

CITY COUNCIL MINUTES

City Council Chambers
December 28, 1976

The meeting was called to order at 5:08 p.m. by Deputy Mayor Warnick.

Present on roll call: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege and Deputy Mayor Warnick. Absent: 1 - Mayor Johnston.

The Flag Salute was led by Mr. Schroeder.

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

Approval of the minutes of the special and regular meetings of December 21, 1976.

PETITIONS:

Charles M. & Georgimay G. Weick requesting the rezoning of the property located on the northeast corner of the 5500 Block of Brown's Point Blvd. from an "R-1" to an "R-3" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 24204

Setting Tuesday, January 18, 1977 at 1:30 p.m. as the date for hearing by the Hearings Examiner the vacation of a portion of East "E" Street, East "F" Street and East 32nd Street. (Public Works Department)

Resolution No. 24217

Setting Monday, January 24, 1977 at 4:00 p.m. as the date for hearing L.I.D. 5568 for constructing water mains in 66th Ave. East from 96th St. East to approximately 930 feet south and in 96th St. East from 66th Avenue East to Pipe Line No. 4 right-of-way.

ASSESSMENT ROLLS:

The Director of Public Works presents the assessment roll for the following:

L.I.D. 8118 - asphalt concrete pavement in the alley between Thompson Avenue and South "J" Street from South 43rd to South 45th Street.

Fixing Monday, January 24, 1977 at 4:00 p.m. as the date for hearing.

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ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Pierce County Commissioners meetings of December 13 & 14, 1976.
- b. Minutes of Community Development Citizens Advisory Committee Public Hearing 3rd District of December 9 and 4th District of December 8, 1976.
- c. Minutes of Tacoma Employees' Retirement System meeting of November 18, 1976.
- d. Minutes of Public Utility Board meeting of December 8, 1976.
- e. Minutes of Tacoma Public Library Board of Trustees meeting of November 16, 1976.
- f. Minutes of Board of Park Commissioners meeting of December 13, 1976.
- g. Monthly report, October, 1976, Personnel Department.
- h. Monthly report, November, 1976, Police Department.
- i. Monthly financial report, October, 1976, Belt Line Railway, Light and Water Divisions.

Mr. Nelson moved that all of the items listed on the Consent Agenda, including Resolution Nos. 24204 and 24217, be approved. Seconded by Mr. Schroeder. 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:

William J. Barker, Assistant City Attorney, requesting Street Vacation Request No. 124.478 and Rezone Request No. 120.640A of George Economou be closed. (Continued from the meeting of November 18, 1975)

Mr. Crawford of Sipes & Sons requested that this be continued for at least six months to a year as Mr. Economou is progressing with his plans and expects to be ready by that time.

After discussion, Mr. Warnick moved to grant a six months time extension for all the conditions placed on the requested vacation and rezone to be met. Seconded by Mr. Strege. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20879

Amending Chapter 13.06 of the Official Code to reclassify the northeast corner of South 37th Street and Pacific Avenue from an "R-3" to an "R-3-T" and "C-1" District. (Lundstrom, Inc.)

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

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Substitute Ordinance No. 20929

Amending Section 1.30.360 of the Official Code to revise the contributions of the Tacoma Employees' Retirement System and declaring the effective date of the amendment.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20948

Authorizing execution of an agreement with the State of Washington Department of Social & Health Services and the American Public Welfare Association for the purpose of continuing a Community Coordination Project and appropriating the sum of \$23,661.00, or so much thereof as may be necessary, from the Community Coordinator Fund No. 177 for the purpose of carrying out the project, 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 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20949

Appropriating the sum of \$47,864.00, or so much thereof as may be necessary, from the South End Youth Services Bureau Fund No. 168 for the purpose of operating the South End Youth Services Bureau Center from January 1, 1977 through September 30, 1977 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 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

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Ordinance No. 20950

Authorizing the acceptance of the sum of \$92.00 from Pacific Lutheran University, the transfer of the sum of \$365.00 from the General Fund to the Work Study Program Fund and appropriating the sum of \$457.00, or so much thereof as may be necessary, for the purpose of providing additional funds for the Work Study Program administered by the Department of Human Development.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20951

Repealing and reenacting Section 3 of Ordinance No. 15928 to set the Equipment Rental Rate Schedule effective January 1, 1977.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20952

Appropriating the sum of \$31,500.00, or so much thereof as may be necessary, from the General Fund to the Bicentennial Pavilion Revolving Fund No. 560, appropriating the sum of \$21,500.00 from said Fund No. 560 for the purpose of operating the Bicentennial Pavilion through December 31, 1976 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 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

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Ordinance No. 20953

Appropriating the sum of \$334,626.00, or so much thereof as may be necessary from the Federal Shared Revenue Fund No. 199 for the purpose of continuing, establishing and operating certain social service programs and declaring an emergency making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mr. Sonntag moved the following amendment: On page 1, line 21 ("J" Street Home for Boys) change the figure \$20,000 to \$5,700; On line 23 (Youth Activity Coalition) change the figure \$35,000 to \$17,500; On line 24 (Drug Services System) change the figure \$15,500 to \$28,000; On line 26 (Recreation and Leisure Time) change the figure \$19,890 to \$18,190; On page 2, line 4 (Offender Assistance) change the figure \$15,000 to \$36,000, and add a new section to be known as Section 3 to read as follows: "That the Offender Assistance Program be allotted three staff positions from the Comprehensive and Training Act Funds to be used to fill two employment training specialists positions and one clerical position and that the City Manager shall conduct a review of management and administrative policies of this program and that said review shall be completed by 1 June 1977 and that the findings and conclusions of said review be presented to this Council by 1 July 1977. Seconded by Mrs. Bichsel.

Mel Jackson, Director of Department of Human Development, reported on the review of the administrative staff of his department of all the programs and asked that funds for the programs Youth Activity Coalition, "J" Street Home for Boys and Recreation and Leisure Time not be reduced.

In reference to the addition of Section 3, Bob Hamilton, City Attorney, cautioned that this Ordinance relates solely to Federal Revenue Sharing Funds and the use of CETA funds would more properly be done by separate ordinance.

Severo Esquivel, Assistant City Manager, said a clarification is necessary as to whether the proposed changes were in the personal services or in the M & O categories. He recommended that on the Recreation & Leisure Time program the reduction be made in the M & O item and that on the Offender Assistance program he recommended that all of the \$ 36,000 be in the M & O account since it would be a contract.

Mr. Sonntag asked that this be incorporated into his amendment.

Mrs. Bichsel concurred with the proposed amendment.

Speaking on the amendment were Dennis Flannigan of the Pierce County Drug Alliance; Lisa Mirato, Pierce County Homes for Youth; Thomas Dixon, Executive Director of the Urban League; Dan Anderson, Manager of the Methadone Program; John Well, client of the Tacoma Urban League.

Mr. Sonntag removed from his motion the addition of Section 3 to the Ordinance. Mrs. Bichsel concurred.

After further discussion on the amending motion, Deputy Mayor Warnick called for the roll on the amendment resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 1 - Hudson. Absent: 1 - Mayor Johnston. The motion carried.

Mr. Strege moved that the Council request the City Attorney to prepare an ordinance to appropriate \$32,000 from the Contingency Fund for the operation of the first six months of 1977 of the Mary Bridge Prenatal and Infant Nutrition Program, the Family Clinic and the Eastside Clinic and declare the Council's intent to expend the money on their behalf.

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Seconded by Mrs. Bichsel.

Mrs. Meyers of the Mary Bridge Hospital gave a review of the services of the program.

After discussion, roll call was taken on the motion, resulting in Ayes: 7 - Bichsel, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick. Nays: 1 - Hudson. Absent: 1 - Mayor Johnston. The motion carried.

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

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance as amended was declared passed.

Ordinance No. 20954

Amending Section 1.12.140 of the Pay & Compensation Plan relative to requirements for holiday pay for part-time and temporary employees and establishing the effective date.

Roll call was taken, resulting as follows:

Ayes: 8 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

Ordinance No. 20956

Creating a new fund to be known as the "Cumulative Reserve for Art Fund", appropriating the sum of \$2,200.00 from the General Fund to the "Cumulative Reserve for Art Fund" 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: 7 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Strege, Warnick

Nays: 1 - Sonntag

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

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Ordinance No. 20957

Appropriating the sum of \$134,026.00, or so much thereof as may be necessary from the County-City Public Health Pooling Fund No. 650 to cover increased costs of operation of the Health Department during calendar year 1976 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 - Bichsel, Hudson, Nelson, Nielsen, Schroeder, Sonntag, Strege, Warnick

Nays: 0

Absent: 1 - Mayor Johnston

The Ordinance was declared passed.

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RESOLUTIONS:

Purchase Resolution No. 24205

Awarding contracts to: (1) Kentucky Fried Chicken on its bid of \$1.18 per meal (205 meals/day) for Catering Services/Hot Meals; and (2) Jones Chemicals, Inc. on its bid of \$170/T for Item #2 and rejecting all bids for Item #1 for Annual Supply of Chlorine Gas.

Mr. Nelson moved that items number (1) and (2) be considered separately on the Resolution. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mr. Hudson moved to adopt item (1). Seconded by Mrs. Bichsel.

Larry Langevin, owner of Vern's Charbroiler Restaurant on Pacific Avenue, asked that the contract be awarded to his firm as it is a locally owned business operating in the downtown area with union help providing jobs to residents of Tacoma and providing the services required in the contract.

Speaking against the contract to Kentucky Fried Chicken was Bill Pollock, 907 South Verde and Tony Passanante, 4406 North 11th.

Mel Jackson, Director of the Department of Human Development, advised that if the contract were awarded to Vern's Charbroiler the number of meals served would be fewer as their budget is limited. The \$1.18 bid of Kentucky Fried Chicken would provide 205 meals a day, while if the \$1.30 per meal of Vern's Charbroiler were used, the number of meals provided would not be 205.

After discussion, Mr. Nelson moved to award the contract to the second low bidder. Seconded by Mr. Strege.

An opinion was requested of the City Attorney as to whether a contract could be granted to the high bidder.

Bob Hamilton, City Attorney, advised that in his opinion a contract could not be awarded simply on the basis of being a union shop, but rather on the services rendered.

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Deputy Mayor Warnick ruled the amendment out of order based on the City Attorney's opinion.

Roll call vote was taken on the motion to award the contract to Kentucky Fried Chicken, resulting in Ayes: 5 - Bichsel, Hudson, Nielsen, Schroeder, Warnick. Nays: 3 - Nelson, Sonntag, Strege. Absent: 1 - Mayor Johnston. The motion carried.

Mr. Schroeder moved to adopt item (2) of the Resolution. Seconded by Mr. Strege. Voice vote was taken and carried.

Both items (1) and (2) of the Resolution having been approved, the Resolution was declared adopted.

Resolution No. 24206

Authorizing the sale of surplus vehicles to certain highest bidders.

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

Resolution No. 24207

Rejecting all bids for radio communications maintenance and extending the 1976 maintenance contract through January 31, 1977.

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

Resolution No. 24208

Rejecting bid received for taxi service for senior citizens and handicapped residents and awarding contract to Yellow Cab Company.

Mr. Hudson moved that the Resolution be adopted. Seconded by Mr. Strege.

R.H. Benedetti, attorney representing the Kay Street Taxi Company and the Highland Hill Taxi, objected to the requirement that any cab company submitting a bid must have at least ten cabs. He advised that neither of his clients could meet that requirement. They were advised that they could not submit a bid together. He suggested that further input is needed and a meeting should be held between all the parties concerned and asked that Council continue the matter until further input could be made.

Jack Lohre, General Manager of the Kay Street Taxi Cab Company, asked that provisions be made to enable his company to bid.

After discussion, Mr. Sonntag moved to continue the Resolution for four weeks, and that the necessary Resolution be brought in to extend the present taxi cab contract until this matter is resolved. Seconded by Mr. Nelson. Roll call vote resulted in Ayes: 5 - Nelson, Nielsen, Schroeder, Sonntag, Strege. Nays: 3 - Bichsel, Hudson, Warnick. Absent: 1 - Mayor Johnston. The Resolution was continued for four weeks.

Resolution No. 24209

Authorizing the sale of surplus property in the vicinity of 6717 East "B" to Mary Yonemura, the abutting property owner, for the sum of \$220.00.

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

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Resolution No. 24210

Authorizing the proper officials of the City of Tacoma to file a task application with the Washington State Traffic Safety Commission for the purpose of conducting a pedestrian safety study.

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

Resolution No. 24211

Authorizing the proper officers of the City to execute a deed to Robert L. Stein in exchange for other property in the vicinity of East 40th & Portland Avenue.

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

Resolution No. 24212

Providing that the Board of Administration of Tacoma Employees' Retirement System be permitted to enter into a contract with Milliman & Robertson, Inc. to provide actuarial consultation for the year 1977 at a cost not to exceed \$8,400.00.

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

Resolution No. 24213

Ensuring that non-represented employees of the Tacoma-Pierce County Health Department receive a cost of living increase retroactive to January 1, 1977 until such time as total benefits have been approved.

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

Resolution No. 24214

Designating the Henry Drum House as a City of Tacoma Historic Landmark.

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

Resolution No. 24215

Designating the William Rust House as a City of Tacoma Historic Landmark.

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

Resolution No. 24216

Designating the Tacoma Armory as a City of Tacoma Historic Landmark.

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

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Resolution No. 24218

Implementing the provisions for longevity pay for unrepresented employees as outlined in Ordinance 20938 effective January 1, 1977.

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

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Mr. Sonntag moved that the Offender Assistance Program be allotted three staff positions from the Comprehensive Employment Training Act Funds to be used to fill two employment Training Specialist positions and one clerical position and that the City Manager shall conduct a review of management administrative policies of this program and that said review shall be completed by 1 June 1977 and that the findings and conclusions of said review be presented to this Council by 1 July 1977. Seconded by Mr. Nielsen. Voice vote was taken and carried.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Deputy Mayor Warnick asked that the City Manager's Office contact him regarding funding of some of the programs discussed at tonight's meeting.

On proper motion, the meeting adjourned at 8:10 p.m.

Jack Warnick

JACK WARNICK - DEPUTY MAYOR

ATTEST: *Catherine Ursich*

CATHERINE URSICH - DEPUTY CITY CLERK