

CITY COUNCIL MINUTES

City Council Chambers
April 17, 1984

The meeting was called to order at 5:07 p.m.

Present on roll call: 7 - Hyde, Kirby, Ladenburg, Stenger, Strega, Warnick, and Mayor Sutherland. Absent: 2 - Bichsel and Rasmussen.

The Flag Salute was led by Council Member Warnick.

Approval of the minutes of the regular meeting of April 10, 1984.

RESOLUTIONS:

Resolution No. 28301

Setting Tuesday, June 5, 1984 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate portions of East 27th and East 28th Streets and of the alley between the I-5 Freeway and SR-705 (Tacoma Spur). (Brown & Haley; File No. 124.762)

Resolution No. 28302

Setting Monday, May 14, 1984 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5654 for construction of water mains and fire hydrants in Monroe Street from South 74th Street, north to a 20-foot wide right-of-way lying south of South 69th Street; thence east in said right-of-way to Madison Street.

APPEALS:

St. Regis Corporation appealing Audit Assessment Notice No. T-01921 by the Department of Tax & License.

Setting Thursday, June 7, 1984 at 10:00 a.m. as the date for hearing by the Hearings Examiner.

ASSESSMENT ROLLS:

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

L.I.D. 5641 for the construction of water mains in South 14th Street and in Brookside Terrace from Sunset Drive to the west and south approximately 700 feet.

Setting Monday, May 14, 1984 at 5:00 p.m. as the date for hearing by the Hearings Examiner.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agendas for Tuesday, April 17 and Thursday, April 19, 1984.
- b. Minutes of the meeting of the Landmarks Preservation Commission, March 28, 1984.
- c. Tacoma Employees' Retirement System Board Report of Purchases and Sales of Investments, February 1 through February 29, 1984.
- d. City of Tacoma 1983 Program Objective Status Report.

Council Member Warnick moved that the Consent Agenda, including Resolution Nos. 28301 and 28302, be approved. Seconded by Deputy Mayor Strege. 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

COMMUNICATIONS:

- a. Hearings Examiner submitting Shoreline Management Substantial Development/Conditional Use Permit No. 141.324 of Pat Larkin to allow the upper floor of an existing two-story building to be utilized as general office space, and to allow the continued utilization of the lower floor as accessory office and storage space for the abutting restaurant facility located on the easterly side of Ruston Way, north of Marshall Street.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Strege. Roll call vote was taken, resulting as follows: Ayes: 7 - Hyde, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland. Nays: 0. Absent: 2 - Bichsel and Rasmussen. The motion was declared adopted.

- b. Hearings Examiner submitting Findings of Fact, Conclusions of Law, and Decision regarding the appeal of Pargas, Inc. on Audit Assessment Notice No. T-09338.

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

- c. Hearings Examiner submitting Findings of Fact, Conclusions of Law, and Decision regarding the appeal of Victor L. Lyon, Inc., Realtors, on Audit Assessment Notice No. T-03653.

Mayor Sutherland moved to concur in the recommendations of the Hearings Examiner. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

- d. Hearings Examiner recommending that L.I.D. 5653 not be formed.

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

FINAL READING OF ORDINANCES:

Ordinance No. 23138 (Continued from the meeting of April 10, 1984.)

Amending the Pay and Compensation Plan to establish six new classifications and rates of pay thereof; amending two position titles of two classifications thereof; and repealing certain sections relative to the Transit Department.

Mayor Sutherland moved to continue Ordinance No. 23138 to the meeting of April 24, 1984. Seconded by Council Member Warnick. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of April 24, 1984.

Ordinance No. 23144

Amending Chapter 13.06 of the Official Code to reclassify the property located at the northwest corner of South 73rd and Alaska Streets from an "R-4-L" to an "R-2" District. (Richard Leone; File No. 120.1075)

Roll call vote was taken, resulting as follows:

Ayes: 6 - Hyde, Kirby, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Rasmussen.

Abstaining: 1 - Ladenburg.

The Ordinance was declared passed.

Ordinance No. 23156

Authorizing the execution of a grant award contract in the amount of \$750.00 with the State Arts Commission for the design and fabrication of a banner for The Downtown Gallery; accepting a contribution in the amount of \$1,000.00 from Pacific Northwest Bell to co-sponsor the "Rose Stage" at Art Bowl; transferring \$1,750.00 from the General Fund to the Miscellaneous Grants Summary Fund; and appropriating \$3,500.00, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for funding said arts projects.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland.

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Nays: 0.

Absent: 2 - Bichsel and Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23157

Approving and confirming the assessment roll for L.I.D. 5631 for the construction of water mains in East "D" and East "E" Streets from East 93rd to East 96th Streets, and in East 93rd Street from East "D" to East "E" Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23158

Approving and confirming the assessment roll for L.I.D. 8374 for the placement of asphaltic concrete pavement on the alley between South Sprague and South State Streets from South 17th Street north 235 feet, more or less, to the dead end; and on the alley between Yakima Avenue and South "I" Street from South 17th to South 18th Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Hyde, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Rasmussen.

The Ordinance was declared passed.

Ordinance No. 23164

Authorizing the issuance and sale of Consolidated Local Improvement Bond Issue No. 29.

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Mayor Sutherland moved to amend Ordinance No. 23164 to insert the interest rates on page 3 as follows:

| <u>Bond Numbers</u> | <u>Interest Rates</u> |
|-------------------------|---------------------------|
| 1 - 6 | 10.20 percent |
| 7 - 13 | 9.125 percent |
| 14 - 19 | 9.125 percent |
| 20 - 26 | 9.40 percent |
| 27 - 33 | 9.50 percent |
| 34 - 40 | 9.65 percent |
| 41 - 47 | 9.90 percent |
| 48 - 54 | 10.10 percent |
| 55 - 61 | 10.15 percent |
| 62 - 67 | 10.25 percent |
| 68 - 73 | 10.50 percent |
| 74 - 117 | 10.75 percent |

and to insert the figure of 10.80% on page 16, line 9, after the words "fixed at the rate of." Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 7 - Hyde, Kirby, Ladenburg, Stenger, Strege, Warnick, and Mayor Sutherland.

Nays: 0.

Absent: 2 - Bichsel and Rasmussen.

The Ordinance, as amended, was declared passed.

Mayor Sutherland proclaimed the Day of April 19, 1984, to be "One Pacific Day," and presented the proclamation to Mr. Doug Howe and David Brubaker, of Touchstone Development Company.

FIRST READING OF ORDINANCES:

Ordinance No. 23159

Amending Chapter 13.06 of the Official Code to reclassify the property located at the southwest corner of North Pearl Street and Highland Parkway from an "R-2-T" to an "R-4-L" District. (Neal Irving and Associates; File No. 120.1073)

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Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Hyde. 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. 23160

Vacating a portion of the street right-of-way located at the northeast corner of North 32nd and Pine Streets. (Mr. and Mrs. Nick A. Thoennes; File No. 124.758)

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Council Member Warnick. 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. 23161

Amending Chapter 13.06 of the Official Code to reclassify the property bounded on the north by North 18th and North 21st Streets, on the west by a line halfway between Cedar and Alder Streets, on the south by the alley between North 8th and North 9th Streets, and on the east by Steele Street, from an "R-3" to an "R-2SRD" District. (City of Tacoma; File No. 120.991A)

Mayor Sutherland moved to amend page 3, line 25, to read "the alley between North 8th and North 9th Streets." Seconded by Deputy Mayor Strega. Voice vote was taken and carried, with Council Member Hyde abstaining. The motion was declared adopted.

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

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

Ordinance No. 23162

Authorizing the execution of an amendment to the grant award agreement with the Economic Development Administration in the amount of \$9,300.00; appropriating said sum from the Economic Development Assistance Grant Fund for continued economic development planning; and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

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Ordinance No. 23163

Accepting a contribution from Washington Natural Gas in the amount of \$300.00, and appropriating said sum, or so much thereof as may be necessary, from the General Fund for the provision of partial funding for Senior Citizen Awareness Day.

The Ordinance was set over for final reading next week.

Ordinance No. 23165

Authorizing the adoption of a plan for cost-effective conservation measures for the Light Division, and further authorizing the sale and issuance of revenue bonds in the amount of \$5,000,000.00 for said purpose.

Mayor Sutherland moved to amend page 8, line 6, to delete the word "and," and to insert, after "February 23, 1973;" the words "and Ordinance No. 21614, passed February 27, 1979;". Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Speaking to the Council was:

Mike Lonergan

3715 North 27th Street

The Ordinance, as amended, was set over for final reading next week.

Ordinance No. 23166

Amending Chapter 12.06 of the Official Code relative to electric energy regulations and rates.

Mayor Sutherland moved to continue Ordinance No. 23166 to the meeting of April 24, 1984. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

The Ordinance will be considered at the regular City Council meeting of April 24, 1984.

RESOLUTIONS:

Purchase Resolution No. 28303

Awarding contracts to:

1. Looker Trucking and Construction on their bid of \$19,063.35 for the Baltimore Playground parking lot and basketball court - Specification No. G-016-84; and
2. Union 76 Oil Company on their bid of \$23,097.63 for motor oil and lubricants - Pierce Transit Specification No. PT-07-84.

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Council Member Warnick moved that the Purchase Resolution be adopted. Seconded by Deputy Mayor Strege.

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

Resolution No. 28304

Approving the preliminary plat of Replat of Lots 8 through 12, Orchard Terrace, located at the east side of Orchard Street between South 37th and South 40th Streets, extended. (Ron Crippen; File No. 125.271)

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

Resolution No. 28305

Authorizing the segregation of Assessment No. 55, L.I.D. 5585, into three separate assessments.

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

Resolution No. 28306

Authorizing and approving a change order in the amount of \$4,880.00 to the contract with Fielding Urethane, Inc. for the payment of increased costs relative to the cleaning of the Tacoma Dome roof.

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

Resolution No. 28307

Authorizing the execution of an agreement with Cornerstone Development Company for the installation of seismic instrumentation in the Tacoma Financial Center.

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

Mayor Sutherland moved that the Council consider Public Hearings and Appeals. Seconded by Deputy Mayor Strege. Voice vote was taken and carried. The motion was declared adopted.

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PUBLIC HEARINGS AND APPEALS: (Began at 6:07 p.m.)

This is the date set for a public hearing on the proposed Urban Development Action Grant application for construction of the Tacoma Marina Project consisting of moorage, related parking, a 45,000 square foot building, piers and boardwalks in the area on the west side of City Waterway from the existing Totem Marina to the Fourth Street Bridge.

Mayor Sutherland called on Mr. Ron Nelson of the Community Development Department who introduced Mr. David Bateman, Project Developer for Tacoma Marina Associates. Mr. Bateman made a presentation to the Council on the proposed project and answered questions of Council Members.

Speaking to the Council were:

David McGoldrick

Attorney representing the Bayview
Condominium Homeowners Association
525 Broadway (Bayview Condominiums)
525 Broadway (Bayview Condominiums)

Conrad Peterson
Allan Johnson

There being no further testimony, Mayor Sutherland declared the public hearing closed at 6:53 p.m.

Resolution No. 28308

Approving additional costs for extra work incurred in the McKinley Way, East "D" to East "G" Street Project.

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

Resolution No. 28309

Authorizing the release of certain sewer easements near East 36th and "B" Streets.

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

Resolution No. 28310

Waiving the formal bid procedures for the sale and removal of shelters on Broadway Plaza from South 11th to South 13th Streets to facilitate construction of the Broadway Plaza Street Renovation project.

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

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Resolution No. 28312

Granting an easement to Pierce Transit for a "Park and Ride" parking lot to be located on Light Division property near Gig Harbor.

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

Resolution No. 28313

Authorizing the execution of an agreement with Pacific Northwest Bell Telephone Company relative to Community Antenna Television (CATV) occupancy of joint poles.

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

Resolution No. 28314

Authorizing the termination of a Contract For Sale of Land for Private Redevelopment with Puget Sound Log Scaling and Grading Bureau, and further authorizing the return of the \$2,100.00 good faith deposit.

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

Resolution No. 28315

Amending Rule 10 of the Council Rules of Procedure relative to responsibilities and terms of office of the Appointments Committee.

Council Member Hyde moved that the Resolution be adopted. Seconded by Council Member Ladenburg.

The Resolution was set over for second reading next week.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Council Member Hyde stated that he had instructed staff to prepare a "No Smoking in Public Places" Ordinance and that this was now in progress in cooperation with the Tacoma-Pierce County Board of Health and the Pierce County Council.

Council Member Ladenburg stated that he, Deputy Mayor Strege, Council Member Rasmussen and City Manager Erling O. Mork had played against the Tacoma Stars last Saturday morning, and he encouraged people to watch the future games.

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Mayor Sutherland moved to excuse Council Members Bichsel and Rasmussen from tonight's meeting. Seconded by Council Member Hyde. Voice vote was taken and carried. The motion was declared adopted.

Mayor Sutherland read a letter from Pastor Milton Andrews, of the Hillside Community Church, which commended the Mayor, Council Members and certain key figures, which included Angelo Giandrone, Nancy Mendoza, Dennis Flannigan, Jacki Skaught, and Pat Flynn, for their work in making possible the achievement of Tacoma's "All-American City" award for Tacoma in 1984.

On proper motion, the meeting adjourned at 7:10 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

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