of Tacoma Public Library Board of Trustees meeting of October 28, 1975.
- g. Monthly report, Tacoma-Pierce County Humane Society & SPCA, October, 1975.

- h. Monthly report, Traffic Division, Police Dept., October, 1975.
- i. Monthly report, Police Department, September Corrected, 1975.
- j. Monthly report, Director of Finance, October, 1975.
- k. 1976 Preliminary Budget, Metropolitan Park District.
- l. Annual Report, The Municipal Authority.

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

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner submitting report and recommendation on Shoreline Management Permit Application No. 141.112 St. Regis Paper Company for construction of a secondary waste water treatment facility and caustic department spill collection system.

Mr. Hudson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Nelson. Roll call vote resulted in Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston. Nays: 0 (One Council Vacancy). Motion carried.

- b. Hearings Examiner submitting report and recommendation on Shoreline Management Permit Application No. 141.114 Postscript Enterprises d/b/a Tyee Marina to construct necessary foundation and placement of a stiff-leg crane.

Dr. Herrmann moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Warnick. Roll call vote resulted in Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston. Nays: 0 (One Council Vacancy). Motion carried.

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RESOLUTIONS:

Resolution No. 23640 Rejecting all bids on the sale of two parcels of land in the vicinity of 100th Street SW as bids represented less than 50% of the appraised value.

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

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After completion of the December 2nd agenda, the Council proceeded with the agenda for December 9, 1975.

CONSENT AGENDA

Approval of the minutes of the meeting of December 2, 1975.

PETITIONS:

Lundstrom, Inc., requesting the rezoning of the property located on the west side of South "C" Street at South 86th Street extended from an "R-2" to an "R-4-L" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

- Resolution No. 23641 Fixing Tuesday, December 30, 1975 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of South "J" Street between South 3rd and South 4th Streets. (Tacoma General Hospital)
- Resolution No. 23642 Fixing Tuesday, December 30, 1975 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of a portion of South 74th Street located between South Wapato Street and Interstate 5. (Department of Public Works)
- Resolution No. 23643 Fixing Tuesday, December 30, 1975 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of North Frace and North Whitman Streets from Westgate Blvd. to North 17th Street. (Harold Wick)
- Resolution No. 23644 Fixing Monday, January 12, 1976 at 4:00 p.m. as the date for hearing L.I.D. 3763 for sanitary sewer in South Mason Avenue (extended) from South 38th to the alley between South 41st and 42nd Streets.

APPEALS:

George G. Jacobson Advertising appealing the Business and Occupation Tax Assessment by the Tax and License Department.

Suggested date for hearing is Tuesday, December 16, 1975.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Civil Service Board meeting of November 17, 1975.
- b. Minutes of a special meeting of the Board of Port Commissioners of the Port of Tacoma of November 26, 1975.
- c. Minutes of Board of Park Commissioners meeting of November 24, 1975
- d. Minutes of Pierce County Commissioners meetings of November 25 and December 1, 1975.
- e. Minutes of Affirmative Action Evaluation Committee meeting of November 5, 1975.
- f. Monthly report, purchases and sales of investments during November, 1975, Tacoma Employees' Retirement System.
- g. Third quarter status report for Grant #75-C-0117, Youth Services Bureau Coordinator of Volunteers.
- h. Emergency Services Dept. filing Personnel & Administrative Claim No. 606-76-4(41), October, 1975.
- i. Public Works Department filing Update Cost Estimate for Urban Arterial Project UAB 8-1-128(39).

Mrs. Egan moved that all of the items listed on the Consent Agenda, including Resolution Nos. 23641, 23642, 23643 and 23644, be approved. Seconded by Mr. Nelson. Voice vote was taken and carried. The items were declared approved.

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

COMMUNICATIONS:

- a. Wm. J. Barker, Assistant City Attorney, requesting that Street Vacation Request File No. 124.384 of the U.S. Postal Service be closed. (City Council on June 3, 1975 continued for six months the closing of the file)

Mayor Johnston called attention to the letter of request from the Postal Service

that the closing of the file be continued for six months.

Mrs. Egan moved that the closing of the file be continued for six months. Seconded by Mr. Warnick. Voice vote was taken and carried.

- b. H. B. Bond, City Clerk, advising that the Civil Service Board has filed a proposed amendment to Section 1.24.755 of the Civil Service and Personnel Rules.

No action was taken by the City Council.

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FINAL READING OF ORDINANCES:

Ordinance No. 20601 Repealing Section 3 of Ordinance 19746 relative to a Street and Local Improvement District Fund - 1973.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston
Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20603 Appropriating the sum of \$143,000.00, or so much thereof as may be necessary, from the Local Improvement Guaranty Fund for the purpose of paying necessary expenses for the sale and delivery of certain local improvement district bonds.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston
Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20605 Amending Chapter 2.05 of the Official Code relative to Political Signs.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston
Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20606 Amending Ordinance 19712 relative to the deposit of monies in the Vacated City Right-of-Way Property Fund and the use thereof.

Bob Hamilton, City Attorney, advised that a corrected ordinance should be before Council. The City Council did not have the corrected ordinance.

Mr. Sonntag moved to continue final reading of the Ordinance for one week. Seconded by Mrs. Egan. Voice vote was taken and carried. Final reading was continued to December 16t

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Ordinance No. 20607 Authorizing the acceptance of \$239.00 from the National Institute of Mental Health and appropriating said funds for the purpose of continuing the operation of the South End Youth Services Bureau, and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20608 Vacating the alley between East "F" and "G" Street from McKinley Way to Upper Park Street. (Old Colony Investment Corp.)

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20610 Providing for the improvement of L.I.D. 8097 for permanent paving on North 36th Street from North Stevens to North Cheyenne and North Mullen from North 36th to 37th; also, storm drains only in North Mullen from North 35th to 36th and North 37th from North Villard to North Baltimore.

Mr. Jay Eastly, 4412 North 36th Street, requested that that portion involving the paving of North 36th between North Stevens and North Cheyenne be continued for one week to permit the L.I.D. Office to verify the signatures of protests which arrived in their office at the end of the day.

After clarification by the City Attorney that the entire L.I.D. should be continued for one week, Mr. Sonntag moved to continue the ordinance for one week. Seconded by Mrs. Egan. Voice vote was taken and carried. The ordinance was continued to December 16, 1975.

Ordinance No. 20611 Approving and confirming the assessment roll for L.I.D. 3748 for constructing sanitary sewers in East 72nd from approximately 200 feet east of Portland Avenue, east 170 feet and from Homestead Circle to easement north of East 72nd, lying east of East "T" Street.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20612 Approving and confirming the assessment roll for L.I.D. 8040 for permanent paving on South Madison from 6th Avenue to South 12th; South 7th from Monroe to Tyler; South Grant from South 25th to 27th and storm drains only in South 27th from Grant to Sheridan Avenue.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20613 Approving and confirming the assessment roll for L.I.D. 8043 for permanent paving on East 66th from East "I" to 120 feet east of East "J"; East "J" from East 66th to 68th; also, storm sewer only in East 68th from East "J" to East "M".

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

Ordinance No. 20614 Approving and confirming the amended assessment and amended assessment roll for L.I.D. 5512 for constructing water mains in Marine View Drive from East 11th Street to approximately 6600 feet north.

Roll call was taken, resulting as follows:

Ayes: 8 - Egan, Herrmann, Hudson, Nalley, Nelson, Sonntag, Warnick, Mayor Johnston

Nays: 0 (One Council Vacancy)

The Ordinance was declared passed.

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Mrs. Egan moved to suspend the rules in order to reconsider Ordinance No. 20599, which had failed on November 25, 1975. Seconded by Mr. Hudson. Voice vote was taken and carried.

Mrs. Egan moved to reconsider Ordinance No. 20599. Seconded by Mr. Nelson. Voice vote was taken and carried.

Ordinance No. 20599 Creating a new fund to be known as the "Capital Programming of Public Improvements and Acquisitions in City Waterway Fund" and providing for its use.

Mr. Warnick moved to amend the ordinance on page one on line 25 to delete the words "and thereafter". Seconded by Mr. Sonntag. Roll call was taken on the motion to amend, resulting in Ayes: 4 - Nalley, Nelson, Sonntag, Warnick Nays: 4 - Egan, Herrmann, Hudson, Mayor Johnston (One Council Vacancy). The motion was declared failed.

Roll call was taken to approve the ordinance, resulting as follows:

Ayes: 7 - Egan, Herrmann, Hudson, Nalley, Nelson, Warnick, Mayor Johnston

Nays: 1 - Sonntag (One Council Vacancy)

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 20577 (Continued from the meeting of November 25th)
Amending Section 6.52.130 of the Official Code relative to taxicab rates.

Clarence W. Clark, representing the Yellow Cab Company, outlined for Council their requested increases for taxicab rates and advised that the overall increase is approximately 21 percent.

Council members raised the question on how the rate increase would affect the rates for the handicapped.

Mel Jackson, Director of the Department of Human Development, explained how he would adjust his budget in order to continue the same level of service to the handicapped and the elderly.

Mayor Johnston asked that Erling Mork and Mel Jackson meet with the successful cab company bidder for the Human Development Department ridership for handicapped and seniors and see if additional consideration can be given to the seniors and handicapped people.

Mr. Nalley asked that the list of taxicab companies who have requested the rate increase be prepared and submitted to Council prior to the next meeting.

The Ordinance was set over for final reading next week.

Ordinance No. 20615 Appropriating \$17,000.00, or so much thereof as may be necessary, from the Technology Transfer Center Fund No. 164 for the purpose of implementing certain programs funded by the Dept. of Community Development.

The Ordinance was set over for final reading next week.

Ordinance No. 20616 Appropriating the sum of \$275.11, or so much thereof as may be necessary, from the Vacated City Right-of-Way Fund No. 642 for the purpose of transferring certain real property from the L.I.D. Guaranty Trust Fund to the City of Tacoma to be utilized as open space, authorizing such transfer and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 20617 Amending Chapter 13.06 of the Official Code relating to site approval for developments in "PRD", Planned Residential Development Districts; "C-F", Freeway Commercial Services Districts; "C-P", Planned Shopping Center Districts; and "R-P", Research Park District.

The Ordinance was set over for final reading next week.

Ordinance No. 20618 Amending Ordinance 15928 to establish new Equipment Rental Schedule of Charges to be effective January 1, 1976.

The Ordinance was set over for final reading next week.

Ordinance No. 20619 Amending the Pay and Compensation Plan to be effective January 1, 1976.

Mayor Johnston moved to amend the ordinance by including corrected page eight. Seconded by Dr. Herrmann. Voice vote was taken and carried.

On question of Council members, Odd A. Lund, Personnel Director, advised that the unrepresented employees of the City received 9.1 percent salary increase for 1976, including the position of Pavilion Manager. Several Council members questioned the propriety of granting a 9.1 percent increase in the salary of Pavilion Manager when the position had not been filled during 1975.

Mr. Warnick moved to amend the ordinance on page eleven on line two to change the salary of the Pavilion Manager by reducing it by 9.1 percent in order that the 1976 salary would be the same as the 1975 salary, which would be a starting salary of \$1,500 per month. Seconded by Mrs. Egan. After discussion, roll call vote was taken on the amendment resulting in Ayes: 4 - Egan, Hudson, Sonntag, Warnick Nays: 4 - Herrmann, Nalley, Nelson, Mayor Johnston. The motion was declared failed.

Mr. Sonntag asked that the Personnel Department prepare a list of the unfilled unclassified single individual type classes which appear in the Compensation Plan for presentation to the City Council at next week's meeting.

The Ordinance was set over for final reading next week.

Ordinance No. 20620 Adopting the 1976 Annual Budget.

Earl Mittelstaedt, Finance Director, referred to the revised ordinance 20620, his memorandum to Erling Mork of December 8, 1975 with attachments of schedules A and B, which outline the different funds, their amounts, the revisions in revenues, additions to the budget, reductions to the budget, and the cost of the 1976 salary increases and also the 1976 Federal Shared Revenue status as of December 8, 1975.

Mrs. Egan moved that Council consider the revised ordinance 20620. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Anthony Vlahovich, 2101 North 27th, asked that consideration be given to reducing the bus rates for school children.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Purchase Resolution No. 23645 Awarding contract to Woodworth & Company, Inc. on its bid of \$2,591.40 for W.O. #74258 - removal and replacemnt of cement concrete driveway slab at Fire Station #1, 901 Fawcett Avenue.

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

Resolution No. 23646 Amending Resolution No. 23582 relative to Wallace C. Lindeman's term with the Housing Authority Commission.

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. 23647 Rescinding Resolution 22720 and the Broadway Plaza Advisory Committee and establishing a Plaza-Pavilion Advisory Committee.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mrs. Egan.

Mr. Warnick moved that the membership of the Committee be increased from five to seven members and that the terms be two years, three of them to be appointed for one year and four of them to be appointed for two years. Seconded by Mr. Sonntag. Roll call vote was taken on the amendment resulting in Ayes: 5 - Egan, Nalley, Nelson, Sonntag, Warnick Nays: 3 - Herrmann, Hudson, Mayor Johnston. The motion carried.

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

Resolution No. 23648 Authorizing the Chairman of the Retirement Board to execute an agreement for an actuarial consulting service with the firm of Milliman & Robertson, Inc. for the period January 1, 1976 through December 31, 1976 and waiving the requirement for competitive bidding.

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

Resolution No. 23649 Authorizing the proper officers to execute a Supplemental Agreement between the City of Tacoma, Dept. of Public Utilities, Belt Line Railway Division and the Railroad Yardmasters of America to be effective January 1, 1975 to December 31, 1977.

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

Resolution No. 23650 Authorizing the proper officers to execute a Memorandum of Agreement with County and City employees Local #120 for the period January 1, 1975 through December 31, 1976.

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. 23651 Authorizing the partial release of slope easement in Blocks 7, 8, 9 and 10 of Elmwood addition abutting South 58th between Madison and Durango Streets.

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. 23652 Authorizing the execution of a contract between the City and the U.S. Department of Transportation, Urban Mass Transportation Administration for Project No. WA-05-4003 for a \$672,000 operating assistant grant for the Tacoma Transit System for 1975.

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

Resolution No. 23653 Authorizing execution of agreement with the Tacoma Community College District 22, for training of Emergency Medical Technicians.

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

Resolution No. 23654 Authorizing execution of an agreement with the Metropolitan Park District for the development of Old Town Playground.

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

John Vangen of the Metropolitan Park District, the designer of the park, described for Council the amenities of the park, the location and the citizen participation in the planning of the park site.

Anthony Vlahovich, 2101 North 27th, spoke in favor of the Resolution and urged approval.

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

Resolution No. 23655 Authorizing execution of a lease agreement with Henderson Motor Company, d/b/a Tacoma Harley-Davidson for five 3-wheel motorcycles.

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

Resolution No. 23656 Amending Purchase #1 of Resolution No. 23636, Exhibit "A", awarding L.I.D. 6945, Unit "A" to Carl T. Madsen, Inc. in the amount of \$415,656.50.

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

Resolution No. 23657 Authorizing the Community Development Department to implement the Open Space Acquisition and Development program of the Community Development Plan.

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. 23658 Authorizing execution of an agreement with Pierce County for care and custody of County female prisoners.

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

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HEARINGS AND APPEALS:

This is the date set for hearing Tacoma Boatbuilding Company, Inc.'s appeal of the Business and Occupation Tax assessment by the Tax and License Department.

Mayor Johnston called attention to the communication of December 8th from Richard M. Schute, Attorney for Tacoma Boatbuilding Co., Inc., in which they withdrew their appeal on the assessment. No further action was taken.

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COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston announced that the existing L.I.D. Committee will continue to serve until after the new council members take their seats on the Council, at which time he will appoint a new L.I.D. Committee.


He also announced that he has appointed Councilman Nelson to represent the City Council as a member of the Board of Directors of the Puget Sound Health Systems Agency, and that Councilman Nelson would also serve as the Mayor's alternate on the Tacoma-Pierce County Health Board.

Mayor Johnston made a motion, seconded by Mr. Hudson, asking that the City administration explore the feasibility of suspending parking meter charges in the downtown area during the one week prior to Christmas.

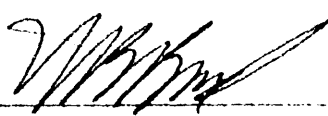
Mr. Hudson asked to be excused from the meeting of December 16th. Mr. Sonntag moved that the request be granted. Seconded by Mr. Nelson. Voice vote was taken and carried.

Mr. Hudson advised that in the absence of the Mayor he attended a session of the Pierce County Health Board. He understood there will be a joint study session to include the Pierce County Commissioners, to look into the Health Department's funding, etc, and also, that there is a possibility soon of a dinner study session between the City Council and the Pierce County Commissioners.

On proper motion, the meeting adjourned at 9:20 p.m.



GORDON JOHNSTON - MAYOR

ATTEST: 

H. B. BOND - CITY CLERK