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CITY COUNCIL MINUTES

City Council Chambers
December 7, 1976

The meeting was called to order at 5:14 p.m.

Present on roll call: 6 - Bichsel, Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Absent: 3 - Nielsen, Sonntag and Strege.

Mr. Sonntag arrived at 5:23 p.m.

The Flag Salute was led by Mr. Warnick.

Mayor Johnston announced that the first order of business would be the agenda of November 30, 1976.

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

Approval of the minutes of the budget hearings of November 22 and 23 and special and regular meetings of November 23, 1976.

ASSESSMENT ROLLS:

The Director of Public Utilities presents the Assessment Rolls for the following:

L.I.D. 5558 - water mains in East 57th Street from McKinley Avenue to East "F" Street.

L.I.D. 5559 - water mains and fire hydrants in East 55th Street from Portland Avenue to East "N" Street.

Fixing Monday, January 10, 1977 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of Board of Administration of the Tacoma Employees' Retirement System meeting of October 28, 1976.
- b. Minutes of City Beautification Committee meeting of October 28, 1976.
- c. Minutes of Landmarks Preservation Commission meeting of November 10, 1976.
- d. Minutes of Pierce County Commissioners meeting of November 16, 1976.
- e. Monthly report, Investments Purchased and Sold during November, 1976, Tacoma Employees' Retirement System.

Mr. Schroeder moved that all of the items listed on the Consent Agenda be approved. Seconded by Mr. Nelson. Voice vote was taken and carried. The Items were declared approved.

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REGULAR AGENDA

COMMUNCIATIONS:

- a. Hearings Examiner submitting Shoreline Management Permit Application No. 141.131-Sextant Marine Shipbuilding, Inc. - allow dredging to accommodate a dry dock southeasterly of East 11th Street and Alexander Avenue in Blair Waterway.

Mr. Nelson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Hudson. Roll call vote was taken, resulting in Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Nays: 0. Absent: 3 - Nielsen, Sonntag and Strege. The motion carried.

- b. Hearings Examiner submitting Shoreline Management Permit Application No. 141.129-Union Oil Company of California - replacement of existing wharf, construction of tank truck loading rack and installation of oil-water separator at 516 East D Street.

Mr. Nelson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Schroeder. Roll call was taken, resulting in Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Warnick and Mayor Johnston. Nays: 0 Absent: 3 - Nielsen, Sonntag and Strege. The motion carried.

Mr. Sonntag arrived at 5:23 p.m.

- c. Hearings Examiner recommending modification of a condition of approval imposed upon Street Vacation File No. 124.440 - A. F. Gratzner.

Mr. Hudson moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Schroeder. Roll call was taken, resulting in Ayes: 7 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Warnick and Mayor Johnston. Nays: 0. Absent: 2 - Nielsen and Strege. The motion carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20913

Authorizing execution of a grant award contract in the amount of \$454,468.00 with the Washington State Office of Community Development, establishing a new fund to be known as the "Law and Justice - TASC Fund" and appropriating the sum of \$295,102.00 from said fund for the purpose of implementing a project entitled "Treatment Alternatives to Street Crime."

Roll call was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Warnick and Mayor Johnston

Nays: 0

Absent: 2 - Nielsen and Strege

The Ordinance was declared passed.

Ordinance No. 20917

Amending Section 6.22 of the Official Code relative to exemptions for pest control application.

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Roll call was taken, resulting as follows:

Ayes: 7 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Warnick and Mayor Johnston

Nays: 0

Absent: 2 - Nielsen and Strege

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20918

Vacating South 18th Street between Pearl and Visscher Streets.
(Bernard T. Richardson)

Robert Backstein, Hearings Examiner, advised that a hearing had been held on this and that there was no opposition to the vacation.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 20919

Vacating a portion of Durango Street south of South 12th Street. (Department of Public Works)

Robert Backstein, Hearings Examiner, advised that a hearing had been held on this and that there was no opposition to the vacation.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 20920

Vacating a portion of Lincoln Avenue northerly of Taylor Way. (Buffelen Woodworking Company)

Robert Backstein, Hearings Examiner, advised that a hearing had been held on this and that there was no opposition to the vacation.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 20921

Authorizing the acceptance of the sum of \$29,506 from Pacific First Federal Savings & Loan Association, appropriating said sum, or so much thereof as may be necessary, from new Tacoma Urban Renewal R-14 Fund No. 144; and authorizing the expenditure of \$44,948 of Community Development funds for construction of 12th Street Mini-Park.

Gary Sullivan, Director of the Community Development Department, advised that the figure \$29,506 should be changed to \$30,964.66 wherever it appears in the Ordinance.

Mayor Johnston moved to make that amendment. Seconded by Mr. Warnick. Voice vote was taken and carried.

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

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Ordinance No. 20922

Appropriating the sum of \$40,275, or so much thereof as may be necessary, from certain Public Works Department General Fund Accounts for acquisition of certain property in the River Street Urban Arterial Project.

Ron Button, Director of Public Works, advised that the property is the Cavanaugh property and it is planned to use the property for a downtown mini-street maintenance center.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 24161

Appointing Samuel E. Adams, M.D. as a member of the Natural Systems Citizens Advisory Committee for a term expiring June 29, 1977.

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

Resolution No. 24162

Authorizing execution of project prospectuses for funds under the Federal Aid Urban (FAM) Program.

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

Resolution No. 24163

Authorizing amendment to agreement with Tacoma Housing Authority and HUD for an extension of the Urban Homesteading Demonstration Program to December 8, 1977.

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

Resolution No. 24164

Authorizing execution of an agreement with the Tacoma Urban League to continue operation of the Tacoma Vegetable Gardens Project to November 30, 1977.

Mr. Sonntag moved that the Resolution be adopted. Seconded by Mr. Nelson.

Lowana Lee, Deputy Director of the Urban League, answered questions of Council regarding the Vegetable Gardens Project.

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

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PROCLAMATION:

Mayor Johnston proclaimed the week of December 19 through 26 as "Christmas Seal Week" in the City of Tacoma.

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Before proceeding with the December 7th agenda, Mayor Johnston distributed the Public Disclosure forms to members of the City Council.

The next order of business was the Agenda of December 7, 1976.

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

Approval of the minutes of the meeting of November 30, 1976.

RESOLUTIONS:

Resolution No. 24165

Setting Monday, December 27, 1976 at 4:00 p.m. as the date for hearing L.I.D. 3773 for sanitary sewers in So. Ferdinand from So. 62nd to 150 feet north of So. 64th; alley between So. Cedar and So. Junett from So. 45th to So. 43rd; and other nearby streets.

Resolution No. 24166

Setting Monday, December 27, 1976 at 4:00 p.m. as the date for hearing L.I.D. 8147 for permanent paving on No. Puget Sound from No. 25th to No. 26th and No. 35th to No. 36th; No. Monroe from No. 30th to No. 31st; and other nearby streets.

Resolution No. 24167

Setting Monday, December 27, 1976 at 4:00 p.m. as the date for hearing L.I.D. 8162 for permanent paving on East "M" from East 66th to East 67th; East 70th from East "L" to East "M" and other nearby streets.

Resolution No. 24168

Setting Tuesday, December 28, 1976 at 10:30 a.m. as the date for hearing by the Hearings Examiner the vacation of "L" Street from South 4th Street to Division Avenue. (Mary Bridge Children's Health Center)

Resolution No. 24169

Setting Tuesday, December 28, 1976 at 9:00 a.m. as the date for hearing by the Hearings Examiner the vacation of the alley between Ainsworth and Sawyer from Wright Street to the freeway. (Anest J. Peters)

APPEALS:

Richard G. Stephens, President, Aquarius Realty, Inc., appealing the denial of Hotel License Application No. 165404.

Suggested date for hearing is Tuesday, January 11, 1977.

ASSESSMENT ROLLS:

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

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L.I.D. 8058 - permanent paving on No. Baltimore from No. 38th to 39th; No. 48th from No. Orchard to Baltimore; and other nearby streets; also storm drains only in No. Bennett from No. 39th to No. 42nd and No. Orchard from No. 39th to No. 42nd.

L.I.D. 8065 - permanent paving on No. Juniper Street from No. 15th to No. 17th; No. Harmon from No. Fremont to No. 23rd; and strom drain lines only in No. Juniper from No. 13th to No. 15th Street.

L.I.D. 8104 - permanent paving on No. Gove Street from No. 46th to No. Lee Street.

Fixing Monday, January 10, 1977 at 4:00 p.m. as the date for hearing.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Amended minutes of Northeast Tacoma Citizens Advisory Committee meeting of October 14, 1976.
- b. Minutes of the Board of Pierce County Commissioners meetings of November 22, 23, and 29, 1976.
- c. Minutes of the Tacoma Area Task Force for the Needs of the Handicapped meeting of November 17, 1976.
- d. Minutes of Tacoma Planning Commission meeting of November 15, 1976.
- e. Minutes of Tacoma/Pierce County Bicentennial Commission meetings of October 14 and November 18, 1976.
- f. Monthly report, Tacoma/Pierce County Humane Society & SPCA, October, 1976.
- g. Monthly report, October, 1976, Police Department.
- h. Monthly report, October, 1976, Director of Finance.

Mr. Warnick moved that all of the items listed on the Consent Agenda, including Resolution Nos. 24165, 24166, 24167, 24168, and 24169, 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

PRESENTATIONS:

American Public Works Association and Asphalt Institute Pacific Coast Division "First Place Quality Award" to the City of Tacoma.

Mayor Johnston announced that the City had received a "First Place Quality Award" for the best asphalt paving job in the State of Washington for 1975. He called on Carl Minor, Executive Vice-President of the Asphalt Paving Association of Washington, Inc. to make the presentation.

Mr. Minor presented a plaque and award to the Mayor and presented a duplicate plaque to be presented to the contractor.

Mayor Johnston presented the duplicate plaque to John Woodworth of Woodworth & Co., who introduced three members of his firm, who he felt were responsible for the fine work.

Mayor Johnston then presented the award and plaque to Ron Button, Director of the Public Works Department.

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COMMUNICATIONS:

Hearings Examiner recommending modification of a condition of approval imposed on Street Vacation File No. 124.500 - Cosmopolitan Investment Association.

Mr. Sonntag moved to concur in the recommendation of the Hearings Examiner. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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FINAL READING OF ORDINANCES:

Ordinance No. 20923

Providing for the improvement of L.I.D. 5567 for constructing water mains and fire hydrants in East 53rd from East "K" to East "L".

Roll call was taken, resulting as follows:

Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Mayor Johnston

Nays: 0

Absent: 3 - Nielsen, Strege, Warnick

The Ordinance was declared passed.

Ordinance No. 20924

Approving and confirming the assessment roll for L.I.D. 8083 for permanent paving on South 40th from South "D" to South Fawcett; South 44th from South Hosmer to South Wilkeson; and South 54th from Yakima to South "I".

Roll call was taken, resulting as follows:

Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Mayor Johnston

Nays: 0

Absent: 3 - Nielsen, Strege, Warnick

The Ordinance was declared passed.

Ordinance No. 20925

Approving and confirming the assessment roll for L.I.D. 8084 for permanent paving on South Wapato from South 72nd to South 74th and South Cheyenne from South 60th to South 62nd Street.

Roll call was taken, resulting as follows:

Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Mayor Johnston

Nays: 0

Absent: 3 - Nielsen, Strege, Warnick

The Ordinance was declared passed.

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Ordinance No. 20926

Approving and confirming the assessment roll for L.I.D. 8095 for permanent paving on North 10th from Mason to Stevens; North Verde from North 15th to 16th; and other nearby streets; also, cement concrete paving in the alley between North 26th and 27th from North Mullen to North Ferdinand Streets.

Roll call was taken, resulting as follows:

Ayes: 6 - Bichsel, Hudson, Nelson, Schroeder, Sonntag, Mayor Johnston

Nays: 0

Absent: 3 - Nielsen, Strege, Warnick

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 20927

Amending Chapter 13.06 of the Official Code to reclassify the west side of Sprague Avenue beginning approximately 450 feet south of South 66th Street from a "C-F-V", "C-F-P", "R-5-PRD" and "R-2" to a "C-P-N" and "R-4-L" District, (Hillcrest Properties, Inc.)

Robert Backstein, Hearings Examiner, reviewed the requested rezone and advised there was no opposition, and he recommended approval. He answered questions of Council members.

The Ordinance was set over for final reading to a date to be determined.

Ordinance No. 20928

Appropriating the sum of \$33,559.00, or so much thereof as may be necessary, from various funds of the City for the purpose of paying the cost of retirement benefits for certain military service and declaring an emergency making necessary the passage of this ordinance.

Roger Howeller, Executive Secretary to the Retirement Board, advised that payment for the military service was not considered by the actuary in his report, as the report used figures as of December 31, 1975.

Mr. Hudson asked that Mr. Howeller obtain a letter from the actuary by next week's meeting which would indicate whether or not this sum of money would have any effect on the System.

The Ordinance was set over for final reading next week.

Ordinance No. 20929

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

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Mr. Howeller explained that the actuary recommended that the City's contributions be increased to 9.21 percent in order to make the System actuarially sound. After discussion, Mr. Schroeder moved that the City employees share equally in the increased contributions. Seconded by Mr. Warnick.

Opinion was expressed by some of the Council members that all nine Council members should be present to vote on the motion. After further discussion, Mr. Warnick moved that first reading of the ordinance be continued for three weeks. Seconded by Mr. Nelson. Voice vote was taken and carried.

First reading was continued to December 28, 1976.

Ordinance No. 20930

Amending Chapter 1.30 of the Official Code relative to filling vacancies on the Board of Administration of the City Employees' Retirement System.

Mr. Howeller advised that a poll had been taken of active members of the Retirement System to ascertain whether they wished to have vacancies for unexpired terms filled by appointment or by election. The poll indicated overwhelmingly that the members wished to have the vacancies for unexpired terms filled by an election. This Ordinance would set up the mechanism to accomplish that.

The Ordinance was set over for final reading next week.

Ordinance No. 20931

Amending Chapters 4.02, 13.04, and 13.06 and repealing and reenacting Chapter 13.10 which set forth Shoreline segment designations, use regulations, and permit procedures to implement the goals and policies of the Master Program for Shoreline Development.

Peter Rasmussen of the Planning Commission advised that the position of the Planning Commission is that the Ordinance, in its present form, does not alter the recommendations of the Planning Commission.

Mike Smith, Planning Department, advised that the proposed seven amendments are incorporated in the Ordinance.

Speaking to the Ordinance were:

Nancy Thomas, member of the Shoreline Master Program Citizens' Advisory Committee, who took exception to changes numbered 3, 4 and 5, which are on page 108 of the Ordinance.

Hugh Barden, lessee of certain City property along the Shoreline, took exception to change number 7, which appears on page 13.

Armand Labbe, Manager of ASARCO, requested further amendments as follows:

Section 13.10.090 (1), on line 7, page 49, after word "including" and before the word "commercial" the words "pre-existing industrial" be inserted.

On page 53, line 16 and 17, the words "land fill related to the expansion of a pre-existing use pursuant to draft ordinance Section 13.10.190 3. Providing that it is accomplished in accordance with Sections 13.10.035.11A - 13.10.035.11.8 General Regulations."

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Gary Kucinski, representing the Port of Tacoma, advised that the Port supports change number 7.

Nancy Kroening, a member of the Shoreline Master Program Citizens Advisory Committee, objected to changes number 5 and 7.

Carolyn Simonson, representing a group of citizens called "Save Our Shoreline", objected to change number 5 on page 108.

Walton McGee, member of a group who own undeveloped property along Ruston Way, felt that their needs should be considered as to the value of their property if they aren't going to be able to develop it.

Robert Ellner, a resident near Ruston Way, spoke in favor of ASARCO's use of their land.

Chuck Keenan, representing WETA (Western Environmental Trade Association), submitted a prepared statement to Council members and summarized. He raised questions and sought answers from Council and Mr. Barker, Assistant City Attorney.

E. K. Murray, attorney, representing certain property owners along the shorelines, spoke.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 24170

Appointing Lt. John Whitfield, Eugene Matsusaka and Robert Backstein to the Human Relations Commission Hearings Tribunal.

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

Resolution No. 24171

Awarding contracts to: (1) Lige Dickson on its bid of \$10,217.00 for W.O. 74296 - storm drain replacement; (2) Lige Dickson Company on its bid of \$4,387.50 for W.O. 74297 - asphalt re-deck; (3) Lige Dickson Company on its bid of \$3,826.00 for W.O. 74288-B - asphalt parking lot and (4) rejecting all bids for W.O. 82005.03 removal of architectural barriers.

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

Resolution No. 24172

Awarding a contract to R. T. Tomesen Construction on its bid of \$15,246.33 and \$1,115.11 for L.I.D. 3768 - sanitary sewers on Shorecliff Drive.

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

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Resolution No. 24173

Authorizing the purchase of 746 doses of Fluogen-B (Hong-Kong) flu vaccine from Parke-Davis Company for the sum of \$5,818.50 and waiving the requirement for competitive bidding.

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

Resolution No. 24174

Authorizing the retention of McLean & Company, Inc. as financial consultants in connection with the issuance and sale of the \$2,500,000.00 General Obligation Bonds authorized by the electorate on November 2, 1976.

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

Resolution No. 24175

Authorizing execution of an agreement with the Tacoma-Pierce County Bicentennial Commission relative to assistance in financing a "Pops" style concert.

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

Resolution No. 24176

Amending the City Waterway Policy Plan relative to renewal of leases of City-owned properties.

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

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Mayor Johnston moved to excuse Mr. Strege and Mr. Nielsen from the meeting. Seconded by Mr. Sonntag. Voice vote was taken and carried.

Mayor Johnston nominated the following for appointments to the Housing and Community Development Citizens Advisory Committee: Gregory J. Giessler, representing the Civic Arts Commission; Nicholas W. Schaefer, 1773 Bridgeview Drive; and Mrs. Randall Bowman, 3580 East Grandview.

Mayor Johnston moved that these persons be appointed. Seconded by Mr. Warnick. Voice vote was taken and carried.

Mayor Johnston also nominated the following for appointment to the Landmarks Preservation Commission: Dr. Ronald Fields, 1111 North "E"; Lynn Messenger, A.I.A., 504½ South 11th; Allan Overland, attorney, 201 St. Helens Avenue; Thomas E. Lowrey, attorney, One Washington Plaza.

Mayor Johnston moved that these persons be appointed. Seconded by Mr. Schroeder. Voice vote was taken and carried.

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Mr. Warnick commented on the excellent speech by Reverend Jessie Jackson on the subject of American Life today, which was given during a luncheon he attended in Denver at the National League of Cities Annual Congress. He purchased the tape and would like to have it heard during Council comments at the next meeting.

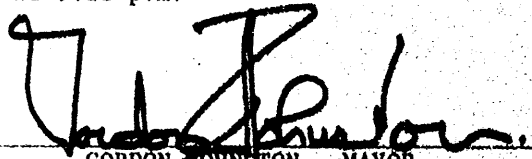
Mr. Hudson requested that staff funding for the Arts Commission for the last six months of 1977 be brought to Council next week for inclusion in the budget. He also requested that the Arts Commission supplemental request be placed in a position to compete for revenue sharing funds.

Mr. Hudson advised he has a draft copy of the by laws and articles for Interlocal Agreement for Council of Governments for Council's review.

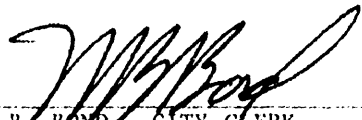
Mr. Sonntag commented on the bridge damage by a ship and asked the City Manager to ascertain which government entity has the authority for determining and permitting ships to move through closed-in waterways in the fog.

Mr. Sonntag commented on the motion to increase employee pension contributions and expressed the opinion that this should be a negotiable item.

On proper motion, the meeting adjourned at 9:12 p.m.


GORDON JOHNSTON - MAYOR

ATTEST:


H. B. BOND - CITY CLERK