

CITY COUNCIL MINUTES

City Council Chambers  
May 8, 1979

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

Present on roll call: 7 - Evans, Kirby, Nielsen, Schroeder, Strega, Warnick and Mayor Parker. Absent: 2 - Bichsel and Hudson.

The Flag Salute was led by Mayor Parker.

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

Approval of the minutes of the regular meeting of May 1, 1979.

PETITIONS:

Northwest Plaza Associates requesting the rezoning of the property located on the southeast corner of South 48th and Ferry Streets from an "R-2" to an "R-2-T" and "C-2" District.

Pacific Housing Corporation requesting the rezoning of the property located on the southeast corner of South 94th and "D" Streets from an "R-2" to an "R-3-PRD" District.

For referral to the Hearings Examiner.

RESOLUTIONS:

Resolution No. 25703

Setting Tuesday, May 15, 1979 as the date for public hearing on the Urban Development Action Grant application for the Northern Pacific Headquarters Building.

Resolution No. 25704

Setting Tuesday, May 29, 1979 at 1:30 p.m. as the date for hearing by the Hearings Examiner the request for vacation of a portion of Sheridan Avenue at South 50th Street. (Herbert J. Walker).

Resolution No. 25705

Setting Tuesday, May 29, 1979 at 10:30 a.m. as the date for hearing by the Hearings Examiner the request for vacation of the west 10 feet of Manitou Way abutting the property at 3706 Manitou Way. (Larry W. Lind)

Resolution No. 25706

Setting Monday, June 4, 1979 at 5:00 p.m. as the date for hearing L.I.D. 2481 for 2" asphalt surface treatment on various streets throughout the City.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner Agenda for Tuesday, May 8, 1979.
- b. Minutes of the meeting of the Civil Service Board, April 2, 1979.
- c. Minutes of the meeting of the Urban Policy Committee, April 18, 1979.
- d. Minutes of the meeting of the Citizens Transportation Advisory Committee, April 25, 1979.
- e. Monthly report of purchases and sales of investments of the Tacoma Employees' Retirement System during April 1979.
- f. Total Work Reports of the Tacoma-Pierce County Humane Society & S.P.C.A., February and March 1979.
- g. Monthly Report, Personnel Department, January and February 1979.
- h. Report of Investigation of Experience, Tacoma Employees' Retirement System, January 1, 1972 - December 31, 1978.
- i. C.E.S. Advisory Council meetings of November, 1978 and guidelines for allocation of Title II Parts A, B, and C Funds and By Laws of the Advisory Council.

Deputy Mayor Warnick moved that the Consent Agenda, including Resolutions Nos. 25703, 25704, 25705 and 25706, be approved. Seconded by Councilman Nielsen.

Mayor Parker moved that the Consent Agenda be amended by changing the date of May 15th to May 29th as the date for hearing on Resolution No. 25703. Seconded by Councilman Nielsen. Voice vote was taken and carried.

Voice vote was taken on the Consent Agenda as amended and carried. The items were declared approved.

\*\*\*\*\*

Mayor Parker announced that on May 7, 1979 at 8:15 a.m. he designated Paul J. Nolan, a bonded person, to affix his autographic signature to the bonds of the following issue: City of Tacoma \$38 million Light and Power Revenue Bonds, 1979 Series, which by law and by City Ordinance are required to be signed by the Mayor and the City Clerk, consistent with provisions of RCW Chapter 35.36 and that this was recorded in the City Council journal at said time.

\*\*\*\*\*

R E G U L A R   A G E N D A

COMMUNICATION:

- a. Hearings Examiner recommending denial of the request of K-3 Construction Inc. for removal of a condition of approval which required the applicant to submit a site plan showing adherence to all required setbacks on the property located on the southeast corner of South 74th and Oakes Street.

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

- b. Hearings Examiner recommending denial of the request of Gary Davis for reclassification of the east side of Tyler Street approximately 200 feet north of South 40th Street from an "R-3" to an "R-4" District, for the purpose of constructing four two-story fourplexes.

Councilman Nielsen moved to concur in the Findings, Conclusions and Recommendations of the Hearings Examiner. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried.

\*\*\*\*\*

FINAL READING OF ORDINANCES:

Ordinance No. 21286

Vacating a portion of East "F" Street from Puyallup Avenue northerly 150 feet. (Vern Lacoursiere)

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 2 - Bichsel and Hudson.

The Ordinance was declared passed.

Ordinance No. 21697

Authorizing execution of a grant award contract with the State Department of Social and Health Services for \$6,253.00; creating a new fund designated as the Emergency Medical Service Equipment Fund; appropriating \$6,253.00, or so much thereof as may be necessary, from said fund; and providing a temporary non-interest bearing loan from the General Fund to said fund; for purchasing an additional defibrillator unit from the Fire Department.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 2 - Bichsel and Hudson.

The Ordinance was declared passed.

Ordinance No. 21698

Appropriating \$10,000.00, or so much thereof as may be necessary, from the General Fund for providing funds to meet a contractual obligation with the National Fire Protection Association relating to an automated dispatch system, and declaring an emergency making necessary the passage of this ordinance.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Evans, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 2 - Bichsel and Hudson.

The Ordinance was declared passed.

Ordinance No. 21699

Authorizing the issuance and sale of Consolidated Local Improvement District Bonds Issue No. 11.

William Appel, Attorney from the offices of Roberts, Shefelman, Lawrence, Gay & Moch, advised that the interest rate as offered by McLean and Company has been determined and if the Council is agreeable the interest rate should be inserted in the ordinance. The interest rate offered is for Page 3, Line 7- 6.80% and for Line 9 on Page 3 - 6.70%. Archie McLean of McLean and Company explained current interest rates to the City Council.

Deputy Mayor Warnick moved that the ordinance be amended by inserting on Line 7, Page 3 the rate of 6.80% and Line 9, Page 3 insert the interest rate of 6.70%. Seconded by Councilman Nielsen. Voice vote was taken and carried.

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

Ayes: 7 - Evans, Kirby, Nielsen, Schroeder, Strege, Warnick and Mayor Parker.

Nays: 0

Absent: 3 - Bichsel and Hudson.

The Ordinance was declared passed.

\*\*\*\*\*

FIRST READING OF ORDINANCES:

Substitute Ordinance No. 21656 (Continued from the meeting of April 17, 1979)

Authorizing the proper officers of the City to execute a contract with the Pantages Corporation relating to the management and operation of the restored Pantages Theatre; transferring \$10,000 from the Contingency Fund to the General Fund and appropriating said sum, or so much thereof as may be necessary, for the purposes of the contract and declaring an emergency making necessary the passage of this ordinance.

Mayor Parker moved that the Substitute Ordinance be continued for two weeks. Seconded by Councilman Nielsen. Voice vote was taken and carried.

Mayor Parker advised the City Manager that the Substitute Ordinance contained in the agenda was not the one that he had asked for. He asked that the Substitute Ordinance be reviewed prior to being considered by the Council in two weeks. He also asked that the supporting documents be sent to Council with the Substitute Ordinance.

First reading of the Substitute Ordinance was continued to May 22, 1979.

Ordinance No. 21700

Amending Section 6.68.320 of the Official Code pertaining to record retention of punchboard and pull tab source documents.

Speaking on the ordinance were: Tony Passanante, representing the Central Labor Council; Lyn Manke, a tavern owner and Hilton Gardner, accountant of Knight, Vale & Gregory.

Councilman Evans moved that the ordinance be amended on Page 1, Line 20, that the word "twelve" be changed to "six," and on Line 24 that the word "twelve" be changed to "six." Seconded by Councilman Nielsen. Voice vote was taken and carried.

Also speaking was Jake Urella of the Washington State License Beverage Association.

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

Ordinance No. 21701

Repealing Section 6 of Ordinance No. 19050 to eliminate the Performance Bond requirement of TelePrompter Cable TV Company, Inc.

The Ordinance was set over for final reading on May 29, 1979.

Ordinance No. 21702

Amending the Official Code by repealing Subsection 176 of Section 11.34.130 to reduce the speed limit on South Park Ave-ue from 30 miles to 25 miles per hour.

The Ordinance was set over for final reading next week.

Ordinance No. 21703

Authorizing execution of an amended grant award contract with the Puget Sound Council of Governments in the amount of \$29,000; appropriating the sum of \$29,000, or so much thereof as may be necessary, from the Transportation Systems Management Program Fund and authorizing execution of an amendment to a consultant agreement with Parsons Brinckerhoff, Inc., all for the purpose of preparation of a Transit Development Program/Management Information System, 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. 21704

Appropriating the sum of \$20,000, or so much thereof as may be necessary from the General Fund to the City Street Fund and appropriating the sum of \$20,000, or so much thereof as may be necessary, from the City Street Fund for the purpose of funding the Parking Checker Program for the balance of 1979 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.

\*\*\*\*\*

RESOLUTIONS:

Resolution No. 25694 (Continued from the meeting of May 1, 1979)

Authorizing termination of Agreement of Sale with James R. McGranahan and Chalker Engineers, Inc., for property located at 9th & Fawcett and refunding of their five percent deposit of \$2,462.50.

Mayor Parker moved that the resolution be continued for one week. Seconded by Deputy Mayor Warnick. Voice vote was taken and carried. The Resolution was continued to May 15, 1979.

Purchase Resolution No. 25707

Awarding contracts to:

1. Gordon L. Jones Concrete on its bid of \$4,596.00 for W.O. #GD4010 - Sidewalk Replacement;
2. Kaiser Aluminum on its bid of \$8,494.08 for Traffic Sign Blanks.

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

Resolution No. 25708

Authorizing retaining McLean & Co., Inc., of Tacoma, as financial consultants for the 1979 Sewer Utility Revenue Bond Issue.

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

Resolution No. 25709

Authorizing the retaining of Roberts, Shefelman, Lawrence, Gay and Moch, attorneys at law, Seattle, as Bond Counsel for the proposed issuance of 1979 Sewer Utility Revenue Bonds.

Deputy Mayor Warnick moved that the Resolution be adopted. Seconded by Councilman Schroeder. Roll call vote was taken, resulting as follows: Ayes: 4 - Nielsen, Schroeder, Warnick and Mayor Parker. Nays: 3 - Evans, Kirby and Strege. Absent: 2 - Bichsel and Hudson. The motion was declared failed. Mayor Parker changed his vote to Nay to be on the prevailing side.

6

Resolution No. 25710

Adopting an Addendum to Concomitant Zoning Agreement between the City and Tacoma Mall Corporation and Realbon Corporation concerning the development of two parcels of property adjacent to South 48th Street and the Tacoma Mall.

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

Resolution No. 25711

Authorizing execution of an Intergovernmental Cooperation Agreement with Pierce County for the delivery of certain social services to residents of unincorporated Pierce County.

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

Resolution No. 25712

Authorizing the proper officers of the City to negotiate a change order to Rushforth Construction Company's contract for Phase 1B work in the Medical Arts Building.

Deputy Mayor Warnick excused himself from sitting in on consideration of the Resolution due to a possible conflict of interest. Deputy Mayor Warnick left the Council Chambers.

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

Resolution No. 25713

Authorizing the sale of a small parcel of City property at South 48th and State Streets to the abutting property owner.

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

\*\*\*\*\*

PUBLIC HEARINGS AND APPEALS:

- a. This is the date set for hearing the appeal of Herbert Hermanson on the City's decision to deny a Hotel License for the Carlton Plaza Hotel.

Mayor Parker advised that the attorney representing Herbert Hermanson has asked that this item be removed from the agenda. Mayor Parker moved that the item be removed from the agenda. Seconded by Councilman Schroeder. Voice vote was taken and carried.

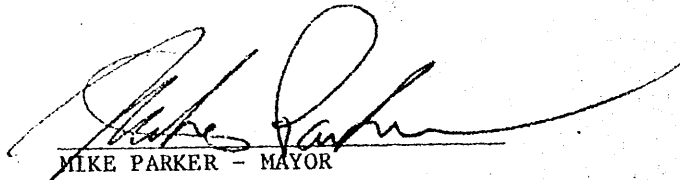
\*\*\*\*\*

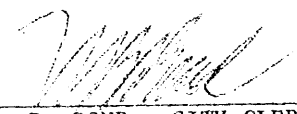
COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Evans commented that there no longer is a Kla-How-Ya sign at 36th and Ruston Way and asked for information as to the reason.

Councilman Nielsen inquired as to whether the City plans to install rubberized railroad crossings in Nally Valley between Center Street and South Tacoma Way.

On proper motion the meeting adjourned at 6:30 p.m.

  
MIKE PARKER - MAYOR

ATTEST:   
H. B. BOND - CITY CLERK