

CITY COUNCIL MINUTES

City Council Chambers
December 14, 1982

The meeting was called to order at 5:04 p.m.

Present on roll call: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

The Flag Salute was led by Councilman Hyde.

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

Approval of the minutes of the regular meeting of December 7, 1982.

PETITIONS:

Bruce Brown Jr. and William Rankin requesting the reclassification of the property located at the southeast corner of South 48th and Oakes Streets from an "R-2" to a "C-2" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 27665

Setting Monday, January 10, 1983 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 3854 for the construction of sanitary sewers in South 14th Street from Brookside Terrace east 300 feet, more or less; Brookside Terrace from South 14th Street south 200 feet, more or less; and in the easement from South 14th Street and Brookside Terrace west to Lewis Road.

Resolution No. 27666

Setting Tuesday, February 1, 1983 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request to vacate North "E" Street between North 2nd Street and North 3rd Street. (Tacoma School District No. 10)

APPEALS:

- a. Vernon Chambers appealing the denial of his application for a For-Hire Vehicle Driver's License by the Department of Tax & License.

Setting Tuesday, January 4, 1983 at 12:30 p.m. as the date for hearing by the Hearings Examiner.

- b. Roy E. Raney appealing the denial of his application for Guard License renewal by the Department of Tax & License.

Setting Tuesday, January 4, 1983 at 1:00 p.m. as the date for hearing by the Hearings Examiner.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's Agenda for Tuesday, December 14, 1982.
- b. Minutes of the meeting of the Public Utility Board, November 24, 1982.
- c. Minutes of the meeting of the Tacoma Planning Commission, November 1, 1982.
- d. Monthly report of the Director of Finance, October 1982.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 27665 and 27666, be approved. Seconded by Deputy Mayor Nielsen. 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:

Hearings Examiner recommending approval of the request of Restaurants Unlimited, Inc., DBA Clinkerdagger's, for Shoreline Development/ Conditional Use Permit No. 141,284 to allow the expansion of an existing restaurant parking lot and the construction of a pile supported overwater deck addition to the property located on the northerly side of Ruston Way adjacent to Warner Street extended.

Mayor Sutherland moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Councilman Hyde. Roll call vote was taken, resulting as follows: Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland. Nays: 0.

FINAL READING OF ORDINANCES:

Ordinance No. 22670

Vacating a portion of South 37th Street between Cedar and Lawrence Streets. (Jan Brekke)

Mayor Sutherland moved to approve the revision to Ordinance No. 22670 which revised the easement to include all utilities. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance, as revised, was declared passed.

Ordinance No. 22765

Vacating the northerly 10 feet of East 3rd Street between East "D" Street and East "F" Street. (Time Oil Company)

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22823

Accepting contributions from Ben B. Cheney Foundation, Cornerstone Development Company, Hillhaven Corporation, and Concrete Technology Corporation in the total sum of \$12,100.00; authorizing the deposit and transfer of certain specified funds; and appropriating \$24,100.00, or as much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for the Civic Arts Commission's Joint Sponsorship Program, the Broadway Plaza Public Art Project, and the 1983 Summer Pops! project.

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22826

Amending Section 13.05.010 of the Official Code to change the definition of building height to conform with the Uniform Building Code, and to include a method of identifying "grade."

Roll call vote was taken, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The Ordinance was declared passed.

Ordinance No. 22827

Adopting the Annual Budget of the City of Tacoma for 1983.

Mayor Sutherland moved to suspend the rules to consider Ordinance No. 22827 as revised. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared approved.

Councilman Ladenburg moved that the City fund the following projects and that the funding come from the Contingency Fund appropriation as part of the 1983 Budget Ordinance:

- . \$20,000 to be appropriated in the 6510 Health Revolving Fund for the Commencement Bay Match Program - Environmental Health Inspector.
- . \$46,000 to be appropriated to the Tacoma Public Library Fund for the Municipal Reference Branch Library.
- . \$17,000 to be appropriated to the Municipal Cable T.V. Fund for a computerized Video Cassette Player/Changer and other necessary equipment.
- . \$10,000 to be appropriated to the Personnel Department, Training & Development Division for Management Improvement programs.

Seconded by Deputy Mayor Nielsen. Roll call vote was taken on the amendment, resulting as follows:

Ayes: 9 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

The amendment was declared approved.

Councilman Strege moved to make the following amendment to Budget Ordinance No. 22827 to add Section 3 as follows:

Provided, that the City Council is seriously concerned with the cost of operating City government and hereby directs the City Manager to:

- (1) investigate the feasibility of reducing the number of high level, administrative officials;
- (2) study the possibility of considering contributions to the Tacoma Narrows Airport as a loan, or studying actions to reduce future General Fund contributions;
- (3) review methods of reducing the telephone system's cost overruns;
- (4) market the General Fund-owned property at 100th Street S.W.;
- (5) reduce non-essential, non-personnel costs as possible;
- (6) evaluate the data processing expenditures and recommend any cost savings;
- (7) discuss with the Director of Public Utilities and other appropriate officials, possible consolidations that could reduce costs; and
- (8) recommend other budget adjustments during 1983 to limit the costs of City government while maintaining, where possible, existing services.

Seconded by Councilman Hyde.

Deputy Mayor Nielsen moved to amend the amendment on Item (4) to insert the language "investigate the feasibility of marketing" in place of the word "market." Seconded by Councilman Rasmussen. Voice vote was taken and carried. Item (4) was declared amended.

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

Ayes: 8 - Bichsel, Hawkins, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, and Strege.

Nays: 1 - Mayor Sutherland.

The amendment was declared approved.

Mayor Sutherland moved to amend the Budget Ordinance to replace the figures on Page 1, Lines 16.5, 19, 19.5 and Page 2, Lines 9.5 and 11.5 as follows:

Page 1, Line 16.5	\$ 307,000
Page 1, Line 19	\$ 3,710,135
Page 1, Line 19.5	\$ 127,436
Page 2, Line 9.5	\$ 3,020,000
Page 2, Line 11.5	\$384,999,046

Seconded by Councilman Hyde. Voice vote was taken and carried. The amendment was declared approved.

Roll call vote was taken on Ordinance No. 22827, as amended, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 1 - Hawkins.

The Ordinance, as amended, was declared passed.

Ordinance No. 22828

Authorizing the transfer of \$350,000.00 from the Medical Arts Construction Fund to the General Fund; appropriating said sum, or so much thereof as may be necessary, from the General Fund for remodeling portions of the County-City Building; and declaring an emergency, making necessary the passage of this ordinance and its taking effect immediately upon publication.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 1 - Hawkins.

The Ordinance was declared passed.

Ordinance No. 22829

Amending Section 6.87.070 of the Official Code relating to the sales tax, and declaring an emergency, making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Sutherland called for public testimony on the Ordinance.

No one from the public appeared to speak.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hyde, Kirby, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 1 - Hawkins.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Ordinance No. 22830

Amending Chapter 13.06 of the Official Code to reclassify the west side of South Yakima Avenue approximately 165 feet north of South 27th Street from an "R-4" to a "C-1" District. (Tacoma Urban League, Inc.)

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

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

Ordinance No. 22831

Amending Chapter 13.06 of the Official Code to reclassify the southwest and southeast corners of 49th Avenue N.E. and 33rd Street N.E. from an "R-2" and "C-1" District to an "R-2," "R-4-L" and "R-4-LT" District. (City of Tacoma)

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

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

Ordinance No. 22832

Amending Chapter 6.44 of the Official Code relative to secondhand dealers to provide for the monitoring of transactions and to add a severability clause.

The Ordinance was set over for final reading next week.

Ordinance No. 22833

Amending the Pay & Compensation Plan to prorate insurance benefits for part-time employees; clarifying vacation leave, sick leave, and holiday benefits for temporary and emergency personnel; and establishing the effective date thereof.

The Ordinance was set over for final reading next week.

Ordinance No. 22834

Creating the Miscellaneous Trust Summary Fund; consolidating and abolishing certain specified funds; and transferring assets from eliminated funds to the Miscellaneous Trust Summary Fund, the General Fund and the Library Fund.

The Ordinance was set over for final reading next week.

Ordinance No. 22835

Appropriating \$8,733.00, or so much thereof as may be necessary, from the General Bond Redemption Fund for the payment of obligated debt service requirements, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 22836

Appropriating \$125,000.00, or so much thereof as may be necessary, from the Central Stores Fund for increased costs in excess of budgeted amounts, and declaring an emergency making necessary the passage of this ordinance.

The Ordinance was set over for final reading next week.

Ordinance No. 22837

Appropriating \$204,976.38, or so much thereof as may be necessary, from the University of Puget Sound Law Center Section 108 Loan Guarantee Fund for the payment of additional prepayment penalties resulting from the early redemption of the Federal Financing Bank Note for the Law Center.

The Ordinance was set over for final reading next week.

Ordinance No. 22838

Appropriating \$16,900.00, or so much thereof as may be necessary, from the Baseball Park Operating Fund for the payment of increased operating costs of the Baseball Park, 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. 22839

Amending Chapter 12.06 of the Official Code relative to increased electric rates effective April 1, 1983.

Councilman Hyde moved to remove Ordinance No. 22839 from the Agenda. Seconded by Councilman Hawkins. Councilman Hyde then withdrew this motion.

Councilman Hyde moved to defer first reading of Ordinance No. 22839 to January 11, 1983. Seconded by Councilman Hawkins.

Roll call vote was taken, resulting as follows:

Ayes: 6 - Bichsel, Hawkins, Hyde, Kirby, Nielsen, and Strege.

Nays: 3 - Ladenburg, Rasmussen and Mayor Sutherland.

The motion was declared approved.

The Ordinance will be considered under "First Reading of Ordinances" at the regular City Council meeting on Tuesday, January 11, 1983.

Mayor Sutherland moved to suspend the rules to consider Item No. 14, "Public Hearings and Appeals." Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

PUBLIC HEARINGS AND APPEALS: (6:12 p.m.)

This is the date set for a public hearing on proposed changes to the Generalized Land Use Plan Map.

Carolyn Simonson, Chairman of the Planning Commission, discussed the Planning Commission's recommendations.

Mr. Quilici of the Planning Department then made a presentation regarding the proposed changes to the Generalized Land Use Plan Map.

Speaking at the public hearing were:

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|-----------------|-----------------------|
| Bob Galluci | 1415 South 9th Street |
| Alice Walter | 920 South Sheridan |
| Dan Rees | 1601 North Cedar |
| Theo Taranouski | 1515 North Cedar |

There being no further public testimony, Deputy Mayor Nielsen declared the hearing closed at 6:25 p.m. He then advised any interested parties in the audience that the Resolution adopting changes to the Generalized Land Use Plan Map will be before the Council next week and public testimony would be accepted at that time.

Ordinance No. 22840

Appropriating \$1,532,430.00, or so much thereof as may be necessary, from the Medical Arts Construction Fund for costs incurred in the remodeling of the Tacoma Municipal Building, 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. 22841

Amending Equipment Rental Rate Schedule to reflect 1983 rates and declaring an emergency, making necessary the passage of this ordinance and its taking effect immediately upon publication.

Mayor Sutherland moved to continue Ordinance No. 22841 for one week per request of staff. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. The motion was declared approved.

The Ordinance will be considered under "First Reading of Ordinances" at the regular City Council meeting on Tuesday, December 21, 1982.

Ordinance No. 22842

Amending the Official Code to add a new Chapter, designated as Chapter 1.46, which establishes a Code of Ethics for the officials and employees of the City of Tacoma.

Councilman Rasmussen moved to defer final reading of Ordinance No. 22842 until the regular City Council meeting on December 28, 1982. Seconded by Councilman Hyde. Voice vote was taken and carried.

Speaking on the Ordinance was:

Jackie Skaught, League of Women Voters, 702 Broadway

The Ordinance will be considered under "Final Reading of Ordinances" at the regular City Council meeting on Tuesday, December 28, 1982.

RESOLUTIONS:

Resolution No. 27661 (Continued from the meeting of December 7, 1982.)

Authorizing the execution of a renewal of the lease with Western Fish and Oyster, Inc. for the property located at 1137 Dock Street.

Councilman Hyde moved that the Resolution be adopted. Seconded by Councilman Hawkins.

Deputy Mayor Nielsen moved to continue consideration of Resolution No. 27661 for one week. Seconded by Councilman Rasmussen. Voice vote was taken and carried. The motion was declared approved.

Councilman Hyde then withdrew his motion.

The Resolution will be considered at the regular City Council meeting on Tuesday, December 21, 1982.

Purchase Resolution No. 27667

Awarding contracts to:

1. Blue Sky Landscape Services on their bid of \$9,196.97 for landscaping and irrigation system modifications at Fire Station No. 5 and placement of an asphalt bike path - Specification No. G-173-82;
2. National Blower and Sheet Metal Company on their bid of \$56,196.79 for re-roofing the Pantages Theatre - Specification No. G-185-62; and
3. Book Publishing Company on their bid of \$6,495.13 for Supplement Services of the Official Code of the City of Tacoma.

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

Councilman Hawkins moved to divide the question to consider Purchase Item No. 2 separate from the other items on the Purchase Resolution. Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared approved.

Councilman Hawkins moved to defer consideration of Item No. 2 for one week. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared approved.

Purchase Item No. 2 will be considered at the regular City Council meeting on Tuesday, December 21, 1982.

Mayor Sutherland moved to waive formal bidding procedures for Purchase Item No. 3. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared approved.

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

Resolution No. 27668

Authorizing the execution of contracts with specified agencies, limited to appropriations contained in the 1983 annual budget, for the provision of essential social and health service programs.

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

Speaking on the Resolution was:
Dave Purchase, Director of the Center.

Councilman Rasmussen moved to take \$15,100 from the Contingency Fund to amend Exhibit A to fund the Marcourt Program as Item 17 on Exhibit A. Seconded by Mayor Sutherland. Voice vote was taken and carried. The motion was declared approved.

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

Resolution No. 27669

Authorizing the execution of a collective bargaining agreement with the Joint Labor Committee.

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

Resolution No. 27670

Filing a notice of intent to withdraw from the Social Security system to the State of Washington, and reserving the right to cancel and withdraw said notice of termination prior to the effective date of December 31, 1984.

Councilman Rasmussen moved that the Resolution be adopted. The motion died for lack of a second.

Resolution No. 27671

Authorizing the submission of grant assistance pre-applications and priority rating questionnaires to the Washington State Department of Ecology for proposed wastewater treatment system construction projects.

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. 27672

Authorizing the execution of an agreement of \$10,000.00 with the Department of Navy, Puget Sound Naval Shipyard, for use of the Carr Inlet Acoustical Sound Range using Fireboat No. 5 for the collection of test data and documentation.

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

Resolution No. 27673

Authorizing the execution of a Memorandum of Understanding with Pierce County relative to energy conservation at the County-City Building.

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

Resolution No. 27674

Authorizing the execution of an amendatory agreement with the Fourth of July Extravaganza and Military Pageant Commission relative to the provision of services for the 1983 Fourth of July celebration.

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

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Strege made the following motion:

The Northwest Power Council is now considering a staff recommendation to fully finance conservation programs for consumers. Given the present economic situation and future economic climate, it is unlikely that many consumers here in Tacoma and in the Pacific Northwest will have the money to pay even part of the costs of energy conservation investments. Both of this state's representatives to the Power Council have expressed support for fully financed conservation.

Therefore, I move that the City Council instruct its representative at the Power Council's meeting to express our support for full financing of conservation outlined by staff in their December 10, 1982 memo to the City Council.

Seconded by Councilwoman Bichsel. Voice vote was taken and carried. The motion was declared approved.

Councilman Hyde requested that Councilman Ladenburg be appointed to serve in his place on the Metropolitan Park City Council Joint Committee. This matter will be reviewed in January when council committee assignments are considered by the Council.

Councilman Hyde moved that the City Council send a letter to the Utility Board and appropriate staff requesting a joint meeting prior to January 1, 1983, and tentatively reserving several meeting dates prior to January 18, 1983. Seconded by Councilman Hawkins. Voice vote was taken and carried. The motion was declared approved.

Councilman Ladenburg asked staff to investigate the issue of funding additional staff in the City Attorney's Office in the Municipal Court and report back to the Council as soon as possible. He also requested information on the need for additional staff in the Attorney's Office in light of recent court decisions regarding jury trials.

Councilman Ladenburg commented regarding Executive Sessions.

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Councilman Strege requested a report on Thunder Sunday. He also requested certain informational material referred to during the Study Session at noon.

Mayor Sutherland moved to recess into Executive Session for purposes of discussing personnel. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 7:40 p.m. and reconvened at 8:14 p.m.

On proper motion, the meeting adjourned at 8:14 p.m.



DOUG SUTHERLAND, MAYOR

ATTEST:



GENELLE BIRK, CITY CLERK

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