

CITY COUNCIL MINUTES

City Council Chambers
January 14, 1986

The meeting was called to order at 5:05 p.m.

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

The Flag Salute was led by Council Member Nielsen.

CONSENT AGENDA

Approval of the minutes of the regular meeting of January 7, 1986.

FIRST READING OF ORDINANCES:

Ordinance No. 23543

Authorizing acceptance of a gift from Occidental Chemical Corporation of a railroad tank car to be used by the Tacoma Fire Department for training purposes.

Ordinance No. 23544

Authorizing acceptance of a donation of a Baldwin Console Organ from Mrs. Peggy Leach for the Beacon Senior Center.

RESOLUTIONS:

Resolution No. 29035

Setting Tuesday, February 18, 1986 at 9:30 a.m. as the date for hearing by the Hearings Examiner the request to vacate a portion of Olympic Boulevard at Sixth Avenue between Howard Street and Skyline Drive. (Tacoma Public Library; File No. 124.807)

Resolution No. 29043

Authorizing the submission of a grant application in the amount of \$22,160.00 to the State of Washington Department of Community Development to assist local businesses interested in international trade.

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APPEALS:

Henry Richardson III appealing the denial of his application for a Guard License by the Department of Tax and License.

Setting Wednesday, January 22, 1986 at 9:00 a.m. as the date for hearing by the Hearings Examiner.

ASSESSMENT ROLLS:

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

L.I.D. No. 8426 for the placement of cement concrete alley paving in the north-south alley between North Washington Street and North Adams Street from North 12th Street to North 13th Street.

Setting Monday, February 10, 1986 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, January 14, 1986.
- b. Minutes of the meeting of the Civil Service Board, December 16, 1985.
- c. Minutes of the public hearing of the Landmarks Preservation Commission, December 4, 1985.
- d. Minutes of the meetings of the Landmarks Preservation Commission, December 4, 1985 and December 11, 1985.
- e. Minutes of the meeting of the Municipal Authority, December 19, 1985.
- f. Minutes of the meetings of the Tacoma Planning Commission, December 2, 1985 and December 16, 1985.
- g. Minutes of the meeting of the Tacoma Public Library Board of Trustees, November 18, 1985 and the continuation of the meeting on November 19, 1985.
- h. Petitions from business owners and residents requesting a vehicular overpass over SR-16 at Mildred Street.
- i. Minutes of the meetings of the Pacific Avenue Advisory Committee, November 7, 1985, November 14, 1985 and November 26, 1985.

Deputy Mayor Rasmussen moved that the Consent Agenda, including First Reading of Ordinance Nos. 23543 and 23544 and Resolution Nos. 29035 and 29043, be approved. Seconded by Council Member Hyde. Voice vote was taken and carried. The Consent Agenda was declared approved.

REGULAR AGENDA

COMMUNICATIONS:

- a. City Attorney submitting proposed alternatives on the decision of the appeal of Champion International Corporation regarding Audit Assessment Notice AD5109 (File No. T-52940).

Robert Backstein, City Attorney, reviewed the circumstances regarding the appeal and stated that he had submitted a memo to the Council outlining the possible options.

Mayor Sutherland read into the record the three possible motions under discussion from the City Attorney's memo.

Council Member Warrick moved to modify the decision of the Hearings Examiner by concurring with his decision on the taxes for the reasons set forth in the Hearings Examiner's decision, but moved to modify specifically the decision of the Hearings Examiner with regard to statutory interest and penalties by deleting the following amounts: \$11,609.51 for tax penalty, for the reason that, due to actions by both the City and the taxpayer, confusion and delay were created with regard to whether the amount of taxes was in fact due, thereby allowing ~~interest and/or~~ penalties to be placed upon this assessment, and, for that reason, the ~~interest or~~ penalties should be reduced as set forth above, on the condition that the matter not be appealed. If appealed, however, the waiver of the penalty would not be granted, and the court should decide all of the issues.

The motion was seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried, with Council Member Mykland voting "Nay," and Council Member Hyde abstaining. The motion was declared adopted.

- b. City Attorney requesting that the rezone files from Tacoma Inns, Inc.; File No. 120.936 and Department of Public Works, File No. 120.956 be withdrawn and terminated.

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

- c. City Attorney requesting that the street vacation request of John D. Ehrhart; File No. 124.763 be withdrawn and terminated.

Mayor Sutherland moved to concur in the recommendation of the City Attorney. Seconded by Council Member Nielsen. Voice vote was taken and carried. The motion was declared adopted.

- d. Hearings Examiner recommending approval of her decision relative to the appeal of Joy Motor Freight of Audit Assessment Notice AD5356 by the Department of Tax and License.

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

- e. Hearings Examiner recommending that Resolution No. 28667 which extends one-way traffic on Broadway northbound from South 7th Street to South 4th Street not be implemented.

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

Mayor Sutherland proclaimed the day of January 20, 1986, to be "Martin Luther King, Jr. Day," and presented the proclamation to Mr. Allen Correll of the Human Rights Department and Dr. Dolores Silas of the Human Rights Commission.

FINAL READING OF ORDINANCES:

Ordinance No. 23509

Vacating portions of the easterly 40 feet of Lawrence Street from North 14th Street to the alley between North 15th and North 16th Streets and small portions of adjacent alley rights-of-way to renovate and construct an addition to the existing Student Union Building. (University of Puget Sound: File No. 124.797)

Council Member Nielsen moved to consider revised Ordinance No. 23509. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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

Ayes: 8 - Hyde, Ladenburg, McElliot, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

Abstaining: 1 - Mykland.

The Ordinance was declared passed.

Ordinance No. 23541

Authorizing the execution of a grant award contract with the Washington State Department of Natural Resources in the amount of \$25,621.00; depositing said sum in the Miscellaneous Grants Summary Fund; transferring \$8,540.00 from the Vacated Street Right-of-Way Fund to the Miscellaneous Grants Summary Fund; and appropriating \$34,161.00 from the Miscellaneous Grants Summary Fund to construct a small waterfront park and beach access ramp at Knox Street and Ruston Way.

Roll call vote was taken, resulting as follows:

City Council Minutes - Page 5 - January 14, 1986

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 23542

Amending the Pay and Compensation Plan to extend the Bus Pass Subsidy Program for City of Tacoma employees for the period January 1, 1986 through December 31, 1986.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Hyde, Ladenburg, McElliott, Mykland, Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 23545

Amending the Pay and Compensation Plan to establish 1985 and 1986 rates of pay for the International Brotherhood of Electrical Workers Local 483, Water Pollution Control Unit, and establishing four new classifications.

The Ordinance was set over for final reading next week.

Ordinance No. 23546

Authorizing the execution of a grant award contract in the amount of \$42,242.00 with the Washington State Energy Office; depositing said sum in the Miscellaneous Grants Summary Fund; and appropriating said sum from the Miscellaneous Grants Summary Fund to perform technical assistance energy conservation studies of the County-City Building.

The Ordinance was set over for final reading next week.

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5

RESOLUTIONS:

Resolution No. 28893 (Continued from the meeting of December 10, 1985.)

Adopting the Policy Statement for implementation of the Twelfth Year Community Development Block Grant Program.

Council Member Stenger moved to amend revised Exhibit A under Section Number A.5., on line 5, to delete the words: "The Capital Improvement Program, repayments of UDAG loans previously made to the City," and "I includes CDBG funds repaid to the CDBG program by the University of Puget Sound Law Center.)". Seconded by Deputy Mayor Rasmussen. Roll call vote was taken, resulting as follows: Ayes: 5 - Nielsen, Rasmussen, Stenger, Warrick, and Mayor Sutherland. Nays: 4 - Hyde, Ladenburg, McElliott, and Mykland. The motion was declared adopted.

Mayor Sutherland moved to set aside 21 percent for housing, 4.5 percent for streets, and 5 percent for open space considerations on revised Exhibit A. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

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

Resolution No. 29014 (Continued from the meeting of January 7, 1986.)

Authorizing the turning back of \$3,772,000.00 in Urban Arterial Trust Funds allocated to the City of Tacoma for the Taylor Way - Lincoln Avenue - East-West Road project to the Urban Arterial Trust Fund of the State of Washington due to insufficient local matching funds for the project.

Mayor Sutherland moved to remove Resolution No. 29014 from the agenda. Seconded by Deputy Mayor Rasmussen. Voice vote was taken and carried. The motion was declared adopted.

Resolution No. 29014 was removed from the agenda.

Mayor Sutherland stated that the Council would consider Public Hearings and Appeals next.

PUBLIC HEARINGS AND APPEALS: (Will begin at approximately 6:00 p.m.)

This is the date set for a public hearing on the issuance of industrial revenue bonds in the amount of \$20,900,000.00 for EPI-Tacoma, Inc. for the construction of a steam energy generation plant in the Port of Tacoma Tideflats area.

Deputy Mayor Rasmussen announced that he would abstain from consideration of this matter and left the Council Chambers.

Mr. Keith Palmquist, Community Development Department, made a presentation to the Council regarding this matter. He then introduced Mr. Norman K. Sowards, President of Energy Products of Idaho, Inc., who gave a presentation about his company.

Mayor Sutherland called for public testimony.

There being no testimony, the public hearing was declared closed at 6:15 p.m.

Purchase Resolution No. 29044

Awarding contracts to:

1. American Building Maintenance Company on their bid of \$74,205.00 for janitorial services for the Tacoma Municipal Building - Specification No. G-187-85;
2. R&L Trucking and Construction, Inc. on their bid of \$26,665.68 (aggregates and sand) and Utah/GSL Salt Company on their bid of \$20,405.40 (salt) for furnishing, hauling and stockpiling aggregates and salt - Specification No. G-199-85;
3. Jones Chemicals, Inc. on their bid of \$51,305.52 for the 1986 chlorine gas supply - Public Utilities Department Specification No. 1361-W; and
4. Motorola Communications & Electronics on their bid of \$25,686.75 for the purchase of a communications tower - Washington State Contract No. 546-77.

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

Council Member Nielsen moved to continue Purchase Item No. 4 to the meeting of January 21, 1986. Seconded by Council Member Stenger. Voice vote was taken and carried. The motion was declared adopted.

Purchase Item No. 4 will be considered at the regular City Council meeting of January 21, 1986.

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

Resolution No. 29045

Authorizing the combining of the \$28,000.00 allocated for capital improvements to the Lighthouse Senior Center and the \$12,500.00 allocated for capital improvements to the Beacon Senior Center into a single allocation to be used for renovation and improvements at both facilities.

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

Resolution No. 29046

Authorizing the execution of a collective bargaining agreement with the International Brotherhood of Electrical Workers Local 483, Water Pollution Control Unit, effective January 1, 1985 through December 31, 1986.

Council Member Hyde moved to continue Resolution No. 29046 to the meeting of January 21, 1986. Seconded by Council Member Ladenburg. Voice vote was taken and carried. The motion was declared adopted.

The Resolution will be considered at the regular City Council meeting of January 21, 1986.

Resolution No. 29047

Authorizing the execution of a contract with the Tacoma Dome Associates for \$51,576.50 for repairs to removable seats and handrail safety modifications at the Tacoma Dome.

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

Resolution No. 29048

Authorizing the execution of an amendment to the Neighborhood Housing Services Agreement to extend the final date for commitment of funds from December 1, 1985 to June 30, 1986.

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

Resolution No. 29049

Authorizing the execution of an amended agreement with the Tacoma-Pierce County Economic Development Board to formulate programs and implement strategies for economic development.

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

Speaking to the Council was:

Brian Pelly

Economic Development Board

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

Resolution No. 29050

Authorizing the execution of an agreement with the Progress House Association in the amount of \$50,000.00 to provide case management counseling and followup for youth offenders.

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

Resolution No. 29051

Authorizing the execution of a promissory note in the amount of \$173,990.00 and a Loan Guarantee Contract with the Department of Housing and Urban Development for participation in the Section 108 Loan Guarantee Demonstration Program.

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

Resolution No. 29052

Authorizing the submission of Tacoma City Ordinance No. 23547, which directs the City of Tacoma to submit a resolution to the State's elected representatives in the United States House of Representatives and the United States Senate regarding "No First Use of Nuclear Weapons," to the qualified electors of the City of Tacoma at the general election on November 4, 1986.

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

Speaking to the Council were:

George Thomlin

"Tacomans for No First
Use of Nuclear Weapons"

Ron Culpepper

"Tacomans for No First
Use of Nuclear Weapons"

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Mayor Sutherland moved to continue Resolution No. 29052 to August 12, 1986. Seconded by Council Member Nielsen.

Roll call vote was taken, resulting as follows: Ayes: 4 - McElliott, Nielsen, Rasmussen, and Mayor Sutherland. Nays: 5 - Hyde, Ladenburg, Mykland, Stenger, and Warnick.

The motion was declared failed.

Roll call vote was taken on Resolution No. 29052, resulting as follows: Ayes: 7 - Hyde, Ladenburg, Mykland, Nielsen, Rasmussen, Stenger, and Warnick. Nays: 2 - McElliott and Mayor Sutherland. The Resolution was declared adopted.

REPORTS BY CITY MANAGER:

Erling O. Mork, City Manager, stated that the Personnel/Labor Relations Director had a residency waiver request to present to the Council.

Richard Sokolowski requested a residency waiver for Ms. Shirley Courtois, Historic Preservation Officer.

Deputy Mayor Rasmussen moved to grant a one-year residency waiver for Ms. Courtois. Seconded by Council Member Hyde. Voice vote was taken and carried, with Council Member Stenger voting "Nay." The motion was declared adopted.

Council Member Hyde requested that a more readable calendar be placed in the Council Conference Room.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

On proper motion, the meeting adjourned at 6:50 p.m.


DOUG SUTHERLAND, MAYOR

ATTEST:


GENELLE BIRK, CITY CLERK

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