

CITY COUNCIL MINUTES

City Council Chambers  
November 24, 1981

The meeting was called to order at 5:08 p.m.

Present on roll call: 8 - Bichsel, Hawkins, Hyde, Kirby, Rasmussen, Strege, Sutherland and Deputy Mayor Nielsen. Absent: 1 - Mayor Parker. Mayor Parker arrived at 5:14 p.m.

The Flag Salute was led by Deputy Mayor Nielsen.

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CONSENT AGENDA

Approval of the minutes of the regular meeting of November 17, 1981, and budget hearings of November 16, 17 and 18, 1981.

RESOLUTIONS:

Resolution No. 27193

Setting Monday, December 14, 1981 at 5:00 p., as the date for hearing by the Hearings Examiner L.I.D. 3839 for constructing sanitary sewers in 56th Avenue NE from 29th Street NE to dead end, East 66th from East "D" to East "G" and East 88th from "A" Street east 420 feet more or less.

Resolution No. 27194

Setting Monday, December 14, 1981 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 8337 for permanent paving on 63rd Avenue NE from 300 feet south of 19th Street NE to 21st Street NE, 64th Avenue NE from 19th Street NE to 21st Street NE and other nearby streets.

Resolution No. 27195

Setting Monday, December 14, 1981 at 5:00 p.m., as the date for hearing by the Hearings Examiner L.I.D. 2545 for two-inch asphalt surface treatment on East 66th from East "E" to dead end west of East "G" Street.

Resolution No. 27196

Setting Tuesday, January 5, 1982 at 6:00 p.m., as the date for public hearing on a proposed amendment to Section 4.8 of the City Charter to decrease the terms of the Public Utility Board members from five to three years.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Minutes of the Citizens Energy Conservation Advisory Committee meeting, November 9, 1981.
- b. Minutes of the Urban Policy Committee meetings, October 22 and 29, and November 5, 1981.
- c. Minutes of the Tacoma Public Library Board of Trustees meeting, October 20, 1981.
- d. Minutes of the Human Relations Commission meeting, October 15, 1981.
- e. Minutes of the Tacoma Employees' Retirement System meeting, October 29, 1981.
- f. Tacoma Police Department Monthly Summary of Crime Statistics for October, 1981.

Councilwoman Bichsel moved that the Consent Agenda, including Resolution Nos. 27193, 27194, 27195 and 27196, be adopted. Seconded by Councilman Kirby.

Councilman Rasmussen moved to table Resolution No. 27196 until such time as the City Council could meet with the Public Utility Board. Seconded by Councilman Sutherland. Roll call vote was called, resulting as follows: Ayes: 4 - Hyde, Rasmussen, Sutherland and Deputy Mayor Nielsen. Nays: 4 - Bichsel, Hawkins, Kirby and Strege. Absent: 1 - Mayor Parker. The motion was declared failed.

Roll call vote was then taken on the adoption of the Consent Agenda including Resolution No. 27196, resulting as follows: Ayes: 5 - Bichsel, Hawkins, Hyde, Kirby and Strege. Nays: 3 - Rasmussen, Sutherland and Deputy Mayor Nielsen. Councilman Hyde then stated that he wished to change his vote to Nay.

Deputy Mayor Nielsen advised that there was a tie vote with the Consent Agenda not reaching sufficient votes for adoption and went on to the Regular Agenda.

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REGULAR AGENDA

COMMUNICATIONS:

- a. Hearings Examiner advising that LID 8337 has been referred back to the Public Works Department.

Deputy Mayor Nielsen advised this was informational only.

- b. H. B. Bond, City Clerk, advising that the Civil Service Board has filed a proposed amendment to Section 1.24.974 of the Civil Service and Personnel Rules.

Deputy Mayor Nielsen advised this was informational only.

- c. Planning Commissions recommendation relative to their review of the Commercial Section of the Northeast Tacoma Plan.

Deputy Mayor Nielsen moved to continue Communication "C" until such time as the Planning Commission has had the opportunity to meet with the City Council regarding the recommendations that they are making to the Council. Seconded by Councilman Hyde. Voice vote was taken and carried.

Mayor Parker arrived at 5:14 p.m.

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Mayor Parker moved to suspend the rules to go back to the Consent Agenda. Seconded by Councilman Sutherland. Voice vote was taken and carried.

Mayor Parker moved that Resolution No. 27196 be removed from the Consent Agenda. Seconded by Councilman Sutherland. Roll call vote was called for, resulting as follows: Ayes: 5 - Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 4 - Bichsel, Hawkins, Kirby and Stregge. The motion was declared adopted.

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

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FINAL READING OF ORDINANCES:

Ordinance No. 22566

Authorizing a temporary loan in the amount of \$6,000,000 or so much thereof as may be necessary, from the Cumulative Reserve Fund for Supplemental Purchases of Electric Energy to the 1982 Light Division current fund for payment of the cost of the Extended Construction Delay Preserving the Assets Program.

Mayor Parker moved to suspend the rules to consider Resolution No. 27181 at the same time as Ordinance No. 22566. Seconded by Councilman Hyde. Voice vote was taken and carried.

Resolution No. 27181 (Continued from the meeting of November 17, 1981)

Approving the proposed Extended Construction Delay Preserving the Assets Program relative to WPPSS Projects 4 and 5.

Mayor Parker moved that the Resolution be adopted. Seconded by Councilman Hyde.

Speaking to the Ordinance and Resolution were:

Jim Lazar, representing Citizens For An Adequate Supply of Energy, and Archie McLean, 777 Commerce Street

Councilman Hyde moved to adopt amended Resolution No. 27181 that he had previously handed out to Council members. Seconded by Councilwoman Bichsel. Mayor Parker declared the motion out of order as it is stated in the City Charter that Utility resolutions come before the Council to be adopted or rejected.

Councilman Hyde moved to amend Ordinance No. 22566 and defer action on Resolution No. 27181 until we consider Ordinance No. 22566. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Councilman Hyde moved to amend Ordinance No. 22566 in the following manner:

On page 2, line 14, after section 3, add a new section to read as follows:

This ordinance shall take effect only upon implementation of the following conditions:

- 1) Not less than 98% of all participant shares have agreed to the mothballing/controlled termination agreement.
- 2) All funds provided by the City of Tacoma are to be used solely for the purpose of accomplishing a controlled terminations of projects Nos. 4 and 5, consistent with Alternative 1 of the Governor's Panel Report on WPPSS 4 & 5, including recognition that under controlled termination, the projects could be acquired, on a salvage basis by another party, and eventually completed.
- 3) WPPSS agrees to maintain a capitalized interest reserve of not less than one year to pay debt service on projects 4 & 5 until either the date of commercial operation or the date of termination.

Mayor Parker moved for a five minute recess. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 6:12 p.m. and reconvened at 6:22 p.m.

Councilman Kirby moved to amend Councilman Hyde's amendment by deleting Item 2. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Mayor Parker moved to limit debate on this ordinance and proceed to vote on this. Seconded by Councilwoman Bichsel. Voice vote was taken and failed. The motion failed.

Mayor Parker called for a five minute recess. Council recessed at 7:33 p.m. and reconvened at 7:52 p.m.

Mayor Parker advised that the Budget Workshop scheduled for tonight after the Council meeting has been cancelled and rescheduled for December 7, 1981.

Mayor Parker moved to amend Item No. 1 of Councilman Hyde's amendment to read as follows: " Not less than 98% of all participant shares or that of there assignees have agreed to the mothballing/controlled termination agreement unless otherwise approved by the City Council." Seconded by Councilman Rasmussen.

Mayor Parker moved to amend his amendment to Item No. 1 to read as follows: "Not less than 98% of all participant shares or that of there assignees have agreed to the mothballing/controlled termination agreement and in no event shall Tacoma's obligation exceed 10.910% of the total indebtness, unless otherwise approved by the City Council." Seconded by Councilman Sutherland. Roll call vote was called for, resulting as follows: Ayes: 5 - Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 4 - Bichsel, Hawkins, Kirby and Strege. The amendment was declared adopted.

Mayor Parker moved to eliminate Item No. 3 from Councilman Hyde's amendment. Seconded by Deputy Mayor Nielsen. Roll call vote was taken, resulting as follows: Ayes: 5 - Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 4 - Bichsel, Hawkins, Kirby and Strege. The motion carried.

Councilman Hawkins moved that the item be tabled. Seconded by Councilwoman Bichsel. Roll call vote was taken, resulting as follows: Ayes: 4 - Bichsel, Hawkins, Kirby and Strege. Nays: 4 - Nielsen, Rasmussen, Sutherland and Mayor Parker. Abstaining: 1 - Hyde. The motion was declared failed.

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

Ayes: 5 - Hyde, Nielsen, Rasmussen, Sutherland and Mayor Parker.

Nays: 4 - Bichsel, Hawkins, Kirby and Strege.

The Ordinance, as amended, was declared passed.

Voice vote was taken on Resolution No. 27181 and carried. The Resolution was declared adopted.

Councilwoman Bichsel moved that Ray Corpuz, Jr., Director of the Intergovernmental Affairs be designated as the City of Tacoma's representative on the Participants Committee of the Washington Public Power Supply System replacing Paul Nolan, Director of Public Utilities effective the 24th day of November, 1981. Seconded by Councilman Rasmussen. Roll call vote was called for, resulting as follows: Ayes: 4 - Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 5 - Bichsel, Hawkins, Hyde, Kirby and Strege. The motion failed and the Chair declared the motion out of order due to the fact that City Council does not name members of the Participants Committee.

Councilman Hawkins appealed the ruling of the Chair. City Attorney, Bob Hamilton, referred to RCW 45.52.360. Mayor Parker advised the Council that a vote of Aye on Mr. Hawkins appeal would be to sustain the Chair and a Nay vote would overrule the Chair. Roll call vote was taken on the appeal, resulting as follows: Ayes: Nielsen and Mayor Parker. Nays: 6 - Bichsel, Hawkins, Hyde, Kirby, Strege and Sutherland. Abstaining: 1 - Rasmussen. The Chair was declared overruled.

Mayor Parker moved to set the item regarding Ray Corpuz over for one week for purposes of obtaining legal opinion by the City Attorney as to whether or not this is in the purview of the City Council. Seconded by Deputy Mayor Nielsen. Roll call vote was called for, resulting as follows: Ayes: 4 - Nielsen, Rasmussen, Sutherland and Mayor Parker. Nays: 5 - Bichsel, Hawkins, Hyde, Kirby and Strege. The motion was declared failed and the item is not set over for one week.

Roll call vote was taken on the motion to appoint Ray Corpuz as the City of Tacoma's representative on the Participants Committee of the Washington Public Power Supply System; resulting as follows: Ayes: 5 - Bichsel, Hawkins, Hyde, Kirby and Strege. Nays: 4 - Nielsen, Rasmussen, Sutherland and Mayor Parker. The motion carried.

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Councilman Strege moved to suspend the rules to consider Resolution No. 27199. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

Resolution No. 27199

Authorizing all citizens of the City to attend Participant Committee meetings of the Washington Public Power Supply System.

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

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Ordinance No. 22567

Amending the Pay and Compensation Plan to implement 1982 rates for Fire and Police Personnel.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 22569

Amending Section 4 of Ordinance No. 19315 to require approval of six Council members to authorize transfers of money from the Contingency Fund to operating fund.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 22570

Amending Chapter 6 of the Official Code relative to gross earnings taxes levied on the telephone company.

Dick Newman, Director of Tax & License, said he would like to amend the Ordinance on Page 2, line 12, by changing "(13-1/2%)" to "(12-4/10%)" and on line 16, by changing "(12.4%)" to "(11.2%)" due to a misunderstanding with the telephone company.

Councilman Sutherland moved to amend the Ordinance as outlined by Mr. Newman. Seconded by Councilman Rasmussen. Voice vote was taken and carried.

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

Ayes: 8 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Kirby.

The Ordinance, as amended, was declared passed.

Ordinance No. 22571

Providing for the improvement of L.I.D. 5623 for constructing water mains in Tyler Street from South 69th to South 74th Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 22572

Providing for the improvement of L.I.D. 8338 for permanent paving on South Asotin from South 55th to South 56th Street.

Roll call vote was taken, resulting as follows:

Ayes: 8 - Bichsel, Hawkins, Hyde, Nielsen, Rasmussen, Strege, Sutherland and Mayor Parker.

Nays: 0

Absent: 1 - Kirby.

The Ordinance was declared passed.

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FIRST READING OF ORDINANCES:

Ordinance No. 22573

Amending Chapter 13.06 of the Official Code to reclassify the northwest corner of South 40th and Madison Streets from an "R-2-SRD" to an "M-1" District. (Gary Walter Davis)

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

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

Ordinance No. 22574

Amending Section 8.12.201 of the Official Code relative to causing a disturbance at meetings of Council, Boards, Commissions or Committees of the City.

The Ordinance was set over for final reading next week.

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RESOLUTIONS:

Resolution No. 27156 (Continued from the meeting of November 17, 1981)

Expressing the Council's intent to limit salary increases for certain personnel.

Councilman Hawkins moved that further consideration for Resolution No. 27156 be delayed for two weeks. Seconded by Councilman Strege. Voice vote was taken and carried. The Resolution was set over for two weeks.



Resolution No. 27181 (Continued from the meeting of November 17, 1981)

Approving the proposed Extended Construction Delay Preserving the Assets Program relative to WPPSS Projects 4 and 5.

This Resolution was considered earlier in the meeting.

Resolution No. 27182

Authorizing execution of an agreement for sale of output from the Centralia Project.

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

Resolution No. 27188

Authorizing execution of an agreement with the Tacoma-Pierce County Economic Development Board to provide employment and training services to eligible City residents.

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

Purchase Resolution No. 27197

Awarding contracts to:

1. Econolite Control Products, Inc. on its bid of \$12,638.11 for Traffic Signal Controllers;
2. Art Pearson Electrical and Contracting on its bid of \$8,200.00 for Underground Conduit Crossings, and
3. George Madsen Company on its bid of \$53,557.03 for Separation and Elimination of Direct Storm Inflow - Spec. No. G-123-81.

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

Resolution No. 27198

Fixing a new interest rate on outstanding General Obligation Stadium Warrants.

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

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UNFINISHED BUSINESS:

Councilman Strege advised that he had some amendments to the proposed Civil Service Rule change regarding temporary employees; therefore, he moved to refer this matter back to the Civil Service Board. Seconded by Councilman Hyde. Voice vote was taken and carried.

Mayor Parker moved to amend the motion to indicate that since the Council does not have time to consider Councilman Strege's proposed changes, they are being referred to the Civil Service Board for their report. Seconded by Councilman Hyde. Voice vote was taken and carried.

Voice vote was taken on the amended motion and carried.

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COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

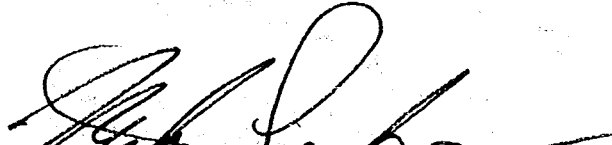
Mayor Parker moved to excuse Council members Bichsel and Strege from next week's meeting. Seconded by Councilman Sutherland. Voice vote was taken and carried.

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Mayor Parker moved to recess into Executive Session to discuss matters of personnel and litigation. Seconded by Councilman Rasmussen. Voice vote was taken and carried. Council recessed at 9:01 p.m. and reconvened at 9:34 p.m.

Mayor Parker moved to authorize the City Attorney to settle the cases as outlined in Executive Session. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 9:35 p.m.

  
MIKE PARKER - MAYOR

Attest:

  
H. B. BOND - CITY CLERK