CITY COUNCIL MINUTES

City Council Chambers April 29, 1980

The meeeting was called to order at 5:10 p.m.

Present on roll call: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen (Absent: 1 - Mayor Parker.

The Flag Salute was led by Deputy Mayor Nielsen.

Councilman Hawkins moved to excuse Mayor Parker from the meeting. Seconded by Councilman Sutherland. Voice vote was taken and carried.

CONSENT AGENDA

Approval of the minutes of the special meeting of April 21, and of the regular meeting of April 22, 1980.

PETITIONS:

- a. <u>Bowman, Darrell L.</u> requesting the rezoning of the property located on the north side of East 38th Street, approximately 300 feet west of Portland Avenue, from an "R-2" to an "R-4-L" District.
- b. Trademark Corp. requesting the rezoning of the property located north of North 51st Street between Mildred Street and Parkway from an "R-1" and "R-2" to an "R-1-PRD" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 26388

Setting Tuesday, June 3, 1980 at 1:30 p.m., as the date for hearing by the Hearings Examiner the request for vacation of East 68th Street from East "Q" Street east 553 feet. (The Peoples Church of the Northwest, Inc.)

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Resolution No. 26389

Setting Tuesday, June 3, 1980 at 10:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of a portion of 29th Street NE east of 53rd Avenue NE. (Department of Public Works)

Resolution No. 26390

Setting Tuesday, June 3, 1980 at 9:30 a.m., as the date for hearing by the Hearings Examiner the request for vacation of East Tacoma Throughway west of Milwaukee Way. (Port of Tacoma)

APPEALS:

Vicki Church, dba North End Taveran, appealing the Tax & License Department's audit assessment.

Fixing Tuesday, May 27, 1980, as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner agendas for Tuesday, April 29, 1980.
- Minutes of the meeting of the Human Relations Commission, March 20, 1980.
- c. Minutes of the meeting of the Civil Service Board, April 7, 1980.
- d. Minutes of the meeting of the Landmarks Preservation Commission, April 9, 1980.
- e. Minutes of the meeting of the Citizens Transportation Advisory Committee, April 14, 1980.
- f. Minutes of the meeting of the LESA Executive Board, April 22, 1980.
- g. Monthly Report of the Municipal Court for March, 1980.
- h. The Department of Emergency Services filing the Personnel and Administrative Claim for Reimbursement, 2nd Quarter, 1980.
- i. Proposed amendments to the Charter of the Municipal Authority.
- j. The Department of Community Development filing the Pantages Final Report.
- k. Minutes of the meeting of the Tacoma Human Relations Commission Study Session, April 3, 1980.

Deputy Mayor Nielsen moved that the Consent Agenda be amended under Item a, Appeals, that the date set for hearing the appeal be changed from Tuesday, May 27th to Wednesday, May 28, 1980 at 1:00 p.m. as the date for hearing by the Hearings Examiner. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Deputy Mayor Nielsen moved that the Consent Agenda as amended, including Resolutions Nos. 26388, 26389 and 26390, be approved. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Consent Agenda, as amended, was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

Hearings Examiner recommending that the request of Gary Coy, Terry Owen and James Hacker, File No. 120.864A for the amendment of condition 7c, be approved. (Continued from the meeting of April 15)

Deputy Mayor Nielsen announced that management has requested that this item be removed from the agenda. Deputy Mayor Nielsen then moved that the item be removed from the agenda. Seconded by Councilman Sutherland. Voice vote was taken and carried.

Deputy Mayor Nielsen announced that he would like to request that the next item to be heard would be Item A of the Public Hearings due to the fact that there are people present from out of town who are on a tight schedule that are interested in this item.

Deputy Mayor Nielsen moved to consider Item A of Public Hearings as the next order of business. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

PUBLIC HEARING:

a. This is the date set for Hearing on Urban Development Action Grant Application to develop and restore the Old City Hall.

Keith Palmquist, Director of the Community Development Department, reviewed the action grant which would provide Federal monies for the loan to the Heritage Group for renovation of the Old City Hall. He asked for authorization to submit the application to the Department of Housing and Urban Development.

Speaking for the applicant, Heritage Group, 627 Pacific Avenue, was Earl Seaman. No member of the public came forward to speak.

Councilman Sutherland moved that the application for the grant be submitted to HUD. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 22054

Amending Chapter 11.28.180 (147) and repealing Subsections 135, 147.7, 148.3, 148.4, 148.5 and 197.1 relative to parking on certain sections of Pacific Avenue.

Ron Button, Director of Public Works, asked that this ordinance be continued for one week.

Councilman Sutherland moved that the Ordinance be continued for one week. Seconded by Councilman Kirby. Voice vote was taken and carried. Final reading of the Ordinance was continued to May 6, 1980.

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Amending Chapter 11.28.140 (10.5) of the Official Code relating to additional parking restrictions on South 56th from South Tacoma Way

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22057

Appropriating \$40,926.06, or so much thereof as may be necessary, from the Cumulative Reserve for Replacement of Fire Equipment Fund to purchase three vehicles and fire fighting equipment for Northeast Tacoma Station No. 3.

Councilwoman Bichsel moved to consider the corrected Ordinance No. 22057. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22058

Appropriating \$28,783.08, or so much thereof as may be necessary, from the Cumulative Reserve for Replacement of Fire Equipment Fund to purchase a Rescue Vehicle.

Councilwoman Bichsel moved to consider the corrected Ordinance No. 22058. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Authorizing the issuance and sale of \$27,950,000 Unlimited Tax Levy General Obligation Bonds to construct a convention/sports center and creating two funds to be known as The Stadium Development Fund and the 1980 Stadium General Obligation Bond Fund.

Councilwoman Bichsel moved to substitute corrected Pages 1 and 7 in the Ordinance. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22060

Providing for the improvement of L.I.D. 6956 for installing modern street lights on South "L" from South 75th to South 76th; South 74th from South "L" east to dead end; and at the northeast corner of South 76th and "L" Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22061

Approving and confirming the assessment roll for L.I.D. 8224 for permanent paving on American Lake Blvd. from South Gove to South Cheyenne; South "I" from South 59th to South 61st; East 63rd from East "N" to Portland Avenue; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Approving and confirming the assessment roll for L.I.D. 6953 for constructing modern street lights in the area of North 39th and Winnifred Streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker.

The Ordinance was declared passed.

Ordinance No. 22063

Approving and confirming the assessment roll for L.I.D. 7704 for undergrounding existing overhead electrical, cable TV and telephone systems in a portion of Soundview Drive West.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22064

Providing for the improvement of L.I.D. 2504 for constructing sidewalks along East 65th from "J" to "L"; South 68th from Mullen to Ferdinand; South 68th from Tacoma Avenue to Park Avenue; and other nearby streets.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker.

The ordinance was declared passed.

Providing for the improvement of L.I.D. 3824 for constructing sanitary sewers on East George from Roosevelt Avenue east to dead end and in dead end.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

Ordinance No. 22066

Providing for the improvement of L.I.D. 8286 for permanent paving on South Fife from South Tacoma Way north 340 feet then east to alley.

Gary Sullivan, Hearings Examiner, reported that during the hearing on the L.I.D. the remonstrance on Section A was over 50% so he did not include property owners said they were in favor of the L.I.D., the remonstrance now stands at 48%. He recommended that the said Section A, which is 61st Street between "K" and Sheridan Streets be included in the ordinance.

Speaking in favor of the ordinance were: Dale H. Truman, 1116 So. 61st Street and Mrs.: Schmidt of 1166 South 61st Street.

Councilman Rasmussen moved to include Segement A, which is So. 61st Street from "K" Street to Sheridan Avenue. Seconded by Councilman Hawkins.

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

Ayes: 7 - Bichsel, Hawkins, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen.

Nays: 0

Absent: 1 - Mayor Parker

The Ordinance was declared passed.

City Council Minutes - Page 8 - April 29, 1980 FIRST READING OF ORDINANCES:

Ordinance No. 22067

Authorizing the issuance and sale of Water System Revenue Bonds in the amount of \$3,000,000 for funding at maturity the City's outstanding 1978 Water Revenue Warrant for the University Place Water Project; creating a new fund to be known as the Water System Revenue Bond Fund-1980; and amending Section 5 of Ordinance No. 21569.

The Ordinance was set over for final reading next week.

Ordinance No. 22068

Amending Section 3 of Ordinance No. 21570 relative to the University Place Water Project.

The Ordinance was set over for final reading next week.

Ordinance No. 22069

Accepting a \$5,000 gift from the Weyerhaeuser Foundation for implementing the Pantages Theatre Restoration Project and declaring an emergency making necessary the passage of the ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

Ordinance No. 22070

Authorizing execution of an additional grant award contract with the U. S. Department of Labor in the amount of \$129,164; appropriating said sum, or so much thereof as may be necessary, from the Comprehensive Employment Services Grant fund to provide employment and training services to eligible City residents; 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.

Ordinance No. 22071

Authorizing execution of a grant award contract with Pierce County for \$16,394 plus \$912 State matching funds; depositing said sum into the Youth Development Project Fund; transferring \$912 from the General Fund to said Fund; appropriating \$18,218, or so much thereof as may be necessary, from the Youth Development Project Fund to purchase films and leasing three vehicles for the Youth Development Project; and provide a temporary non-interest bearing loan from the General Fund to the Youth Development Project Fund in a sum not to exceed \$2,500.

The Ordinance was set over for final reading next week.

Amending Chapter 13.03.070, 13.06.020, 13.06.350 and adding a new section to be known as Section 13.06.215 of the Official Code to add and landscaping of parking areas located in front yards of certain

The Ordinance was set over for final reading next week.

Ordinance No. 22073

Appropriating \$1,255, or so much thereof as may be necessary, from the General Fund to the Library Fund to pay the cost of repairing floor tiles and replacing library books damaged during heavy snow necessary the passage of this ordinance and its taking effect immediately upon publication.

The Ordinance was set over for final reading next week.

Ordinance No. 22074

Vacating a porition of the alley south of North Tacoma Avenue on the west side of North 1st Street. (Betz, Love & Syford)

Councilman Sutherland said he would not be sitting in on consideration of this Ordinance due to the appearance of fairness doctrine. Councilman Sutherland left the Council Chambers.

Councilwoman Bichsel moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Kirby. Voice vote was taken and carried.

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

Ordinance No. 22075

Vacating the west 25 feet of Yakiman Avenue South of South 80th Street. (Tai Yang Song)

Councilman Hawkins moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ordinance No. 22076

Amending the Pay and Compensation Plan to implement 1980 rates for contract negotiated with the Teamsters, Chauffeurs, Warehousemen and Helpers Union Local #313 and implement rates for Shift Supervisor and Radio Operator.

The Ordinance was set over for final reading next week.

RESOLUTIONS:

Resolution No. 26387 (First Reading) (Continued from meeting of April 22)

Amending the Council Rules of Procedure by adding Rule 16 relative to expenditure of budgeted legislative funds.

Councilman Hawkins moved to consider Substitute No. 3 of Resolution No. 26387. Seconded by Councilman Rasmussen. Voice vote was taken and

Councilman Hawkins then moved to amend the Substitute No. 3 on Page 2, Line 6, to insert between the words "the united" the following words "48 adjacent States of the." Seconded by Councilman Rasmussen. Voice vote was taken and carried.

The Resolution was set over for final reading next week.

Purchase Resolution No. 26391

Awarding contracts to:

- Fray Equipment Company on its bid of \$5,778.90 for Grader Parts; 1/2 2.
- Cam Industries on its bid of \$4,784.83 for Boiler Elements;
- Lederle Laboratories on its bid of \$8,169.12 for Myambutol Tablets: and
- Duro-Test Corporation on its bid of \$2,432.43 for Traffic Signal Lamps.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26392

Authorizing the sale of scrap aluminum wire and cable to Seattle Iron and Metals Corporation.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26393

Authorizing the purchase of vehicles under State contract.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26394

Authorizing application to the Urban Park and Recreation Recovery rogram for a planning grant for a Five Year Action Program relating to park and recreation recovery.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution

Resolution No. 26395

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Adopting the Generalized Land Use Plan.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland.

Joe Quilici, of the Planning Department, indicated to the Council that the Council Public Hearing was held on April 8, 1980 and that this is a policy plan to guide growth and development; it is also an extension and refinement of the contents of the Land Use Management Plan Document. The contents of the draft document were presented to the Council at that time. He also said, however, that support information was provided which was the January, 1980 Draft Plan and Final Environmental Impact Statement, Planning Staff Report, all additional letters received, a summary of the Planning Commissions' public hearing testimony and the Planning Commission minutes containing their findings and recommendations.

Mr. Quilici also mentioned the Planning Commissions recent recommendation concerning a change in intensity at 72nd and Portland Avenue. Further, a summary of the Council public hearing oral testimony and Planning Department comments have been provided by the Council as requested. It was also indicated that, should the document be adopted, the final appearance may change somewhat for graphic purposes.

Councilman Strege referred to the letter received from the Natural Systems Committee. Jack Creighton, Director of Planning, indicated that substantial review opportunities have been provided and commented on the established function of the committee. He further said that should the committee wish to review the document and submit comments to the Planning Commission that could be done.

The plan amendment process was briefly discussed. Mr. Quilici advised that the Planning Commission is presently discussing the process and will formally adopt a procedure in the near future. The intent is to have a periodic review perhaps not more than two to three years.

Deputy Mayor Nielsen asked if there were any comments from the audience. There were none.

Councilman Kirby said that he would like to amend the Generalized Land Use Plan Map on Page 53 to say as follows: "that the medium intensity line on the property commonly known as Wapato Hills between South 56th and

South 64th Street from Sprague Street to the single family residence to the west be moved to the middle of Summit Street extended as shown the Exhibit he submitted, following the topography roughly back to was taken and carried.

Deputy Mayor Nielsen moved that the Generalized Land Use Plan be amended as follows: "change the intensity for the area lying between South 68th Street and South 72nd Street from Portland Avenue easterly to about 130 feet west of Sonia Street from low intensity to medium intensity." Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

After considering all information submitted and available, including all public testimony, Council moved to approve the plan as amended.

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

Resolution No. 26396

Authorizing execution of an agreement with the Washington State Department of Fisheries relative to the construction and operation of a public fishing pier on Ruston Way.

Councilman Strege moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26397

Authorizing execution of an amended agreement with Deloitte, Haskins & Sells for additional management consulting services relative to the PTBA.

Councilman Hawkins moved that the Resolution be adopted. Seconded by Councilman Strege. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26398

Authorizing execution of an application for an Urban Development Action Grant for rehabilitation and redevelopment of the Old City Hall.

Councilman Sutherland moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26399

Authorizing execution of a lease agreement with the Trustees of the YWCA relative to providing shelter for battered women and children.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

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Resolution No. 26400

Authorizing execution of an agreement with August Gene Grulich for consultant services relative to renovation of a portion of the YWCA building.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The Resolution

Resolution No. 26401

Authorizing execution of an agreement with Winton, Huntington & Associates, Inc., to recruit a project manager to coordinate construction of a sports/convention center.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26402

Authorizing execution of a contract retaining Owen Douglas as a marine technical consultant to monitor the contract for construction of two Multi-Purpose Harbor Service Craft and for testing of said craft.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

Resolution No. 26403

Authorizing execution of a collective bargaining agreement with Teamsters, Chauffeurs, Warehousemen and Helpers Union Local #313.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Councilman Sutherland. Voice vote was taken and carried. The Resolution was declared adopted.

PUBLIC HEARINGS:

b. This is the date set for meeting with initiating parties concerning annexation in the vicinity of Marine View Drive and Slayden Road. (Nevin C. White, et al)

Councilman Sutherland said he would not be sitting in on consideration of this annexation due to the appearance of fairness doctrine. Councilman Sutherland left the Council Chambers.

George Hoivik, Assistant Planning Department Director, reviewed the area of the petition for annexation. He said that State law requires that a meeting between the initiating parties and the City Council be held.

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He also said that the Council needs to make three findings: 1) Will the City of Tacoma accept a properly signed annexation petition representing at least 75% of the assessed valuation of the proposed annexation area; 2) Upon annexation, will the annexed area be required to assume the existing bonded indebtness of the City of Tacoma and 3) Will a comprehensive plan for the proposed annexation area be required prior to final annexation action.

Speaking on behalf of the petitioners was Tom Fishburn, Attorney. No one else spoke.

Councilwoman Bichsel moved that the Council request the City Manager to bring to the City Council a resolution next week for reply to the following three questions: 1) Willythe City of Tacoma accept a properly signed annexation petition representing at least 75% of the assessed valuation of the proposed annexation area? 2) Upon annexation, will the annexed area be required to assume the existing bonded indebtness of the City of Tacoma? and 3) Will a comprehensive plan for the proposed annexation area be required prior to final annexation action. Seconded by Councilman Hawkins. Voice vote was taken and carried.

REPORTS BY CITY MANAGER:

The City Manager advised that Mr. Andy Michels of the Personnel Department has a request for waiver of residence. Mr. Michels requested that a residence waiver be granted in order that Jacob Fey be hired as Energy Conservation Coordinator. He presently resides in Olympia and plans to move into the City.

Councilman Hawkins moved that the request be granted. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Deputy Mayor Nielsen advised that next week there will be a reception, hosted by the Puget Sound National Bank, the Tacoma Pierce County Chamber of Commerce and the Downtown Tacoma Association, honoring Schoenfelds William W. Swensen and Company, Tacoma Savings and Loan Association, University of Puget Sound and Weyerhaeuser Company. The reception would not end until 6:00 p.m. He therefore moved that the regular City Council meeting of Tuesday, May 6, 1980 be held at 6:00 p.m. rather then 5:00 p.m. Seconded by Councilman Hawkins. Voice vote was taken and carried.

Deputy Mayor Nielsen instructed that proper notice be made of the change in the meeting time.

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Councilman Hawkins referred to a communication he distributed to and advised that an officer of the U.S. Department of Transportation will funding.

On proper motion, the meeting adjourned at 7:35 p.m.

HAROLD E. NIELSEN, JR. - DEPOTY MAYOR

ATTEST

CATHERINE URSICH

ACTING CITY CLERK