

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, Sept. 9, 1969

The meeting was called to order by Mayor Rasmussen at 4 P.M.

Present on roll call 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Absent 0.

The Flag Salute was led by Mrs. Banfield.

Mayor Rasmussen introduced Mrs. Lloyd G. Sass, Tacoma's official sister city hostess and, Mrs. Sass in turn introduced Prof. Keiji Matsunobu, representing the university's sister school in Kokura, Japan, Kitakyushu City University.

Prof. Matsunobu extended greetings to Mayor Rasmussen, the City Council and to the citizens of Tacoma from the Mayor and citizens of Kitakyusu, Japan. Prof. Matsunobu said he hoped that the good relationship between the two cities will be continued in the future.

A presentation of an award of \$50.00 was made by Mayor Rasmussen to Lois A. Smith, employee of the Municipal Court for her suggestion relative to the preparation of slips containing the names and pertinent information of prospective jurors.

Mayor Rasmussen, the City Council and Mr. Rowlands congratulated Mrs. Smith on her award.

Mayor Rasmussen asked if there were any omissions or corrections in the minutes of Aug. 12.

Mayor Rasmussen asked that on Page 4, under Resolution No. 20322, 5th line down, that the figure of \$2,670 be checked. He also asked that on Page 5, 3rd line from the bottom, that the word "renewal" be changed to "removal." On Page 8, in the first line of the verbatim, he asked that the name "Dick" be changed to "Vic".

Mrs. Banfield moved that the minutes of the meeting of Aug. 12th be approved as corrected. Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

HEARINGS & APPEALS:

This is the date set for hearing for the vacation of the alley located on Columbia and George St. from East T St. north, submitted by Lloyd Mathison.

Mr. Buehler, Director of Planning, explained this request is for a portion of an alley that was never platted and is not needed, nor anticipated for future use.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving the vacation. Seconded by Mr. Zatkovich. Voice vote was taken, resulting as follows: Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 0: Absent 0. Motion unanimously carried.

This is the date set for hearing for hearing for the vacation of Proctor St. from So. 58th to 300 feet north, submitted by Frank Stojack.

Mr. Buehler explained this request is for a portion of Proctor St. Several conditions have been placed upon it, such as a cul-de-sac, either adjacent to and north of the proposed vacated street, or partially into the proposed vacated area. This would allow construction of a roadway and turn-around on the remaining portion. The petitioner intends to utilize the vacation in conjunction with a warehouse development. The petitioner is in agreement with all conditions set forth by the Planning Commission.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission and that an ordinance be drafted approving vacation. Seconded by Mr. Bott. Voice vote as taken, resulting as follows: Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 0. Absent 0. Motion unanimously carried.

This is the date set for hearing for the vacation of property in the vicinity of 37th, Warner and Lawrence Sts. and Ruston Way, submitted by Edward J. Young.

Mr. Buehler pointed out on the map the location of the property. He said the Planning Commission has recommended that the original petition be cut back so that only that portion of No. 37th St. lying westerly of the Governmental meander line be vacated.

Mayor Rasmussen mentioned the letter received from Richard D. Larson, Western Industrial Development of the Northern Pacific Railway Co., stating that they were in agreement with the proviso that no construction should be allowed on the steep slopes above the tracks. Mr. Larson also noted that at some time in the future off-street parking might well be planned for public use.

Mr. Buehler explained that in the covenant to be executed by the petitioners, the Planning Commission recommended that the deed restrictions be placed on the vacation limiting the use of that portion located in the steep slope area to open space and prohibiting construction, or any act, which would disturb the natural state of the slope.

Mr. Cvitanich explained that a policy was adopted by the Council that the gulchs in that area be preserved in their natural state.

Mr. Young, 3617 No. Warner, petitioner, explained this 30-foot strip would be used only as a turn-around to enable him to get out of his yard.

Mr. Johnson asked if it were possible to arrange for an easement from the City to Mr. Young, instead of vacating the property.

Mr. Hamilton, Acting City Attorney, explained he did not believe there was any authority for the City to grant an easement to a private citizen over public right-of-way.

Dr. Herrmann felt since Mr. Young wished the top of the bank only, for a turn-around, perhaps the request could be amended to include only the portion on top of the bank and eliminate the portion beyond the meander line.

Dr. Herrmann moved that the Council concur in the recommendation of the Planning Commission with the exception, that the bank portion of the property be deleted and vacate only the portion on top of the bluff that Mr. Young would need for his use, also that an ordinance be drafted approving same. Seconded by Mr. Cvitanich. Voice vote was taken, resulting as follows: Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen. Nays 0: Absent 0. Motion carried.

The City Planning Commission recommending denial of the petition submitted by Robert D. Paulson for rezoning of the east side of Hosmer St. between So. 72nd and So. 74th St. from a "C-F-P" to a "C-2" District.

The last day to file an appeal was Sept. 2nd and no appeal was filed.

Mr. Murtland moved to concur in the recommendation of the Planning Commission to deny the above rezone request. Seconded by Mr. Finnigan. Voice vote was taken. Motion unanimously carried.

COMMUNICATIONS:

Mayor Rasmussen asked the County Commissioners who are present to speak at this time.

Mr. Gallagher, Chairman of the County Commissioners, announced that the County Commissioners had agreed that a bond issue be placed on the November ballot to enlarge the County-City Bldg. and for more parking facilities. He hoped that the City Council would agree to such a proposition and that two or three of the members will be appointed to their committee. He added, a meeting will be held Monday, Sept. 22nd at 7:30 P.M. in the Presiding Courtroom.

Mr. Gallagher further explained that the plans are completed, and the building will cost approx. \$8,000,000, and the bond issue would require about one and one-half mills to raise that amount of money. It has also been suggested that it might be feasible to house the Health Dept. into their own building, south of the Puget Sound Hospital.

Mayor Rasmussen said there is no question that there is a shortage of space in the Co.-City building. He wondered if it has ever been considered that a separate wing be built only for the City offices.

Mr. Gallagher explained the plans are to house all the courts in one wing which will be in the southwest corner, and a basement will be in that building which will house both the City and County data processing departments. This would allow for more space in the main tower.

Mr. Gallagher also explained that a feasibility study regarding plans for the parking is in process and it is hoped that this will be ready for the scheduled meeting.

Mayor Rasmussen thanked Mr. Gallagher for his presentation.

* * * * *

The communication from Kathryn W. Haley, President of Allied Arts Inc. was postponed until this date, requesting that subleases for space with the Junior League of Tacoma Inc. and the League of Women Voters, be given in the Allied Arts Bldg.

Mayor Rasmussen explained that copies of the lease had not been submitted with the agenda.

Mr. Rowlands explained the Allied Arts lease had already been submitted to the Council, however, the Council had asked for copies of the leases that the Allied Arts had with these two organizations. He added, he has been informed that these copies would not be available for a week.

17
104
140
141

Mrs. Banfield asked that more information be obtained relative to the building permits given Allied Arts, as the permits on record did not amount to \$85,000 as they have indicated.

Mr. Rowlands explained this information can be secured. He said under the lease, agreement, the Allied Arts Inc. have agreed to proceed with all diligence to make such needed repairs and modifications as can be accomplished with the funds available for such purpose.

Mr. Murtland moved to continue the communication for two weeks until Sept. 23. Seconded by Mr. Zatkovich. Voice vote taken. Motion unanimously carried.

* * * * *

The notice of appeal was filed by the firm of Rack & Cue, 3816 So. Yakima Ave., from notice of suspension of its license.

Mr. Hamilton explained that in the judgment of the legal staff they are not prepared to proceed with this hearing as a procedural technicality was not complied with as far as sending the notice to the licensee. Inasmuch as the ordinance required notice by mail, a postponement has been requested.

137
140
430

Mrs. Banfield moved that the appeal hearing on the suspension of license from the firm of Rack & Cue be postponed until the next regular or special meeting of the Council. Seconded by Mr. Johnson. Voice vote taken. Motion unanimously carried.

* * * * *

The communication from Mary Ann Truitt, Executive Director of Senior Centers, Inc. was read urging that senior citizen bus passes be continued and honored at all hours.

Mayor Rasmussen asked that the necessary Resolution to extend senior citizens bus passes for all hours be submitted to the Council at the next Council meeting.

A communication was received from Floyd C. Miller, Mayor of Seattle, acknowledging receipt of condolences extended by the Mayor of Tacoma over the death of Mrs. Marian Edwards.
Placed on file.

* * * * *

A communication was received from Toney Shelton, Secretary and Business Mgr. of the Tacoma Public Schools asking that the City and Metropolitan Park District transfer title of certain property immediately south of Heidelberg Field for the site of a new school for Tacoma.

Mr. Rowlands explained that the upper portion of the property is owned by the Metropolitan Park District. The remainder of the property was deeded to the City and County by the Park District for use in connection with Cheney Stadium. It states in the deed however, if it is used for any other purpose than recreation, title immediately reverts to the Park District. Mr. Glundberg, Director of the Metropolitan Park District, stated that the Park Board would request that the School Board reimburse them for the site. Mr. Rowlands felt that the Park Board and School Board should be negotiating for an equitable price on the property.

Mr. Hamilton felt since there has been a deed between the Park District and the City, it will take the cooperation of both parties to come to a decision.

Mr. Cvitanich stated he could visualize if a school is built in that area, the next thing would be that they would wish to take over Cheney Stadium. He asked that the legal staff review the matter very thoroughly as the City already has a large investment in the area.

333
348

Mr. Finnigan asked if this letter from Mr. Shelton dated Sept. 3, was the first notice the City had in regard to the matter.

Mr. Hamilton explained that this is the first notice that the legal dept. has received on the matter.

Mr. Rowlands explained meetings have been held for the past month and he felt the legal dept. can coordinate the matter as requested.

Mayor Rasmussen stated the letter from Mr. Shelton will be referred to the legal dept. and they will submit a recommendation to the Council for its approval.

* * * * *

An invitation was extended from Alfred N. Anderson Jr., Pres. of Tacoma-Pierce County Americanization Council to the Mayor, City Council, City Manager and residents of Tacoma to attend "I Am An American Day" at Mt. Tacoma High School at 8 P.M., Friday, Sept. 12.

Mayor Rasmussen explained this was a very impressive ceremony and urged that everyone should attend.

RESOLUTIONS:

Resolution No. 20356 (postponed from the meeting of Sept. 2)

Authorizing the execution of an agreement with the International Brotherhood of Electrical Workers, Local 483 concerning wages, hours and conditions of labor for certain employees of the Water & Controller's Division who are referred to in the agreement.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Cvitanich. Mayor Rasmussen announced that the objection by Mrs. Piva, who represented the Union of County-City employees, has been resolved.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20380

Awarding contract to Slead-Tomnesen Construction Co. on its basic bid of \$5,902.11 and its supplemental bid of \$1,076.35 for L I D 3685.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Finnigan. Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20381

Awarding contract to Lige Dickson Co., on its bid of \$174,922.40 for L I D 4890.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Cvitanich. Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20382

Accepting and approving the annexation petition submitted by Leonard Strandley et al, for the area in Mt. View Drive, Willow Lane Drive and So. 19th Street.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Murtland. Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20383

Approving the selection of Mr. M. C. Pruitt as a member of the Open Housing Review Board by the Tacoma Board of Realtors.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Bott. Mayor Rasmussen announced that Mr. Pruitt will be the representative of the Real Estate Board on the Open Housing Review Board. He mentioned that a meeting of the Open Housing Review Board will be held in the Council's conference room 354 at 4:30 P.M. Thursday, Sept. 11, for the purpose of electing 1969 officers. An opinion from the City Attorney's office will also be submitted on the Board's role in view of the State's new fair housing law.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Fimmigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20384

Authorizing the lease agreement with the Washington Disabilities, Inc. for the leasing of the old Fire station in the vicinity of 6th Ave. and No. Pine St.

Mrs. Banfield moved that the resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Robert Creso, 3011 Sixth Ave., explained that sometime ago the Sixth Ave. merchants had requested that the Pine St. Fire station be submitted for bids. At that time they were told by the Buildings Division of the Public Works Dept. that the building had been condemned for any use, and could not be renovated and the land was going to be used for parking. This was done at the time the Fire station was abandoned. He felt since the building could not be renovated it should be offered for lease. Mr. Creso requested that the Council designate this property as unfit for habitation and be torn down to be used for public parking or that it be put up for sale at public auction. The property then can be returned to the tax rolls so the merchants may, collectively or individually, purchase the property for parking.

Mr. Bott asked if there was a record of the building that declared it unfit for human habitation.

Mr. Anderson, City Engineer, explained he had checked with Mr. Button, Chief of the Buildings Division, and he was informed that the building was built in 1907 and made of brick mortar. It is a two-story building and in order to bring it up to the City's dangerous buildings code, considerable work would have to be done, due to the fact there is no re-enforcement in the building.

Mr. Zatkovich felt that the size of the lot would not solve the parking problem on Sixth Ave., because it was only 50 by 100 feet. He noted since other old buildings have been leased by the City he could not see any reason why this Fire station should not be leased, rather than razed.

Mr. Murtland felt the length of time the station could be leased could be changed, or a cut-off date could be set so that renovation could be accomplished during a certain period of time.

Mr. Hamilton explained that this is taken care of on Page 2, paragraph 2, of the agreement.

Several Councilmen were concerned that repairs to the building should be made before it is occupied.

Mr. Hamilton explained that certain repairs can be made which would meet the code, and yet it wouldn't make it safe for occupancy.

Mr. Fimmigan felt the Council should make a definite determination on this matter and state in the agreement that the association could not occupy the building until it was adequately repaired.

Mr. Johnson read a part of the agreement on page 4, paragraph 9, 5th line down, beginning with the words, "Provided that such termination is caused or occasioned by a need for the use of said premises for a public purpose or public use, such as additional street right-of-way, etc." He suggested the words, "such as additional street right-of-way, etc." were superfluous and a period should be placed after the word, "use", which would make a stronger paragraph.

Dr. Herrmann said that if the building is leased to Washington Disabilities, Inc., there is no substitute land for parking space. He felt there are other properties available for recreational facilities for Wash. Disabilities.

Mr. Johnson asked if it would ever be possible for the City to take possession of the building within the fifteen years specified in the lease if someone planned to build on the property for the benefit of the City.

Mr. Hamilton explained in his opinion it would not be possible for the City to take possession of the building unless it was for a definite public purpose.

Mr. William Buell, Vice Chairman of the Tacoma Handicapped, as associate of the Wash. Disabilities Inc., felt a number of considerations were being overlooked by the Council, particularly that the organizations have not asked for public funds at any time and arrangements have been made through private funds. He said he had reasons to believe that the building would be brought up to City Code standards.

Mr. Clay Patterson, Executive Director of Wash. Disabilities, Inc. explained that the insurance company that is to cover this building would not agree to do so until it is safe for occupancy and the workmen are carried by State Industrial Ins. through the contractors. He also mentioned that the zoning is classified "R-4" which would require a Special Use Permit for their organization to operate the building. He also said that the residents who had been contacted did not express any opposition to the plans of their organization.

Mr. Patterson pointed out to the Council that a special use permit would be required also for a parking lot. Since there is a tavern across the street that is open until 2 A.M. it would seem that more noise than usual would be created for the residents in the area.

Mr. Patterson referred to the ordinance which governs parking within the City and it plainly states that the minimum required area for ingress and egress is twenty feet and each parking area must be ten feet wide. He did not feel this lot would accommodate any type of a parking lot.

Mr. Patterson explained that the lease on the Fire station at No. 13th & J, as well as the Allied Arts lease, all have fifteen year leases with the provision that at each five year interval the rental shall be subject to re-evaluation and adjustment.

Mr. Patterson further stated that it was the hope and desire of all the members and friends of Wash. Disabilities, Inc. that the Council will approve this resolution so they will be able to set up adequate recreational facilities for any and all physically impaired persons.

Mr. Johnson asked if this organization would be able to give assurance of financial responsibility to carry out the work planned.

Mr. Patterson stated that the financing for the entire program hinges directly upon what action the Council takes. They are not capable of dispersing whatever expenses will be required, as they have donors who are financially capable of helping.

Mr. Johnson asked if it would interfere with their plans if the fifteen year lease period were reduced to five years with an option to renew the lease.

Mr. Patterson felt if approx. \$40,000 is spent on the building and in six months to a year a land developer wished to accumulate a huge block of property, the organization would certainly expect some reimbursement.

Mr. Creso thought the Council should not lease the building but give the building to Wash. Disabilities, or sell it to them for a very small amount, which would consequently place the building back on the tax rolls.

Mr. Warren Smith, owner of the Sixth Ave. Hardware, explained that parking has become a vital issue in that area. It is the only opportunity for an old district like this to acquire off-street parking so their businesses may survive.

Mr. Bott asked if there was any other city property which might be available for such a use.

Mr. Rowlands explained that he did not know of any other City buildings except the library and that does not have the facilities needed for the physically handicapped. Mr. Rowlands further stated that the building is in very poor condition, and in the interest of safety, before anyone occupies the building it must be made safe.

Mr. Zatkovich asked if the building had been condemned officially.

Mr. Rowlands explained it was his understanding that it had been.

Fire Chief Reiser explained that after the first earthquake in the late forties, the walls of this fire station shifted considerably, large cracks appeared in the back and front parts of the building, on the south wall, and crumbling occurred daily.

Following the 1965 earthquake, the firemen absolutely refused to live there any longer because the floors sagged and the plaster fell off the walls. The department felt that this was too dangerous so the company moved into the new station prematurely to get away from the structural defects of the building. It was felt that the building would not survive another earthquake of the intensity of the 1965 quake.

A number of citizens spoke in favor of the resolution.

Mr. Patterson said he had checked with the Building division and they could not find any notation or reference that the building had been condemned officially.

Mayor Rasmussen felt that Page 3, paragraph 6 should be amended whereas the Wash. Disabilities Inc. would be required to submit an annual report.

Mr. Murtland stated he could not vote for the lease as it is written. He felt it was not explicit, and the building should not be used for recreational activities until it is completely safe.

After some discussion, Mr. Johnson moved that Page 4, paragraph 10 be deleted from the lease-agreement and that the paragraphs be renumbered. Seconded by Mr. Murtland. Voice vote was taken. Motion unanimously carried.

Mr. Johnson moved that on Page 1, the first line in the last paragraph be changed from "fifteen years to five years" with the further proviso; "with option of renewal with two additional 5 yr. periods, up to a total of 15 years, carried by mutual agreement with the City and lease holder." Seconded by Mr. Murtland. Roll call was taken, resulting as follows: Ayes 2: Herrmann and Johnson. Nays 7: Banfield, Bott, Cvitanich, Finnigan, Murtland, Zatkovich and Mayor Rasmussen. Absent 0. Motion LOST.

Mr. Cvitanich moved that on Page 3, paragraph 6, on the first line, that the words "at the request of the proper officers of the City of Tacoma" be deleted and then the paragraph to read as follows: "Washington Disabilities Inc. shall submit annual reports to the City concerning their financial status, their income and expenditures, etc." Seconded by Mr. Bott. Voice vote was taken. Motion unanimously carried.

Mr. Cvitanich moved that on Page 3, paragraph 6, seventh line down, the sentence "Provided that the City of Tacoma shall not request said information oftener than every three months during the term of this lease", be deleted. Seconded by Mr. Bott. Voice vote was taken. Motion unanimously carried.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

Resolution No. 20385

Submitting to the qualified voters of the City of Tacoma at a Special Municipal Election to be held in conjunction with the General Municipal Election on Tuesday, Nov. 4, 1969 for the rejection or approval of a proposition to amend Sec. 3.7 of the Charter of the City of Tacoma.

Mr. Cvitanich moved that the resolution be adopted. Seconded by Mr. Zatkovich.

Mayor Rasmussen explained this resolution would place the City Clerk directly responsible to the City Council.

Mr. Murtland moved that Res. No. 20385 be tabled. Seconded by Mr. Finnigan. Roll call was taken on the motion, resulting as follows: Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0. Motion passed.

The Resolution was declared TABLED by the Chairman.

164

Resolution No. 20386

Submitting to the qualified voters of the City of Tacoma at a Special Municipal Election to be held in conjunction with the General Municipal Election on Tuesday, Nov. 4, 1969 for the rejection or approval of a proposition to amend Sec. 3.5 of the Charter of the City of Tacoma.

Mayor Rasmussen said he had sponsored this resolution as he felt that the City Attorney's staff should be under the control of the City Council since the Council members are elected officials. He noted that the State Attorney General is elected by the voters and is independent of the Governor's office as well as the County Prosecutor who is elected and independent of the County Commissioners.

Mr. Zatkovich felt this would improve the City Charter, and most of the attorneys who he has discussed the matter with feel that it would be an improvement.

Dr. Herrmann moved that Res. No. 20386 be tabled. Seconded by Mr. Johnson. Roll call was taken on the motion, resulting as follows: Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0. Motion passed.

The Resolution was declared Tabled by the Chairman.

Mr. Finnigan moved to suspend the rules to consider Res. No. 20387. Seconded by Dr. Herrmann. Voice vote taken. Motion unanimously carried.

Mr. Finnigan moved that Res. No. 20387 be placed on the agenda. Seconded by Dr. Herrmann. Voice vote taken. Motion unanimously carried.

Resolution No. 20387

The City Council of the City of Tacoma for, and on behalf of the citizens of Tacoma, does hereby congratulate and commend the Tacoma Cubs Baseball team, and each and every member thereof, for its outstanding season, which was climaxed by the winning of the Pacific Coast League pennant.

Mr. Finnigan moved that the resolution be adopted. Seconded by Mr. Cvitanich.

Mr. Zatkovich moved that the Resolution read, "By the Request of City Council." Seconded by Mr. Cvitanich. Voice vote was taken. Motion unanimously carried.

Voice vote was taken on the resolution, resulting as follows:

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Resolution was declared passed by the Chairman.

FIRST READING OF ORDINANCES:

Ordinance No. 18902 (postponed from the meeting of August 12)

Authorizing the Franchise for CATV Services.

Mrs. Banfield moved that the name of Tacoma Cable Co. of Washington be inserted in the ordinance on Page 1 and 2. Seconded by Mr. Zatkovich.

Dr. Herrmann explained it was his understanding after attending the study session on Monday, that it has been decided by a majority of the Council members to delay action on the cable TV franchises for two weeks.

Mayor Rasmussen explained that the legal department is making some suggested revisions relative to protecting the city's rights in regard to future cable uses other than for entertainment and news dissemination. He asked Mr. Hamilton if this is now being processed.

Mr. Hamilton explained that Mr. McCormick is working on the proposed revisions and they will be ready for next week's Council meeting.

Dr. Herrmann said that the Mayor had assured one of the cable TV representatives at the study session that no action would be taken at this Council meeting designating which firm's name will be placed in the Ordinance.

Mayor Rasmussen felt the Council would want to place the names in the ordinance at this time.

Mr. Rowlands stated that in fairness to all the individuals who had submitted their proposals they should be given an opportunity to speak on the first reading of the ordinances. He also said it was his understanding that some of the Council members wished clarification of some of the technical information in the applications submitted by the seven companies.

Mrs. Banfield said she felt the Council had postponed action on awarding the franchises long enough. She added, all of the applicants were notified of the study session and if they were interested they would have attended.

Dr. Herrmann moved that the consideration of the CATV Ord. No. 18902 be postponed on first reading, for two weeks, until Sept. 23. Seconded by Mr. Johnson. Roll call was taken, resulting as follows: Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0. Motion carried.

The Ordinance on first reading was postponed until Sept. 23, 1969.

Ordinance No. 18903 (postponed from the meeting of Aug. 12)

Authorizing the Franchise for CATV Services.

Mr. Johnson moved to postpone Ord. No. 18903 for first reading for two weeks, until Sept 23. Seconded by Mr. Bott. Roll call was taken, resulting as follows: Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland. Nays 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Absent 0. Motion carried.

The Ordinance on first reading was postponed until Sept. 23, 1969.

Ordinance No. 18922

Amending Chap. 13.06 of the official code by adding a new section 13.06.070-2 to include property on the S.E. corner of So. 5th & M Sts. in an "R-4-T" Dist. (petition of Hillhaven, Inc.)

The Ordinance was placed in order of final reading.

Ordinance No. 18923

Amending Chap. 13.06 of the official code by adding a new section 13.06.055-10 to include property approx. 365 feet west of Tyler St. between So. 31st & So. 35th Sts. extended in an "R-3-PRD" District. (petition of Weyerhaeuser Co.)

The Ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18897 (postponed from the meeting of Aug. 12)

Providing for the improvement of L I D 4894 for paving on East 44th from McKinley Ave. to East I; East 60th from McKinley to East K and other nearby streets.

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

City Council Minutes - page 11 - Sept. 9, 1969.

Ayes 8: Banfield, Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 1: Cvitanich. Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18917 (as amended)

Adopting the revised Fire Prevention Code.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18918

Amending Sec. 2.02.1120 of the official code relating to buildings to comply with the Washington State Fire Marshal's regulation #238.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18919 (as amended)

Amending Title 8 of the official code by adding subsection 42 to Sec. 8.12.010 relative to Disorderly Persons Defined and Enumerated.

Mayor Rasmussen asked if a report had been submitted from the school authorities.

Mr. Hamilton explained that Mr. Cross, a member of the City Attorney's staff had written letters on Sept. 3rd to the Tacoma School Dist. No. 10 and the trustees of the Tacoma Community College and no reply had been received.

Mayor Rasmussen suggested that the ordinance be postponed until a reply has been received.

Mr. Rowlands said he had spoken with Dr. Giandrone, Supt. of Schools and he had indicated that the School board favored the ordinance.

Mr. Cvitanich stated he would oppose any delay as there are problems in several of the schools at the present time. The longer the delay, the more compounded the problems will become.

Mr. Murtland felt this ordinance wasn't consistent as he thought if a person is licensed to carry a weapon, a public building would be no different than any private building in which people can congregate. He felt the main thought involved here was the possibility of harm where people congregate.

Mr. Johnson asked why private schools are not mentioned in the ordinance.

Mayor Rasmussen explained the ordinance is directly related to public buildings.

Mr. Johnson asked Police Chief Zittel if he agreed with the ordinance.

Chief Zittel explained he did not feel this ordinance would answer the problem. He felt there should be federal regulations as to whom is issued a license to carry a weapon. He said it is difficult to issue a license to a person and then try to regulate where it is carried.

After further discussion Mr. Bott moved that a comma be placed after RCW 9.41.070 in the last sentence of the ordinance and the following words be inserted, "unless such person is required by law to carry such weapon into said building for registration purposes." Seconded by Mr. Cvitanich. Voice vote taken. Motion unanimously carried.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18920

Repealing and reenacting Chapter 6.26 of the official code relative to Junk Dealers.

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

Ayes 9: Banfield, Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Nays 0: Absent 0.

The Ordinance was declared passed by the Chairman.

* * * * *

Mrs. Banfield moved to suspend the rules to consider Ord. No. 18927 on the agenda. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Ordinance No. 18927

Amending Chapter 8.44 of the official code by adding a new section 8.44.075, making it a misdemeanor for any person to efface, destroy or remove any bonafide political sign from its location within the City of Tacoma during the period preceding a political election.

Mrs. Banfield explained she did not approve of passing emergency ordinances, however, this ordinance is definitely an emergency and it constitutes exercise of the police powers of the City relative to political signs.

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

Ayes 7: Banfield, Bott, Finnigan, Herrmann, Murtland, Zatkovich and Mayor Rasmussen.

Nays 2: Cvitanich and Johnson. Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

Mayor Rasmussen explained that the City Council will not be able to meet next Tuesday, Sept. 16 because of the City primary election. He proposed that the Council meeting be held on Monday at 4 P.M. since Wednesday is Tacoma Day at the Western Washington Fair in Puyallup.

Mr. Rowlands reminded the Mayor that the Planning Commission is scheduled to meet at 4 P.M. on Monday.

Mr. Murtland moved that the Council meeting be held on Wednesday, Sept. 17 at 4 P.M. Seconded by Mr. Finnigan.

Mayor Rasmussen moved to amend Mr. Murtland's motion to insert the date of Monday, Sept. 15 in place of Wed., Sept. 17. Seconded by Mrs. Banfield. Roll call was taken, resulting as follows: Ayes 4: Banfield, Cvitanich, Zatkovich and Mayor Rasmussen. Nays 5: Bott, Fimmigan, Herrmann, Johnson and Murtland. Motion LOST.

Voice vote was taken on Mr. Murtland's motion that the Council meet on Wed., Sept 17 at 4 P.M. Roll call was taken, resulting as follows: Ayes 6: Bott, Cvitanich, Fimmigan, Herrmann, Johnson and Murtland. Nays 3: Banfield, Zatkovich and Mayor Rasmussen. Motion carried.

Mayor Rasmussen announced that the City Council will meet on Wed., Sept. 17 at 4 P.M. as set by the Council rules.

* * * * *

Mr. Cvitanich explained in the August issue of the Western Cities magazine on page 39, it mentions a revolutionary new concept for instant odor abatement. The article states that a system instantly eliminates the toughest odor problems arising from waste disposal plants, feed lots, pulp and paper mills, chemical processing plants, stock yards, petroleum plants, fertilizer plants and canneries. Mr. Cvitanich suggested that a copy of this article be sent to some of the industries in the Tacoma area so they might explore the utilization of such a system.

* * * * *

Mayor Rasmussen asked if any Council member has any suggestions relative to changing the design of the key to the City before a new supply is ordered. He added, since there is no objection, he would order 250 keys as the supply is depleted.

* * * * *

Mr. Cvitanich explained he had received forty phone calls from concerned parents regarding a particular film showing in a theater at the extreme end of Sixth Avenue. Mr. Cvitanich asked if the City has a censor board, he also inquired about the pornographic material being sold on the downtown streets.

Mr. Rowlands explained there is a Censor Board but it does not meet unless they are called for a special reason. He added, the Police and Sheriff's departments in Spokane have brought action against a theater which was playing this same movie. He asked Mr. Hamilton to explain the laws on this matter.

Mr. Cvitanich asked that the Police Chief, County Sheriff, County Prosecutor, Council members and City Manager to view the movie and as far as he was concerned it should not be shown in the community.

Mr. Murtland said that two films shown recently downtown should not have been allowed. He felt censorship should be enforced on films such as these.

Mr. Hamilton read the State law from the 1969 Extra-ordinary session which is aimed at restricting the showing of erotic films to adults only. Minors are defined in the code as any person under 18. He noted that the movie spoken of is being properly labeled and advertised as an X-rated film, not to be viewed by minors.

Mr. Hamilton further stated the law reads that the prosecutor of a County may apply to the Superior court for a hearing to determine if a film is erotic. Then if ruled as such by the court, an order would be issued requiring the exhibitor to label it for adults only.

Mr. Hamilton added, he had conferred with the office of the Prosecuting Attorney earlier in the week and since he is the principal enforcer of the law under the provisions of the State Act, Mr. Hamilton thought the Prosecutor would take action if he had grounds to do so, but no action is contemplated at the present time.

Chief Zittel explained the theater in question has been very cooperative in the past as they have restricted admission to persons 21 and over when they could have allowed 18 year olds into the theater. He said he did not have any positive knowledge of juveniles entering the theater but would check again if the Council so desired.

1169

Mr. Zatkovich felt that the film should be banned even for adults, and felt the County Prosecutor should take action.

Mr. Fimmigan explained he had checked with the legal, police and manager's staffs relative to the pornographic material being sold downtown. He wished the Council to know that the Police Dept. is diligently checking on the matter; however, as long as the vendors are operating within the law, there is not much the Police dept. can do.

Mr. Cvitanich asked that Mr. Rowlands submit a report on how many times the Censor Board has met since 1960.

Mr. Rowlands stated he would look into the matter.

* * * * *

Mayor Rasmussen requested that Mr. Hendry, Director of Transit, report on the Crosstown bus route, as there have been several requests to extend the route from Pt. Defiance to 72nd and Portland Ave.

Mr. Hendry explained the schedule of the Crosstown bus. He noted that the idea of the crosstown route is that the bus connects with other routes only and does not run from one end of the City to the other. He noted it takes an hour and one half to make the round trip from No. 30th & Proctor to 40th & Portland Ave. This route was published through radio and newspaper ads, as well as by word of mouth. He added, this is a convenient route and is being well enjoyed by the people using it, however it does not pay for itself.

* * * * *

Mayor Rasmussen announced that he would like to remind the NAACP that under the Open Housing Ordinance of the City, their organization is still entitled to have a delegate on the Open Housing Review Board. He also noted that there is an opening available on the Review Board for a delegate from the Human Relations Board.

* * * * *

Mayor Rasmussen urged that the merchants on Sixth Ave. who are very concerned about the parking problem, get together and check locations for parking sites which could be purchased to help alleviate the problem.

* * * * *

Mrs. Banfield mentioned she had brought up the Model Cities Program for a number of weeks because she wanted the Council to study it very thoroughly. She also explained that one of the members of the Hilltop Neighborhood Assn. felt the Council should be bypassed if the organization decides to change requirements for membership in the citizen's organization. She read a letter from Secretary Romney addressed to Mr. Zelenak, a Tacoma citizen, which explained the Model Cities Program. It also stated that the federal government is strictly opposed to the development of segregated conclaves of any kind. A partnership of citizens and city government is responsible for the development and implantation of the Model Cities plan for a given city.

Mrs. Banfield asked what position Mr. Floyd Davis holds on the Model Cities staff and what is his salary. She also asked for the Council's assurance that he will either be removed from such a position or cooperate with the Council. She felt the Council did not have to put up with such an attitude within the Model Cities Program.

Mr. Johnson stated he had read the article that Mrs. Banfield mentioned, and the man is entirely out of order if he had made such statements. He also felt that the Council is within its rights to make an investigation on the matter.

After some discussion Mrs. Banfield moved that the City Council investigate the statements made and if necessary that Mr. Floyd Davis be removed from the Model Cities Program. Seconded by Mr. Johnson.

Mr. Johnson explained, in fairness to Mr. Davis, he could understand the pressures under which he is operating. He could understand his contemplated reaction in talking with the City Council, as he has not altogether met with impartial aid from them. Therefore he could understand why he might be making those remarks.

Mayor Rasmussen felt that a more positive approach would be in order rather than just an investigation.

Mr. Fimmigan said he had voted for the Model Cities Program but it didn't mean he would condone improper conduct within the program. He asked who would conduct the investigation.

Mr. Zatkovich also said he voted for the Model Cities program but did not think improper conduct by certain individuals should jeopardize the entire program. He felt that the City Manager should carry on the investigation as he had the proper tools to accomplish such a matter.

209

Mr. Johnson stated he had voted for the program and hoped that it could work out, and in order for it to do so it must be directed by the right type of people. He also felt that the investigation should take place.

Roll call was taken on Mrs. Banfield's motion that the City Council investigate the actions of Mr. Davis and the Model Cities Program, and that Mr. Davis be removed from the program, resulting as follows:

Ayes 4: Banfield, Bott, Zatkovich and Mayor Rasmussen. Nays 4: Cvitanich, Fimmigan, Herrmann and Johnson. Absent 1, Murtland (temporarily). Motion LOST.

Mr. Johnson explained he could not vote on the portion of the motion that would remove Mr. Davis from the program. Mr. Johnson moved that an investigation of the Model Cities Program be made. Motion failed for want of a second.

After some discussion Mr. Cvitanich moved that the City Council investigate the statements made by Mr. Floyd Davis and if it was found that these statements were made, that he be dismissed or removed. Seconded by Mr. Zatkovich. Roll call was taken. Ayes 5: Banfield, Bott, Cvitanich, Zatkovich and Mayor Rasmussen. Nays 3: Fimmigan, Herrmann, and Johnson. Absent 1, Murtland (temporarily). Motion CARRIED.

* * * * *

Mayor Rasmussen announced that a meeting will be held in conjunction with the Utility Board at the Centralia Power Plant, Thursday, Sept. 11. He stated that Mr. Erdahl, Director of Utilities has asked which Council members will be attending.

* * * * *

Mrs. Banfield asked Mr. Rowlands to check the record to determine who paid \$342.00 for a piece of property that was appraised for \$7,775.00. Mr. Rowlands said he would look into the matter.

* * * * *

Mrs. Banfield asked who was on the Board of Directors for the "Image" located at No. 51st and Pearl St.

Mr. Rowlands read the list of the Board of Directors for the "Image".

Mrs. Banfield felt that in all probability that sensitivity training was being conducted at the establishment. She felt that the Police dept. should check into the matter.

210

Mayor Rasmussen asked that Chief Zittel check the establishment.

Mr. Rowlands explained the "Image" had been checked by the Police dept. and found it was a community center in that area.

* * * * *

Mrs. Banfield explained that the Senior Citizens' Centers are having a few financial problems. She understood that Mr. Rowlands had promised \$15,000 to help these centers if the City received additional funds from the State. She asked, when

Has it been the City Council's policy to give financial aid to the Senior Citizens' Centers.

Mr. Rowlands explained that various Directors of such programs have requested that funds be made available, either by federal or state funds. His staff has checked on the availability of funds for these programs but even though the programs are approved by Congress, they do not appropriate the monies. Mr. Rowlands said he had not promised anyone \$15,000 from the City.

* * * * *

Mayor Rasmussen asked when the Preliminary Budget is to be presented to the Mayor.

Mr. Rowlands explained that the Council had determined that the date set for presentation is in October. The adoption of the Preliminary Budget would be the first part of Nov. and the final budget adoption is scheduled for December. The Council has also requested copies of the requests made by various unions when they are received. The staff will carry out this request.

Mr. Gaisford explained the checking of the department budgets is a slow moving process, as each section is audited by the Finance. Dept. as well as by the Personnel Dept.

Mayor Rasmussen felt since the City is geared to a later date for adoption of the budget, he could see no reason why the schedule could not have been set earlier for the Council to review the budget. Since the budget, by law, has to be adopted during the first week in December, there is a conflict with the meeting scheduled by the National League of Cities in San Diego. He hoped that the budget could be adopted and out of the way by that time.

Mr. Rowlands mentioned that the schedule has been geared to the new State law which moved the dates ahead two months.

Mrs. Banfield asked that the suggestions from the Dept. directors be forwarded direct to the Council and then be compared with what Mr. Rowlands advises.

Mr. Rowlands explained that he has advised the Department Directors to submit their budgets exactly what they are now as far as programming is concerned. The only change being made is the increase in pay for the employees who are going through the salary steps. Each department will submit a supplemental budget outlining what their departments wish to accomplish for 1970 if funds are available. Copies of these budgets will be submitted to the Council as requested.

Mayor Rasmussen requested that the budget schedule be sent to the Council in next week's agenda.

* * * * *

Mr. Finnigan and Mr. Murtland left the meeting at 9:45 P.M.

* * * * *

REPORTS BY THE CITY MANAGER:

Mr. Rowlands explained he had submitted a rather detailed memorandum, MC-626, concerning the situation in the Transit Dept. The breakdown is spelled out relative to additional appropriation and additional revenues required by the system to complete the year 1969. The report also outlines the details and reasons for the additional appropriations and some possible actions that might be taken to reduce service and/or increase fares, he added.

Mr. Rowlands said other alternatives to make up approx. \$171,000 could perhaps be, to discontinue Sunday and holiday services which would amount to a savings of \$14,232.80; reduction of evening service would result in a savings of \$14,601.30; if school fares were increased it would amount to \$34,296.60 and raising the adult fare to 30¢ would bring in approx. \$34,168.30. The total of this action would amount to approx. \$97,000.00.

Mr. Rowlands further explained that the crosstown bus is being used by a number of people but the minimum daily loss is \$92.66. It is also noted that the senior citizen passes are being used extensively. The Transit drivers report many regular riders who formerly paid their fare to and from work are now using passes. Pass use continues to increase, during the afternoon hours particularly, which obviously loses money for the City. Another possibility is to increase the Transit Tax from the present 75¢ to the limit of \$1.00 on residences, and it is estimated that the additional 25¢ would produce approx. \$157,000 a year additional income.

Mr. Rowlands explained there was a Transit bill passed in the legislature that will allow approximately 3 to \$400,000 for Tecoma in 1971, depending on how much of a subsidy is needed for matching funds. This does not help the City in 1970 however.

Mayor Rasmussen read the figures relative to the Transit system operation in the 1969 annual budget. He noted that the Council approved the budget which was approximately 14.46% over the year 1969. He said that Mr. Hendry had stated he felt this would be sufficient to operate the system throughout 1969.

Mayor Rasmussen questioned several items in the MC and felt an increase in the budget of 14.46% for 1969 and an additional appropriation for the balance of the year of approx. \$171,000 was out of line. He said he knew there had been an error in accounting of approx. \$304,000 and wondered if this caused the difference.

Mr. Rowlands explained that the crosstown bus route is costing the City \$92.66 a day. He added the report shows the legitimate reasons for the over expenditure.

Mayor Rasmussen stated the Council has indicated that they expected each department to operate within its budget.

Mr. Rowlands remarked that this could be accomplished if the crosstown route is eliminated and service is cut down, as well as reducing the opportunity for the elderly to ride the buses around the clock, also eliminating the Sunday and holiday services.

Mr. Rowlands asked Mr. Gaisford what would be the alternative if some of these suggestions are not carried out by the Council.

Mr. Cvitanich felt that this is a question of priority and the Transit System should have been considered ahead of the Airport which was provided with \$500,000 during the budget hearings.

Mayor Rasmussen felt there should be a budget control which is allocated quarterly such as the State.

Mr. Gaisford reminded the Council that the Transit System's operation is continually losing. He said his department is contemplating placing the system on a day by day operation because he does not want to place it in a position of an overdraft in a utility operation. This was the reason for giving the Council members the exact picture of what position the Transit System will be in by the end of 1969. If the Council wishes to continue all services, it will probably be necessary to submit an emergency ordinance appropriating the expenditure of these funds.

Mr. Gaisford also mentioned that it was unfortunate that an error had been made in the Finance dept. but it was certainly corrected when it was found and the error did nothing at all in curtailing any cash available for the operations of 1969. The General Fund was low, but not because of any accounting error, it was because the State Aid to Cities was overbudgeted in the amount of \$428,000. He also mentioned that the City Manager had requested a 5% reduction in all departments from June 1969 to the end of the year.

Mr. Hendry explained to the Council the additional routes that have been set up for the school and the crosstown bus. He also mentioned in previous years a bus driver was not paid overtime until he had worked 8 hours and 29 minutes. In the 1969 agreement the driver was guaranteed 8 work hours a day and the City Council agreed to pay overtime after 8 hours. Therefore there was an added expenditure of approx. \$9,000. He explained buses are operated on schedule, whether there are one or thirty passengers on board. Additional overtime was also needed due to the snow and cold weather, also extra drivers were hired due to the sickness of the regular drivers.

Mr. Hendry further stated there were added expenses due to the additional ten buses that were purchased. He also mentioned that the billing for the Transit tax is charged to his Dept. in the amount of \$22,607.00, which was not budgeted for 1969.

Mr. Rusty Hanson, Accountant for the Transit Company explained at the time he prepared the Transit budget he had just come into the department and the transit tax expense was 6.62% of the collections. When the budget was prepared, \$37,000 was budgeted to take care of the Transit tax billing for which the department is being charged by the Utilities Dept. After their budget was completed he was informed that the Public Utilities Dept had increased their charges for the billing to \$52,000. Therefore, the Transit system was short a little over \$22,000. At the present time the Transit system is paying 10.62% of the collections and for the year 1970 they will be budgeting at least \$62,000 to pay the transit tax billing expenses.

Mr. Hanson further explained pension costs were slightly under budgeted. To pick up the pension costs and additional overtime, \$7,888 is needed.

Mayor Rasmussen asked if the City can document the fact that the school system should pay more to the City for using the buses.

Mr. Hendry explained he had conversed with Mr. Shelton, Bus. Mgr. of the School system, and he has budgeted \$405,000 for the Transit dept. during Sept. 1969 through June 1970. If the school fares are increased from 12 1/2¢ to 20¢, which is a 60% increase, it would amount to approx. \$240,000. Mr. Shelton said he had no idea how much, if any, would be coming back from the State.

Mayor Rasmussen felt since it was a State law, the schools would be reimbursed, even if an emergency appropriation would have to be made.

Mrs. Banfield requested that a total of the collections of the transit tax be submitted to the Council.

Mr. Rowlands asked if the Council would give the staff direction within the next couple of weeks.

Mr. Zatkovich thought the school fare situation should be studied.

Dr. Herrmann felt further recommendations should be submitted by the Director of Transit and then the Council can take action in balancing the budget for 1969.

Mr. Rowlands said if the Council wishes the school fare situation can be explored.

Mrs. Banfield stated the Police and Fire Depts. come first, and service to the people, that is why they pay taxes. Matching funds and fringe benefits should be cut out.

Mayor Rasmussen stated the Council will study the matter and a further report and recommendation will be forthcoming from Mr. Hendry.

* * * * *

Mr. Rowlands requested that a study session be held Monday noon. One of the items he would like to discuss with the Council is a Municipal Information System, which is a federal program in regard to computer equipment that can be used for all of the departments. He noted that four companies have approached the staff to help them prepare the application with no expense to the City. The federal government has asked that such proposals be in by the end of October.

Mayor Rasmussen asked that Mr. Rowlands make a report to the Council on the matter, indicating the benefits to the taxpayers, and also submit costs so the Council may study it at their leisure.

Mr. Gaffin, of Teknekron, explained that his Company can help with preparing the application, then it is sent to the government and the award would not be made until December. He also noted this is a real good program that has been developed. It is developed to save money for the cities of the nation.

Mayor Rasmussen asked Mr. Gaffin to submit a report in writing relative to his proposal.

* * * * *

206
207
242

COMMENTS BY MEMBERS OF THE CITY COUNCIL:

Mr. Cvitanich requested that an ordinance be submitted to the Council next week relative to removing the City Manager, Director of Utilities and all department directors from the classified pay plan.

Mr. Hamilton said he had understood that the ordinance would pertain to all appointive employees.

Mr. Cvitanich pointed out that the list should consist of the City Manager, Director of Utilities and all department directors, all those in the higher echelon appointed positions, in other words, the unclassified service.

* * * * *

Mayor Rasmussen mentioned the opinion from the legal dept. relative to the Urban Renewal Law Tax Exemption. Mr. Sullivan, Asst. City Attorney, stated that the Prosecuting Attorney has indicated orally that they have studied the opinion of the City Attorney and concur in that opinion.

Mayor Rasmussen requested that the legal staff obtain a written opinion from the Prosecuting Attorney, pointing out that the taxes are not collectable, and also one from the Assessor's office, as they are both elected officials.

Mr. Hamilton did not think it was possible to obtain such a document. He noted that as far as their office was concerned, they are in no position to demand a written opinion. They did ask for one, but the Prosecuting Attorney explained he would rather not submit a written opinion on the matter.

Mr. Rowlands pointed out that an opinion from the City Attorney explained that the City does not have to pay taxes on the property in question.

Mayor Rasmussen said the City Attorney's opinion was subject to the opinion from the Prosecuting Attorney, and so far the City has not received such a communication. The Mayor asked that a letter be sent, specifically asking for an opinion on the matter, if it has not already been sent.

* * * * *

Mr. Cvitanich suggested that a number of the staff should stop criticizing the State Legislators. There is a session scheduled for 1970-1971, and this criticism certainly will not help in the event the City needs assistance.

Mr. Cvitanich explained he had sponsored an ordinance calling for an audit on many occasions, but at this time he would again request such an ordinance be placed on the agenda for Sept. 17.

Mr. Cvitanich read an article from the Tacoma News Tribune dated Nov. 12, 1952. which mentioned the new Charter recognizes that the development of a meaningful budget is a long range financial planning and an audit is important.

* * * * *

Mayor Rasmussen requested that the City Manager see that Police protection is given at polling booths if requested.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from Gary Sullivan, Ass't City Attorney re: opinion of RCW Chap. 35.81, Urban Renewal Law, Tax Exemption.
- b. Personnel report for July, 1969.
- c. Agenda for Sept 1st, and minutes of the meeting of Aug. 11th, from the Trainee Corps Selection & Evaluation Board.
- d. Budget Suggestions for 1970 from Assoc. of Washington Cities.
- e. Annual report from the Tacoma Housing Authority - 1969.
- f. Director of Finance report for July 1969.
- g. The City Clerk advising that the time has elapsed for filing protests on LID's 3687 and 4900.

Placed on file.

* * * * *

Mr. Johnson moved to adjourn the meeting. Seconded by Dr. Herrmann. The meeting was adjourned at 11:20 P.M.

A. L. Rasmussen
A. L. Rasmussen - Mayor

Attest: *Josephine Melton*
Josephine Melton - City Clerk