

CITY COUNCIL MINUTES

City Council Chambers
September 28, 1982, 1982

The meeting was called to order at 5:07 p.m.

Present on roll call: 8 - Bichsel, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Absent: 1 - Kirby.

The Flag Salute was led by Mayor Sutherland.

CONSENT AGENDA

Approval of the minutes of the regular meeting of September 21, 1982.

PETITIONS:

- a. Arthur E. Malacky requesting the reclassification of the property located on the west side of South "M" Street approximately 120 feet north of South 38th Street from an "R-3" to a "C-1" District.
- b. Tacoma Urban League, Inc. requesting the reclassification of the property located on the west side of South Yakima Avenue approximately 165 feet north of South 27th Street from an "R-4" to a "C-1" District.
- c. Dr. Robert Williams requesting the reclassification of the property located on the southwest corner of North 10th Street and North "I" Street from an "R-4-L" to an "R-4-L-T" District.

FIRST READING OF ORDINANCES:

Ordinance No. 22781

Accepting the donation of one hundred cherry trees from the Tacoma Nikkeijin Kai for the Tacoma Dome.

RESOLUTIONS:

Resolution No. 27578

Setting Monday, October 25, 1982 at 5:00 p.m. as the date for hearing by the Hearings Examiner L.I.D. 5637 for the installation of a water main in East "B" Street from East 92nd Street to East 96th Street.

Resolution No. 27579

Approving the final plat for Bayview Estates located between 64th Avenue N.E. and 63rd Avenue N.E., and 19th Street N.E. and 21st Street N.E. (William Gabriel)

Resolution No. 27589

Authorizing the submission of applications and related documentation to the Department of Social and Health Services for the funding of community facilities for the care, training, and rehabilitation of the handicapped.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Hearings Examiner's agenda for Tuesday, September 28, 1982.
- b. Minutes of the meeting of the Appointments Committee, September 20, 1982.
- c. Minutes of the meeting of the Human Relations Commission, August 5, 1982.
- d. Annual Report of the Landmarks Preservation Commission, July 1, 1982.
- e. Minutes of the meetings of the Municipal Authority, July 22 and August 19, 1982.
- f. Minutes of the meeting of the Public Utility Board, September 8, 1982.
- g. Minutes of the meeting of the Tacoma Employees' Retirement System Board, August 26, 1982.

Councilwoman Bichsel moved that the Consent Agenda, including Resolutions Nos. 27578, 27579 and 27589, be approved. Seconded by Councilman Rasmussen. 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

Mayor Sutherland proclaimed the week of October 3-9, 1982 as Fire Prevention Week in the City of Tacoma and presented the proclamation to Rudy Wallace of the Tacoma Fire Department.

PRESENTATIONS:

Mayor Sutherland, Rudy Wallace, and Jo Kuehner, Marketing Director for the Tacoma Mall Corporation, presented awards to winners of the 1982 Fire Prevention Poster Contest.

Mayor Sutherland moved to excuse Councilman Kirby from this week's meeting. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was approved.

COMMUNICATIONS:

Hearings Examiner recommending approval of the request of Ralph Emerson for removal of Condition 1(e) of the Concomitant Agreement relative to the reclassification of property located 285 feet east of Orchard Street between South 48th and South 52nd Streets.

Mayor Sutherland moved to concur in the Recommendation of the Hearings Examiner. Seconded by Councilman Strege. Voice vote was taken and carried.

FINAL READING OF ORDINANCES:

Ordinance No. 22698 (Continued from the meeting of July 27, 1982.)

Providing for the improvement of L.I.D. 5626 for the construction of water mains and fire hydrants in South "I" Street from South 94th to South 96th Streets.

Mayor Sutherland moved to continue the Ordinance to the meeting of November 16, 1982. Seconded by Councilman Strege. Voice vote was taken and carried.

The Ordinance will be considered under "Final Reading of Ordinances" at the Council meeting of November 16, 1982.

Ordinance No. 22777

Authorizing the execution of a grant award agreement with the Bonneville Power Administration of \$64,950.00; appropriating said sum, or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for analyzing energy conservation potential and barriers to residential energy conservation; 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, Hawkins, Hyde, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby

The Ordinance was declared passed.

Ordinance No. 22778

Annexing a certain portion of Pierce County located south of Dash Point State Park lying contiguous to a portion of the City of Tacoma. (Block Brothers Industries (USA), Inc.)

Roll call vote was taken, resulting as follows:

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

Nays: 0.

Absent: 1 - Kirby

The Ordinance was declared passed.

Ordinance No. 22779

Accepting a gift of \$2,500.00 from the Forest Foundation to aid in the provision of crime prevention services to seniors; appropriating said sum, or so much thereof as may be necessary, from the Community Development Grants Summary Fund for such purpose; and authorizing execution of an agreement with Seniors Against Crime in Tacoma to provide such services.

Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hawkins, Ladenburg, Nielsen, Rasmussen, Strege, and Mayor Sutherland.

Nays: 0.

Absent: 1 - Kirby

Abstained: 1 - Hyde.

The Ordinance was declared passed.

Ordinance No. 22780

Authorizing the execution of a grant award agreement in the amount of \$18,510.00 with the Economic Development Administration; appropriating said sum, or so much thereof as may be necessary, from the Economic Development Assistance Grant Fund for continuing economic development planning through 1982; 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: 7 - Bichsel, Hyde, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 1 - Hawkins.

Absent: 1 - Kirby.

The Ordinance was declared passed.

Ordinance No. 22782

Approving and confirming the assessment roll for L.I.D. 8320 for the placement of permanent pavement on East "R" Street from Sherman Street south to the cul-de-sac, and East Division Lane from Grandview west 330 feet more or less; and for the construction of sanitary sewers in East "R" Street from Sherman Street south to the cul-de-sac.

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Roll call vote was taken, resulting as follows:

Ayes: 7 - Bichsel, Hyde, Ladenburg, Nielsen, Rasmussen, Strege and Mayor Sutherland.

Nays: 1 - Hawkins.

Absent: 1 - Kirby.

The Ordinance was declared passed.

FIRST READING OF ORDINANCES:

Substitute Ordinance No. 22774 (Continued from the meeting of September 14, 1982.)

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 Hawkins moved to delete the language on page 7, line 3 through line 6. Seconded by Councilman Hyde. Voice vote was taken and carried. The motion was declared approved.

Mayor Sutherland moved to amend the Ordinance from line 9, page 10 through line 11 on page 11, to substitute the following language:

" A. All candidates for City elective office, within two (2) weeks of becoming a candidate as defined under RCW 42.17.020, as enacted or hereafter amended, and all persons recommended for appointment to a vacant elective City office, within five (5) days of acceptance of such recommendation, shall file with the City Clerk a copy of the completed report required to be filed under the Public Disclosure laws of this State. All elected officials, on or before the date provided by State law, shall file with the City Clerk a copy of the completed report required to be filed under State Law.

B. It shall be sufficient to report whether amounts disclosed are:

- 1. Less than \$1,000.00;
- 2. At least \$1,000.00, but less than \$5,000.00;
- 3. At least \$5,000.00, but less than \$10,000.00;
- 4. At least \$10,000.00, but less than \$25,000.00;
- 5. At least \$25,000.00.

C. All elected officials shall make a report for each honorarium received while in office, including a description of services performed, date of payment, payer's name and address, and amount received, and shall file such report with the City Clerk during January of the next succeeding year after the honorarium is received."

Seconded by Councilman Rasmussen.

Speaking in favor of the amendment was:

Fritz Hayes, Member of the Public Utility Board.

Voice vote was taken on the amendment and failed. The amendment was declared failed.

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

Ayes: 3 - Nielsen, Rasmussen, and Mayor Sutherland.

Nays: 5 - Bichsel, Hawkins, Hyde, Ladenburg and Strege.

Absent: 1 - Kirby.

The amendment was declared failed.

Testifying in opposition to the Ordinance as amended was:

Fritz Hayes, Member of the Public Utility Board.

Speaking in favor of the Ordinance as amended were:

Cynthia Hammer, 4116 North 13th Street, Co-president of League of Women Voters, and

Marjorie Pilant, representing the Municipal League.

Mayor Sutherland moved to set the Ordinance over for first reading next week. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

The Ordinance will be considered under "First Reading of Ordinances" at the Council meeting on October 5, 1982.

Ordinance No. 22783

Appropriating \$323.00 or so much thereof as may be necessary, from the Right-of-Way Acquisition Fund for the purchase of land for alley purposes; 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. 22784

Appropriating \$580,000.00, or so much thereof as may be necessary, from the Tacoma Municipal Sewer System Construction Fund for construction and installation of additions and improvements to the municipal sewer system.

The Ordinance was set over for final reading next week.

Ordinance No. 22785

Amending Section 1.12.355 of the Official Code relating to the Pay and Compensation Plan to consolidate various classifications and establish rates of pay thereof; adjust the rate of pay for the Legal Secretary classification; and establish the classification of Boiler Inspector.

The Ordinance was set over for final reading next week.

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Ordinance No. 22786

Appropriating \$16,000.00 or so much thereof as may be necessary, from the Miscellaneous Grants Summary Fund for the administration of housing programs; 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.

Mayor Sutherland moved to suspend the rules to consider Resolution No. 27588, seconded by Deputy Mayor Nielsen. Voice vote was taken and carried.

Resolution No. 27588

Authorizing the execution of a grant agreement of \$16,000.00 with the Department of Housing and Urban Development for the administration of housing programs.

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

RESOLUTIONS:

Resolution No. 27548 (Continued from the meeting of September 21, 1982.)

Authorizing an Amendment to the Agreement for the Design and Construction of the Sports and Convention Center with Tacoma Dome Associates for the design and construction of the facilities and the installation of equipment in the kitchen and concession areas of the Tacoma Dome.

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

Mayor Sutherland moved to amend Resolution No. 27548 to substitute the figure \$1,261,832 on page 2, line 2. Seconded by Councilman Hyde. Voice vote was taken and carried.

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

Resolution No. 27574 (Continued from the meeting of September 21, 1982.)

Extending the agreement with the firm of Scudder, Stevens & Clark Incorporated for the provision of investment counseling services to the Retirement Board through December 31, 1982.

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

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Purchase Resolution No. 27580

Awarding bids to:

1. South Tacoma Motor Company on their bid of \$42,091.67 for one tandem axle cab and chassis - Specification No. G-94-82;
2. Fray Equipment Co., Inc. on their bid of \$12,704.39 for one tandem steel roller - Specification No. G-77-82
3. U.S. Oil and Refining Company on their bid of \$140,880.75 for annual supply of asphalt material;
4. Manus Services Corporation on their bid of \$225,112.00 for computer hardware and software - Specification No. G-111-82; and
5. Security Pacific Leasing Corporation for their bid of 13.5% for leasing proposal for computer hardware and software - Specification No. G-123-82.

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

Resolution No. 27581

Authorizing the acquisition of property located on the east side of Swan Creek at the intersection of East 61st Street.

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

Mayor Sutherland moved to approve the correction on page 1, line 12. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

Voice vote was taken on the Resolution as corrected. The corrected Resolution was declared adopted.

Resolution No. 27582

Authorizing the execution of a Supplemental Easement Agreement with the Weyerhaeuser Company and Burlington Northern, Inc. relative to the Humphrey Bypass Road in the Green River Watershed.

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. 27583

Authorizing the execution of a Quit Claim Deed to clear the title on the property located near South 58th Street and Alaska Street.

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. 27584

8 Authorizing the execution of a release of a sanitary sewer easement on the property located near South 38th and Steele Streets.

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

Resolution No. 27585

Authorizing the execution of an agreement for the installation of a temporary signal system for the proposed detour at the Jackson Avenue interchange of SR16.

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

Resolution No. 27586

Authorizing the submission of project prospectuses to the Department of Transportation, and further authorizing the execution of related agreements under the Federal Aid Urban System Program for the Six Year Comprehensive Street Program.

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. 27587

Authorizing the purchase of office furniture for the Tacoma Dome Project.

Councilwoman Bichsel moved that the Resolution be adopted. Seconded by Mayor Sutherland.

Deputy Mayor Nielsen moved to substitute the figure \$35,170.27 on lines 13 and 23 on page 1. Seconded by Councilman Hyde. Voice vote was taken and carried.

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

Resolution No. 27590

Authorizing the execution of an amendatory agreement with the Municipal Authority relative to the Joint Venture Loan Program.

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

Mayor Sutherland moved to suspend the rules to consider Resolution No. 27591. Seconded by Councilman Hyde. Voice vote was taken and carried.

Resolution No. 27591

Appointing Mark J. Anderson to the Board of the Municipal Authority.

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

Mayor Sutherland read the following Certificate, appointing Donna J. Rebelez as a Commissioner of the Tacoma Housing Authority.

" WHEREAS the Tacoma Housing Authority has heretofore been created pursuant to the provisions of Chapter 35.82 of the Revised Code of Washington, and WHEREAS there now exists a vacancy on the Board of Commissioners of the Tacoma Housing Authority by virtue of the expiration of the term of one of the members thereof, and WHEREAS RCW 35.82.040 of the Revised Code of Washington provides for appointment of commissioners of an authority by the Mayor of the city or town creating the same; NOW, THEREFORE, I, DOUG SUTHERLAND, Mayor of the City of Tacoma, do, pursuant to the authority of RCW 35.82.040, hereby designate and appoint Donna J. Rebelez as a Commissioner of the Tacoma Housing Authority for a term commencing on September 28, 1982, and terminating on September 28, 1987."

REPORTS BY CITY MANAGER:

City Manager Erling Mork announced that there would be a streetlight demonstration in the small park near the Municipal Building until 8:30 p.m.

Mr. Mork also requested that proposed modifications to the Ethics Code be submitted to staff as soon as possible.

COMMENTS AND COMMITTEE REPORTS BY MEMBERS OF THE CITY COUNCIL:

Councilman Hyde announced that he will be sending a proposed change to the Rules of the Council in the Friday packet. He proposed to expand the items of business to include the announcements, presentations and appointments. This would allow appointment resolutions to be considered early in the meeting.

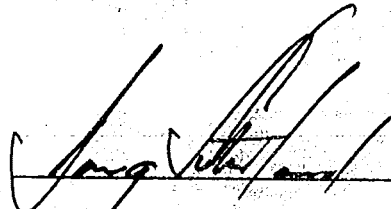
Councilman Hawkins suggested that the Council schedule an executive session at the end of next Tuesday's meeting.

Mayor Sutherland moved to recess into Executive Session for purposes of discussing litigation and personnel. Seconded by Deputy Mayor Nielsen. Voice vote was taken and carried. Council recessed at 7:53 p.m. and reconvened at 8:10 p.m.

Mayor Sutherland announced that on Saturday, October 2, at 1:30 p.m., there will be a cornerstone laying ceremony at the Tacoma Dome. Members of the Council are invited to attend. He also invited members of the Council to attend a meeting of the Pierce County Association of Cities and Towns on Thursday night, at the Executive Inn in Fife.

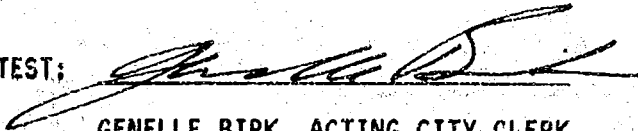
Mayor Sutherland moved to approve the settlement of the claims of William H. Reeves and Albert Iverson on the basis outlined and set forth in the memos submitted by Wayne J. Barker to the Director of Utilities, dated September 15, and September 20, 1982, copies of which are on file with the Clerk of the Public Utility Board. Seconded by Councilwoman Bichsel. Voice vote was taken and carried.

On proper motion, the meeting adjourned at 8:13 p.m.



DOUG SUTHERLAND - MAYOR

ATTEST:


GENELLE BIRK, ACTING CITY CLERK

WPC0257G