

CITY COUNCIL MINUTES

City Council Chambers
Tuesday, August 13, 1968

The meeting was called to order by Mayor Rasmussen at 4:00 P.M.

Present on roll call 8: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.

Absent 1: Banfield.

The Flag Salute was led by Mr. Cvitanich.

Mr. Bott moved that the minutes of the meeting of July 30, 1968 be approved as submitted. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Mayor Rasmussen announced that the L.I.D. Committee members for the months of September, October and November will be Mr. Cvitanich, Mr. Zatkovich and Mr. Johnson.

HEARINGS AND APPEALS:

a. This is the date set for hearing for the rezoning of the S.E. corner of South 47th and Cedar Sts. from an "R-3" to an "R-4-L" District, submitted by Whitson Construction Co.

Mr. Buehler, Director of Planning, said there has been apartment zoning and construction underway in this area. At present, Cedar St. is not improved but there was an LID approved by the Council in July, 1968 for streets and the single family home owners in the area are desirous that the improvement go thru as proposed. Mr. Buehler added there were no objections to the rezoning of this area.

Mr. Finnigan said there are times when the building of new apartments necessitates enlarging of water mains in an area and asked if the developers are financially responsible for this improvement or if the residents will continue to be assessed. He added at the LID hearing on August 12, there was quite a large percentage of remonstrances filed mainly from single family residences who felt the apartments were responsible for causing the enlargement of the water mains in the area.

Mr. Benedetti, Asst. Director of Utilities, said as he recalled the mains in the Junett St. area were adequate as they seem to get the pressure required.

Mr. Finnigan said one of the water mains in this area is a 2-inch galvanized main which was installed about 20 years ago, but the property owners feel the reason for enlarging and replacing the water mains was due to the new apartments being constructed.

Mr. Benedetti said a 2-inch main is not adequate for neither residential or commercial type of development. The department has found that the apartment buildings do not place a large burden on abutting water mains and the 6-inch size mains, which are minimum standards, will handle the apartment buildings together with residential developments. He added that all property owners are assessed on an equal basis according to front footage.

No one appearing and no protests being made, Mr. Cvitanich moved to concur in the recommendation of the Planning Commission to approve the rezoning and that an ordinance be drafted approving same. Seconded by Mr. Zatkovich. Voice vote taken. Motion carried.

Ayes 8; Nays 0; Absent 1, Banfield.

b. This is the date set for hearing for the rezoning of the S.W. corner of So. 65th St. extended and Thompson Ave. from an "R-2" to a "C-P-N" District, submitted by Hi-Ho Shopping Center.

Mr. Buehler, Director of Planning, said presently there is no "C-P-N" District at 64th and Yakima. The Hi-Ho Shopping Center has acquired some additional property which they are desirous of using for off-street parking and they are asking the "C-P-N" boundaries to be enlarged to encompass this area. The Planning Commission made a restriction of no ingress or egress to the area from Thompson Ave. and that ingress and egress will be enclosed, lighted and screened.

No one appearing and no protests being made, Mr. Finnigan moved to concur in the recommendation of the Planning Commission to approve the rezoning and that an ordinance be drafted approving same. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 1: Cvitanich. Absent 1, Banfield.

c. The City Planning Commission recommending denial of the application submitted by W. H. and W. T. Ostruske for the rezoning of both sides of vacated No. "D" St. between No. 10th extended and No. 11th St.

An appeal was filed by Mr. Honeywell, attorney, but was withdrawn.

Dr. Herrmann moved to concur in the recommendation of the Planning Commission to deny the rezoning. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Ayes 8; Nays 0; Absent, Banfield.

RESOLUTION:

Resolution No. 19827 (postponed from the meeting of August 6, 1968)

Authorizing the employment of Preston, Thorgrimson et al of Seattle as bond Counsel for the submission to the electorate and the issuance of a Street Capital Improvement Bond issue in the amount of \$4,000,000.

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Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Johnson.

Mr. Rowlands, City Manager, explained that MC-550 submitted is a breakdown of the proposed \$4,000,000 bond issue. He added if the Council sees fit to proceed, this will be put on the November ballot. It is critical that this money be available he added.

Mayor Rasmussen asked if the bond issue were to be decreased by the Council, would the figures for the bond counsel be decreased accordingly.

Mr. McCormick, City Attorney, said the bond counsel's fee is based on \$2.00 on the first 500 bonds, \$1.50 on the next 500 and \$1.00 per bond on the next 3 million. If it were decreased, the total cost would be the same but the difference would come on the \$1.00 per bond unit. The fee would be based on the amount of the bond issue approved by the Council. In the event the bond issue does not pass in November, there would be a flat fee of \$250.00 by the bond counsel.

Mr. Gaisford, Finance Director, said he would recommend to the City Council that the entire \$4,000,000 bond issue be submitted and immediately invest the funds as there would be more money to proceed with the construction.

Mr. Cvitanich said he is a firm believer in priorities and felt the City should bring the fire equipment up to date.

Mr. Rowlands said in view of Mr. Cvitanich's statement, he has submitted MC-551 on Fire Equipment, which is also on this agenda, recommending the inclusion of a two-mill levy on the November ballot. This would take care of replacing 8 pumpers and one aerial ladder which would cost approximately \$450,000.

Mr. Rowlands added under State law the City cannot ask for a bond program to replace equipment but could ask for millage. The larger cities in the State of Washington are recognizing that this costly equipment is too expensive to be absorbed by the City's general operating budget, and have to resort to special millage.

Mr. Cvitanich said it was his understanding that 20 years is the maximum in terms of credits received for the equipment used by the City.

Mr. Rowlands said this is not absolutely true. The equipment is tested annually by an appraiser, and normally it is desirable to replace equipment on the average of 20 years, but frequently equipment of the maximum age is still in good operating condition.

Mr. Cvitanich suggested asking for more millage to replace all of the fire equipment needed for the Fire Dept. as it is of utmost importance. He added he hoped that in preparing the budget for next year serious consideration will be given to bringing up the minimum man-power requirements which will also take additional funds.

Mayor Rasmussen said with the additional funds that are being requested for LID participation, it would seem that the LID program will be expanded at a terrific rate.

Mr. Schuster, Director of Public Works, said up to the present time the City has been averaging five to eight miles of residential paving each year under the LID participation program. It has been projected at seven miles for the bond issue. Alley paving has been approximately 2½ miles per year and has been projected at three miles for the bond issue, and since there is a new program instituted for storm sewer construction participation for the City, it is practically impossible for the property owners to carry the load on these projects.

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City is trying to help relieve the property owners of the excessive burden for this construction. On residential street lighting the City's participation is between \$20,000 and \$30,000 each year.

Mr. Cvitanich felt if the City has a \$4,000,000 bond issue and a two-mill levy for the Fire Dept. it will work a hardship on a good number of senior citizens on fixed incomes. He thought serious consideration should be given to a \$2,000,000 bond issue and a two-mill levy for the Fire Dept.

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Mr. Johnson said these issues will be put on the ballot for the citizens to decide whether or not they want them. He felt the cost now would be as low as one could expect, and the money borrowed could be re-invested to earn interest if it was not used.

Mr. Finnigan made reference to the cost of this program to the citizens and added it totals a penny a day to provide this tremendous improvement. He added if the City is to undertake such a program, now is the time as it will cost a great deal more in the next two or three years.

Mr. Rowland said special funds are created for these projects and the money cannot be used for any other purpose than specified in the proposition.

Mayor Rasmussen said he felt the bond issue could be decreased by approximately \$2,000,000. He said if the City is successful in promoting a \$2,000,000 bond issue they are further ahead than if they lose a \$4,000,000 bond issue.

Mr. Bott said he felt this is an opportune time to put the issue on the ballot. If it is put to the people in the proper manner and they approve it, then they are willing to pay for it.

Mayor Rasmussen said he feels it is probably a very inopportune time since there will be a large turnout of voters due to the presidential election and 60% favorable vote is required. When people are concerned with candidates for President and governor, they have very little concern for a bond issue.

Dr. Herrmann said he felt a \$4,000,000 bond issue would be as easy to sell to the people as a \$2,000,000 bond issue. The City has a fixed obligation to the 10% participation in the Urban Arterial Fund. In the City cannot come up with \$2,100,000 in the next three years, they will sacrifice the 90% participation from the Urban Arterial Fund.

Mayor Rasmussen asked Mr. McCormick, City Attorney, if this money could be used for streets only and for projects as Council determines through the years, and none of it could be used for the airport.

Mr. McCormick said the money must be specifically for the purpose for which the public voted.

Mayor Rasmussen said MC-550 listed an estimated \$7,000,000 annual program for Urban Arterial. He asked Mr. Schuster if the City could be assured of receiving this amount.

Mr. Schuster, Director of Public Works, said the City cannot be assured of receiving that amount as they are on a priority rating with other cities and counties in the region. In the first year of the biennium the City did receive over \$7,000,000 from this fund. Assuming that the City will receive approximately the same amount each year, it would require \$700,000 participation by the City.

Mayor Rasmussen asked, as a selling point for this bond issue, if the public can be told the City will construct overpasses and under-

passes around the Mall to relieve traffic congestion.

Mr. Schuster said he did not know what projects the Council will approve when the 6-year program is presented. The projects are submitted to the Urban Arterial Board and are rated on a priority basis. The City has every reason to believe they will get their share of the money that is allocated by the Urban Arterial Board.

Mr. Cvitanich moved to amend Resolution 19827 to read \$2,000,000 instead of \$4,000,000. Seconded by Mr. Zatkovich. Voice vote taken. The amendment lost.

The Resolution was passed by voice vote.

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

Nays 1: Cvitanich. Absent 1: Banfield.

Resolution No. 19828

Submitting to the electorate at a special election to be held on November 5, 1968, a proposition for the issuance and sale of a Capital Street Improvement Bond issue of \$4,000,000.

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

Mr. Cvitanich moved to amend Resolution 19828 to read \$2,000,000 instead of \$4,000,000. Seconded by Mr. Zatkovich. Voice vote taken. The amendment lost.

Mayor Rasmussen asked Mr. Schuster, Director of Public Works, how much there was in the 1968 budget for LID participation.

Mr. Schuster replied \$120,000, but three years ago on a bond issue there was \$275,000 and the City did not participate in residential street lights or storm sewer construction, which accounts for the added \$105,000.

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19829

Fixing Monday, Sept. 9, 1968 at 4 P.M. as the date for hearing for L I D 6904 for street lighting on wooden poles along Monroe St. from 6th Ave. to So. 12th St. and other nearby streets.

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

The Resolution was passed unanimously by voice vote.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19830

Authorizing the proper officers of the City to execute an Extension Agreement to six industrial customers to Sept. 30, 1968.

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

Mr. Benedetti, Asst. Director of Utilities, explained this resolution provides for extending the existing contracts with the Industrial Power customers from Aug. 15th to Sept. 30th on the same terms and conditions under which they have been served over the years in order to allow more time for concluding negotiations with the Utility Board and City Council.

Mr. Benedetti said he had with him for presentation to the City Clerk the expansion agreements which have been executed on behalf of all of the companies that require further execution by the Mayor and the Public Utility Board.

The Resolution was passed unanimously by voice vote. Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19831

Authorizing the proper officers of the City to execute for an behalf of the City a mutual fire protection assistance agreement with the City of Seattle.

Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Cvitanich.

The Resolution was passed unanimously by voice vote. Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19832

Endorsing the proposal for a Tacoma Centennial observance and pledge its support to the sponsors throughout the year of 1969 and for a week-long celebration from June 29 to July 5, 1969.

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

The Resolution was passed unanimously by voice vote. Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19833

Commending Mr. Charles L. Edmunds for his many years of service he has devoted to the welfare of the community as a member of the Commission of Housing Authority.

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

The Resolution was passed unanimously by voice vote. Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19834

Appointing William E. Henderson as a member to the Commission of Housing Authority for the term commencing August 17, 1968 thru August 16, 1973.

Mayor Rasmussen said he would like to have this resolution removed from the agenda as the Council members have asked that the appointment be held up until they have an opportunity to discuss the candidates.

Mr. Cvitanich moved that this resolution be removed from the agenda. Seconded by Mr. Johnson. Voice vote taken. Motion carried.

Ayes 8; Nays 0; Absent 1, Banfield.

Resolution No. 19835

Granting an application for a taxi stand to Pete's Veteran Taxi Company at 1306 So. K Street.

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Dr. Herrmann moved that the resolution be adopted. Seconded by Mr. Johnson.

Mr. Rowlands explained this license is a continuation of an existing operation.

Mr. Finnigan asked if this taxi stand would affect the customer traffic flow for any of the businesses in the area.

Matt Mosbrucker, License Inspector for the Dept. of Tax and License, said this matter has been checked and it will not affect the businesses in this area.

Mayor Rasmussen asked Mr. Rowlands, City Manager, why the taxi stands are located on a main street that is heavily traveled rather than on a side street. He felt they take up available parking spaces that the merchants in the area could use for customer parking.

Mr. Rowlands said having the stands on side streets is a possibility. In some areas they have taken the stands off the streets entirely and have their own parking lots. However, this request for a taxi stand on K St. has been pending for several months. He added he talked with Chief Zittel and they did not feel there was any reason why traffic should be congested because of this stand.

Dr. Herrmann asked how many parking places this particular taxi stand would occupy.

Mr. Rowlands said there would be only one cab, therefore, only one parking place would be sufficient.

Mr. Cvitanich said this would be an exclusive location and asked if other taxi companies have exclusive locations.

Mr. Mosbrucker said each Taxi Company has a number of exclusive stand locations.

R. W. Copeland, attorney representing the K St. Taxi Company, explained the taxi stand at the Union Depot is an open stand but all

Others are exclusive stands rented to various companies. The K St. taxi stand has operated at 11th and K between 25 and 30 years and there has never been any complaints against the company. He felt there is no known need for more taxi stands in this area. The K St. Taxi Co. has one stand, coupled with radio dispatching, that is adequately served the neighborhood. If there is any greater need for more service in the area, there is availability for licensing more cabs and the K St. Taxi Co. has the means for more cabs to service this location.

Mr. Copeland said he understands that the gentlemen making application for this taxi stand cannot drive a taxi himself as he has had some trouble with his drivers license and his insurance.

Mr. Copeland felt if this application were granted it would result in many more applications for locations in various areas of the City. He urged Council to defer this resolution and to make a very careful investigation of the matter, or deny the request.

Mr. Murvel Lewis, owner and operator of Pete's Veteran Taxi Co., said he has a valid state drivers license and also a valid City operator's license. He said he has been involved in minor accidents about three times since he has been driving a cab, but he has been hit approximately nine or ten times. Consequently, the insurance company advised him they will not cover him personally.

Mr. Lewis said he has always complied with the City ordinances and now he is merely trying to increase his business. He said he feels there is a need for more taxi service in the K St. area.

Mr. Johnson asked Mr. Lewis if it is his intention to keep his stand on Commerce St. in addition to the stand he is applying for on K St.

Mr. Lewis said this is his intention and he would have one taxi at each stand.

Mr. Cvitanich said he does not feel the Council had adequate information on statements made by Mr. Copeland or Mr. Lewis, and he suggested that the City Manager direct the License Department to submit more information on this matter.

Dr. Herrmann said he did not feel there was much more information that could be obtained. He said if this matter has been investigated by the City Manager and the Police Dept. he can see no reason why a license couldn't be granted to Mr. Lewis.

Mr. Zatkovich moved to postpone Resolution No. 19835 for two weeks pending further information. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

Ayes 6: Bott, Cvitanich, Finnigan, Murtland, Zatkovich and Mayor Rasmussen.

Nays 2: Herrmann, Johnson. Absent 1, Banfield.

Mr. Murtland suggested that added information submitted include the following: number of licensed operators, number of licensed taxi's, stand and the locations, the last time these were issued and what the increase in population has been since that time.

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FIRST READING OF ORDINANCES:

Ordinance No. 18641

Approving the Annexation of the area in the S.W. corner of East 72nd St. and Portland Ave. (petition of Tacoma-Shamrock, Inc. et al)

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The ordinance was placed in order of final reading.

Ordinance No. 18642

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.065-86 to include property on the S.E. corner of No. 7th & Orchard Sts. in an "R-4-L" District. (petition of A. R. Orlando.)

The ordinance was placed in order of final reading.

Ordinance No. 18643

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.065-85 to include property on the east side of Pearl St. from No. 15th to No. 18th Sts. in an "R-4-L" District. (petition of Palmer C. Peterson.)

The ordinance was placed in order of final reading.

Ordinance No. 18644

Amending Section 11.34.130 of the official code of the City relative to Arterial Streets Designated.

Mr. Cvitanich asked Mr. Schuster, Director of Public Works, if there are any plans for the bridge turning in to Dock St. He said there have been many accidents and fatalities on this corner.

Mr. Schuster explained new blinkers have been installed on this corner just recently. Blinkers were installed at the end of the Pacific Ave. extension and since that time there has been only one accident.

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18638

Amending Ordinance No. 15929 creating in the Treasury of the City a special fund to be designated Equipment Rental Fund.

Mr. Rowlands, City Manager, said an inquiry was made by Council members relative to the leasing of equipment. He said this has been discussed with other agencies in Seattle, Spokane, Los Angeles and Torrence, California, and the conclusion is that leasing has no advantage for governmental agencies, however, the one exception is

That is one way of obtaining new equipment when other funds are not available, but it is more costly.

Mr. Bott asked if there have been any actual proposals submitted by any of the leasing companies.

Mr. Schuster, Director of Public Works, said in 1964 a proposal was submitted by one of the leasing companies for police cars. After it was analyzed, it was determined that it was cheaper to purchase than to lease the cars.

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

Ayes 8: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 0; Absent 1: Banfield.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18639

Amending Chapter 13.06 of the official code by adding a new section 13.06.067-7 to include property on the south side of East 55th St. between the Pipe Line and Roosevelt Ave. in an "R-4-L" District. (petition of Silver Falcon, Inc.)

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

Ayes 7: Bott, Finnigan, Herrmann, Johnson, Murtland, Zatkovich and Mayor Rasmussen.
Nays 1: Cvitanich. Absent 1: Banfield.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18640

Amending Chapter 1.30 of the official code by adding a new section 1.30.150 relative to Average Final Compensation Defined.

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

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

Nays 0; Absent 1, Banfield.

COMMENTS BY THE CITY MANAGER:

MC-549 Local Improvement District Participation.

Mr. Rowlands said this MC has been discussed previously at this meeting. He said if this meets with the Council's approval, he would like to bring in a resolution amending the rates.

Mayor Rasmussen asked Mr. Schuster if copies of the information the Department of Public Works compiled on the LID program could be made available to the public since it gives the complete history of the LID program and reasons for the price increase.

Mr. Schuster, Director of Public Works, said this information was originally printed to enlighten the public on the LID program if they so desired. However, it will have to be brought up to date if the rates are changed and also for a change in the interest rate.

Mayor Rasmussen asked Mr. Schuster if he felt the increase in rates will slow down the LID program.

Mr. Schuster said he did not anticipate that it would, but there is no way of knowing until the new rates are put into effect. It has been the policy in the past that any petitions that were in effect at the time the change in rate was made would be recognized at the new rates in effect when the petitions were received.

Mr. Bott asked if information could be submitted to Council on the actual percentage of increase on various LID projects.

Mr. Schuster said this could be obtained.

Dr. Herrmann asked if the Council could establish a policy of city participation in a percentage amount rather than a dollar amount.

Mr. Schuster said one of the big advantages of the present LID program is that the department can inform property owners what their actual assessment will be. He said this program has worked out very well and he would suggest that it not be changed.

Mayor Rasmussen asked that there be another MC on next week's agenda with further information on this matter.

Mayor Rasmussen said he felt alley paving is a rather slow program and for the small amount of money involved, he suggested leaving the rate for alley paving at \$5.50 to encourage the program.

Mr. Schuster said this was considered by the department before they made their recommendation to the Council, but decided that \$7.00 per foot would not discourage a great deal of alley paving.

Mayor Rasmussen asked that this be explored further before a final decision is made.

Mr. Murtland said he feels alleys are more personal than streets in so far as their use is concerned. He said if there is to be a reduction in the cost of any item it should be on the streets that are used by everyone.

Mayor Rasmussen said if alley improvements could be encouraged it would save the City money as far as maintenance is concerned, and more money would then be available for other improvements.

Mr. Zatkovich said alleys are used by many public conveyances such as police, fire, garbage and milk trucks, and he thought they were necessary.

MC-551 Fire Equipment

Mr. Rowlands, City Manager, said this MC has been discussed thoroughly previously on the agenda, and if there are no questions, he would like to have a resolution brought in so the two-mill levy can be placed on the ballot along with the bond issue in November.

Mr. Bott asked if the City can be assured of purchasing this required amount of equipment at current prices if a two-mill levy is approved in November.

Mr. Rowlands said Chief Reiser has checked prices with equipment dealers and the total for eight pumpers and one aerial ladder, based on the projected increase in 1969, is approximately \$443,600 and the two-mill levy would amount to approximately \$450,000.

Mr. Cvitanich said prices will undoubtedly go up in the future, therefore, he would rather ask for a three-mill levy now and replace more fire equipment rather than ask for two mills and replace only one piece of equipment.

Mr. Johnson said it is his understanding that there was nine pieces of equipment purchased in 1948 which is 20 years old at this time. The two-mill levy will replace these nine pieces of equipment so the Fire Dept. equipment will be brought up to a minimum.

Mayor Rasmussen said he is concerned with the inefficient method of purchasing as a good number of equipment is purchased one year, none the next, and eventually the equipment is outmoded all at once and is down rated by the Fire Insurance Board. He asked Asst. Chief George of the Fire Dept. if the pumper trucks are improved each year.

Asst. Chief George said the equipment is improved each year. In the latter stages of World War II there was a certain surplus of money and at that time the City of Tacoma purchased quite a bit of new fire equipment. Unfortunately, this will all become obsolete at the same time, and this is what the City is faced with at this time.

Mayor Rasmussen said this is the reason why he feels purchasing of eight pumpers should be staggered.

Chief George said presumably in 20 years with the growth expected in this area there will be a need for more fire companies in the City. The equipment that will be purchased and with the additional companies will stagger the purchase of further equipment. Some of the reserve equipment that is not too outdated can be used, however, the more in-service equipment the City has, the more reserve equipment is required by the Underwriters. He added Tacoma is deficient right now in ladder equipment and does not have a good reserve ladder.

Mr. Rowlands explained by requesting a two-mill levy is the logical approach for replacing equipment because the City does not have sufficient monies in the operating budget.

Mayor Rasmussen referred to the \$237,000 surplus money the City has and said if the Fire Dept. is so badly in need of equipment this surplus should be used.

Mr. Gaisford, Finance Director, said as he explained before, if the Council so desires they can appropriate this money for emergencies, however, the 1969 budget will then have to be cut back \$237,000.

Mr. Rowlands pointed out that every year at budget time the City is faced with between 80% & 83% personnel costs which include raises in salary, fringe benefits, insurance, vacation help etc. If this surplus is used now, the 1969 budget will have to be cut back by that amount and it will have an effect on the personnel operations.

Mr. Cvitanich said he felt the request for two mills is not adequate. He asked that the staff submit cost estimates in terms of three and four mills and what it would purchase in terms of equipment.

Asst. Chief George said he did not want to leave anyone with the impression that the Fire Dept. is in danger of folding up. The point he is trying to get across, he added, is that the department is faced with aged equipment that could be out of service at any time. The maintenance program that has been started in the last few months

showing marked gains.

Mr. Zatkovich asked Asst. Chief George if it is true that the equipment could be down-graded for the lack of proper equipment or relief equipment.

Asst. Chief George said this is in the grading schedule and the engineers would determine this. He added the A.I.A. has used twenty years for the average life of fire equipment, but there is a discussion of reducing this to 17 years. However, he added, the equipment must be evaluated as it is used.

Dr. Herrmann stated he was in favor of submitting a three-mill levy to the vote of the people.

Mayor Rasmussen asked if it is possible to put a measure on the ballot whereby one mill would be levied in 1969, one in 1970 and one in 1971.

MC. McCormick, City Attorney, said millage cannot be spread for more than the one year.

Mr. Cvitanich stated he would like a report on the cost of replacing all Fire Dept. equipment that will be twenty years old and also the cost of submitting a three and four mill levy on the ballot.

Mr. Rowlands said a motion by Council is necessary to approve the \$915.82 transportation cost of moving Mr. Harvey, Assistant to the City Manager, to Tacoma.

Mr. Murtland moved to approve the transportation cost of \$915.82 in moving Mr. Harvey to Tacoma. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Ayes 7: Bott, Cvitanich, Finnigan, Herrmann, Johnson, Murtland and Zatkovich.
Nays 1: Mayor Rasmussen. Absent 1: Banfield.

Mayor Rasmussen said Mr. Rowlands has a request in to attend the International City Managers Association Convention to be held in Detroit on October 19th to 24th. He asked Mr. Rowlands if this would be the first out-of-town meeting he would be attending this year.

Mr. Rowlands said he had been at the Association of Washington Cities meeting in Spokane and had been out of town several other times, usually on week ends, as a member of the Board of I.C.M.A. These trips were to Washington, D.C. and Berkley, California, and the trips were paid for entirely by the Association. Mr. Rowlands further stated this is a meeting he has attended for the last 20 years and it is a very fine organization.

Mayor Rasmussen said he wished to commend Mr. Rowlands for asking permission to attend the meeting, however, he added, Mr. Rowlands has been absent from the City at other times and the Council has not been notified of his absence. Mayor Rasmussen said he feels the Council should be aware of the fact that the City Manager is out of town or is contemplating being out of town.

Mr. Bott moved that the City Manager be authorized to attend International City Managers Association convention in Detroit from October 19th to 24th. Seconded by Mr. Finnigan. Voice vote taken. Motion carried.

Ayes 3, Nays 0; Absent 1, Banfield.

Mayor Rasmussen said there is a meeting of the National League of Cities in New Orleans in December which is attended by Council members. Mr. Murtland, Mr. Zatkovich and Mr. Cvitanich said they wish to attend. Mayor Rasmussen said under the Council's direction the Mayor would have to attend this meeting and in the event he does not, he felt the City Manager should remain in the City.

Mr. Finnigan said he would like to suggest that Mr. Rowlands attend this meeting as he is very conversant with Mayor's of larger cities in the United States as well as some of the smaller cities. He has been thru Mr. Rowlands' aid that many valuable programs have been developed in the cities and for the cities. He feels Mr. Rowlands is in a position to continue to lend a great deal of aid to the National League of Cities.

Mr. Johnson said he feels the value to the City of Tacoma must be weighed in making a decision in permitting the City Manager to attend this meeting. It is at such meetings that acquaintances are made with the people from Washington, D.C. where a lot of the cities funds come from. He feels it would be to Tacoma's advantage to allow the City Manager to attend this meeting.

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Mr. Bott said he feels it would be a valuable service to Tacoma to have Mr. Rowlands attend this convention.

Mr. Zatkovich said he feels it is a good policy to have representation at these meetings but he felt the number of people who attend should be limited.

Mr. Murtland said he feels what the City of Tacoma will gain from having Councilmen, Mayor and the City Manager attend this meeting is far beyond the expense of the trip.

Mr. Cvitanich stated he feels there is a lot to be gained by attending conventions, but it is up to the individual who participates. He added if the Council feels a policy should be established concerning attendance at conventions, it should be discussed and a decision made.

Mr. Finnigan moved that Mr. Rowlands be allowed to attend the National League of Cities convention in New Orleans. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Ayes 5: Bott, Finnigan, Herrmann, Johnson and Murtland.

Nays 3: Zatkovich, Cvitanich and Mayor Rasmussen. Absent 1: Banfield.

ITEMS BY THE CITY MANAGER:

Mayor Rasmussen said there is to be a meeting in San Francisco on Sept. 3rd and 4th, and he was desirous in knowing how many Council members planned to attend.

The following Council members plan to attend this meeting in San Francisco: Mr. Johnson, Mr. Cvitanich, Dr. Herrmann, Mr. Bott, Mr. Hartland and Mr. Finnigan.

Mr. Bott said the invitation to go to San Francisco includes \$16.00 a day for sustenance, \$9.00 a day hotel, and an economy class round trip, at no cost to the City of Tacoma.

Mayor Rasmussen asked Mr. Rowlands if he would be attending the meeting in San Francisco.

Mr. Rowlands said he would be attending under the circumstances mentioned by Mr. Bott. He added this is something that the elected officials of Spokane, Tacoma, Seattle and Everett are invited to.

Mayor Rasmussen said it is apparent there would not be a quorum present to conduct a Council meeting on Sept. 3rd. He asked Mr. McCormick, City Attorney, what the legal procedure is under such circumstances.

Mr. McCormick said the City Charter provides that a meeting be held and when there is not a quorum present they adjourn.

Mr. Bott asked Mr. McCormick if, in such a case, they could adjourn until some other day of the week instead of waiting until the following week.

Mr. McCormick said this is possible but in the past they have always adjourned until the following week.

ITEMS BY MEMBERS OF THE CITY COUNCIL:

Mr. Cvitanich said he has been hearing rumors about the air pollution legislation relative to the Smelter. He asked if there is any concrete information available on this matter.

Mayor Rasmussen said the meeting of August 21st which was to be held in the Council Chambers has been cancelled because the Smelter has filed suit in Superior Court. He said it was his understanding that the Smelter action is to nullify the law passed by the legislature.

Mr. McCormick, City Attorney, said he is not too familiar with litigation now pending but it is his understanding that the Smelter has started action on the basis that the regulations are unconstitutional.

Mayor Rasmussen said a meeting of the Executive Board of the Pollution Control Agency would be held on August 14th and he asked Mr. Cvitanich to attend in place of the Mayor. He added they will be discussing this problem as the legal staff of the Pollution Control Agency is preparing a case.

Mr. Cvitanich said if organizations can declare regulations null and void, he did not feel there was any point in making regulations. He suggested having legislation on the local level.

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Mr. McCormick said the Pollution Control Agency does have their own attorney and are preparing an answer to the complaint filed by the Smelter. He added he would assume that an injunction has been issued for the enforcement of these regulations and will be heard before the Court. He is not certain but he felt that once the City joins the regional agency that supercedes all other regulations.

Mr. Zatkovich stated the tideflats are also being polluted by the pulp mill, and he asked if they have been given notification that they are violating rules and regulations.

Mayor Rasmussen said he talked to an Enforcement Officer in the Tacoma office and was informed they had already taken action and are actively pursuing all cases and working with the companies to improve their operations so they will not be in violation.

Mayor Rasmussen said he would be glad to invite an Enforcement Officer to a Council meeting to explain their activities and discuss the matter.

Mr. Zatkovich said he felt this was a very good idea.

Mayor Rasmussen asked Mr. Hodges, Human Relations Director, if he works with the Urban Coalition and if this organization has incorporated itself.

Mr. Hodges said he does work with the Urban Coalition but they are not incorporated. He added they are in the process of incorporating a funding corporation that will be set up to handle money which is specified for certain projects.

Mayor Rasmussen asked Mr. Hodges if he was one of the incorporators.

Mr. Hodges said he was.

Mayor Rasmussen added he noticed Mr. Hodges listed the Human Relations Office as his address, rather than his home address. He asked Mr. McCormick, City Attorney, if there is any legal technicality of a City director listing a City office as the office of the incorporation.

Mr. McCormick said he did not know of any technicality off hand. He felt this was probably a matter of policy to be determined by the Council.

Mayor Rasmussen asked Mr. Hodges why this funding corporation would be a separate corporation from the Urban Coalition.

Mr. Hodges said it was set up only for the purpose of receiving and dispensing funds. The only project being undertaken at this time is the receiving of funds to pay for scholarships for people in the hard core unemployed area who are taking training so they will be in a wage earning capacity instead of receiving public assistance. He added that some of the businesses in Tacoma are underwriting these scholarships and they are desirous of giving money to a funding corporation that is tax exempt.

Mayor Rasmussen asked Mr. Hodges if he had discussed the matter of incorporating with the Urban Coalition Office in Washington, D.C.

Mr. Hodges replied what he discussed with the office in Washington, D.C. was how to incorporate a non-profit funding corporation without incorporating Urban Coalition. He added they did not wish to incorporate Urban Coalition.

Mayor Rasmussen read from an article which stated the Urban Coalition Office in Washington, D.C. pointed out that it is good for Urban Coalition itself to be unincorporated so that it may become involved in political activities. Mayor Rasmussen said what concerns him is the type of political activity Urban Coalition might get into.

Mr. Hodges said that was a statement made by the Urban Coalition Office when asked how to go about incorporating a funding corporation. He does not know of any political action contemplated.

Mr. Finnigan said during the last year the Pierce County-Tacoma Civic Arts Commission set up a separate fund, aside from the Commission itself, to receive money and disperse it to various areas of interest.

Mayor Rasmussen asked Mr. McCormick, City Attorney, if Council should not set up the Civic Arts Fund.

Mr. McCormick said Council did set up some funds but he was not sure if it was for this particular committee. However, he felt the purpose of a separate fund is so that businessmen by giving gifts can qualify for income tax deductions.

Mr. Gaisford, Finance Director, said the only fund he can recall is the Community Betterment Fund. If they have a Civic Arts Fund, no money has been received as yet.

Mayor Rasmussen said he feels it is very important that the Council be fully informed when any City employee is involved in incorporating a project.

CITIZENS COMMENTS:

a. Rev. John Williams wishing to speak before the City Council in reference to statements made by various persons at the August 6th meeting. ✓

Mr. Williams, President of the Hilltop Neighborhood Improvement Council, said he wished to respond to questions and statements made last week and prior weeks as to the Hilltop Multi-Service Center operation and its program.

Mr. Williams said the Articles of Incorporation were filed with the Secretary of State on October 13, 1965 and with the Pierce County Auditor on October 18, 1965. The organization is an incorporated body within the Hilltop area serving more than 14,000 residents. The fee for membership is based upon residence in the given geographical boundary which is 6th Ave. to 27th Street and from Fawcett Ave. to Sprague Street. Individuals owning property in the area can also have access to membership.

Mr. Williams distributed to the press copies of a resolution setting forth some of the desires, plans and positions of the Harambee organization and also the black community. He said this resolution sets in prospective the interpretation of positive black power. He said positive black power is based on the thesis that black is beautiful, though history has taught people that black is evil and derogatory. The young Afro-Americans have become aware of the full meaning of blackness, that it is a way of life and thinking, and that each has a right to live and shape his own destiny. He added positive black power means entering into the mainstream socially, educationally, economically and culturally. Mr. Williams said he would like to congratulate the Harambee as a legitimate organization of Afro-American citizens in the community who are fashioning their own destiny.

In reference to crime in the Hilltop area, Mr. Williams said according to his records most of the routine calls of the Tacoma Police Dept. are in areas other than the Hilltop area. He added that the charge that Mr. Rowlands ordered the Police Department to maintain a "hands off" policy in the Hilltop area is truly unfounded.

Mr. Williams added he stands for non-violence and the Harambee does not advocate violence. All organizations in the Hilltop area are working together and want to set the spirit for the whole community to follow. Tacoma has the opportunity, the resources, and the manpower if it can find the will to come together, and he feels this is the responsibility of all citizens. He is convinced that black and white must come together -- that no longer shall white hands shape black destiny, nor shall black hands shape white destiny.

Mr. Williams further added he feels a reappraisal of our leadership is needed. To be an effective leader one must make themselves small so others will feel large; make themselves a servant so others may feel their mastery; it means give so those who lack may receive; love so those who feel unloved will have someone who never rejects them; stay at peace so those who are contemptuous will have someone to turn to to stabilize themselves; keep a cheerful outlook so those who are easily taxed down may be uplifted; keep faith and continue to keep faith even when you yourself find little reason for believing so that those who have no faith can find courage to live; be kind and human hearted; to involve oneself in man's humanity and keep our vision on man's destiny; to share the great moments of men's lives whether it is a crisis or a celebration; and having a sense of God's presence that sometimes we cannot find the meaning of and often overlook.

Mr. Williams stated he feels Mr. Rowlands is a man of civility, ability, sensitivity, who understands what blackness means, and who has a tremendous job ahead of him.

Mr. Williams presented Mayor Rasmussen a Love medal, a badge of discipleship of the 5th Episcopal District of the African Methodist Church, stating they feel the only way to deal with problems of the cities, nation and personal relationship is with love.

Mayor Rasmussen said he agreed with Mr. Williams on non-violence. However, he added, there are some members of some organizations who have taken it upon themselves not to use the legitimate rights they have but the illegal rights, and this reflects on everyone.

Mr. Zatkovich asked Mr. Williams if the Harambee is integrated with the Black Panther organization or if they were ever associated with them.

Mr. Williams said the two groups are not associated and whether they ever were is a matter of conjecture. He added Harambee is a legitimate, social community organization of black Afro-Americans. They are citizens of Tacoma who have legitimate rights and who are expressing their rights in terms of positive black power structuring and programming. He said he feels Harambee has exercised capacity for non-violence and they have directed their hostilities and frustrations in constructive channels. He felt the organization should be encouraged rather than criticized.

b. Rev. O.R. Pigford wishing to speak to the City Council relative to the accusation made by Mr. Bullinger regarding the law enforcement in the K St. area.

Rev. Pigford said at last week's Council meeting Mr. Bullinger appeared to tell his side of the story of an incident which occurred the night of the K St. Fiesta. He said he had previously heard Mr. Bullinger tell his story of the same incident and there was quite a variation in the stories. He added that Mr. Bullinger, in his first story, said he (Rev. Pigford) asked the investigating officers not to make a report of the incident. Rev. Pigford said he was speaking to the young man involved in the fight with Mr. Bullinger when he said "keep quiet. All the officer is doing is making a report." He added it is very easy to take a statement that is made and twist it to suit your own purpose. Mr. Bullinger also told the Council that Rev. Pigford stood by, watched this group attack him and didn't do a thing about it. Rev. Pigford said he was inside when Mr. Bullinger was attacked, but when he heard there was a fight outside he went out to see what was going on. By that time the patrol car had arrived and he said he felt the officers handled the situation very well. The officers talked to the young man involved, asked to see his identification, and took down the information. He said following this Mr. Bullinger got into the police car and that was the last he saw of him.

Rev. Pigford said that at last Tuesday's Council meeting Mr. Bullinger stated the young man who attacked him was wearing black, had long beads and an emblem on the beads. He added he checked the police report on this and it stated the young man was wearing blue jeans and a blue shirt.

Rev. Pigford said he did not stand around and watch while Mr. Bullinger was attacked as he was inside the building enjoying the Fiesta. He said he felt in telling the story over and over, Mr. Bullinger became confused with the facts.

c. Mr. Charles Gage and Mr. Robert S. Hammar, K St. merchants, requesting to appear before the City Council on the subject of 10 years of excellent co-operation with all city officials in promoting business on K St.

Charles Gage said he has been the owner and operator of the Valu-Store, 1118 So. K St., for the past seven years and for the past three years has been Chairman of the Promotion and Advertising Committee for the K St. Merchants Booster Club. He said he was speaking only for his store for the fine protection given him by the Police Dept. in the K St. area. He cited examples of the fine cooperation received from the Police Dept. in the past years.

Mr. Gage said during the day police car or motorcycle patrol service averages once every thirty minutes. When a shoplifter is apprehended and the police are called, they are on the scene in ten minutes or less. He added that during 1963-64 his store was burglarized three times. After the third time the Police Dept. offered some very helpful suggestions in him to try and correct the situation. In putting these suggestions to work, there has been no more trouble with burglaries.

Mr. Gage continued when the K St. Boosters Club called the City Manager and Chief Zittel for permission to hold street dances, sidewalk sales, bar-b-ques etc. they made a very careful decision on the matter so that no calculated risk would be taken. Additional police protection was given during these affairs and there was never any disturbance. He feels the Police Dept. gives the best service possible with the personnel they have available. He added to his knowledge there is no more crime on K St. than there is in any other community shopping area in Tacoma.

Mr. Gage further stated on July 13th he stopped in to see Chief Zittel because of the comments that had been in the newspaper and on the radio in respect to the fact that the Police Dept. would stop making any arrests in the K St. area. Chief Zittel very vehemently and emphatically denied that he had ever issued such an order to any of his staff members or any of his men. Mr. Gage said he feels Tacoma is fortunate to have a man of Chief Zittel's ability as Chief of Police and he strongly believes Chief Zittel and his men are doing a good job in the K St. area in view of these times of rising crime and violence.

Mayor Rasmussen asked Mr. Gage if he was the person who was beaten behind his store last summer.

Mr. Gage said two youths had stolen a ball and he apprehended them on the sidewalk behind his store and they did put up quite a fight.

Mayor Rasmussen said he did not want anyone to have the impression that the City Council had ever run down the Police Chief or members of his department as the Council has had high praise for the Police Dept. at all times. There have been problems in other areas, but not with the Chief or his men.

Mr. Zatkovich asked Mr. Gage if he is a close, personal friend of Chief Zittel.

Mr. Gage replied he has been a close friend of Chief Zittel for over twenty years.

Mr. Cvitanich said he did not think any member of the City Council had ever criticized the Chief of Police or his employees.

Robert S. Hammar, 3823 Soundview Dr. West, said he was alarmed at some of the statements made by a fellow citizen in regard to the K St. business district. He said he interpreted the comments to mean that the Mayor, City Manager and Council had never worked with the K St. Boosters Club. He added that nothing could be further from the truth. He said in the ten years he has been a merchant in the K St. area, he has nothing but the highest regard for the Tacoma Police Dept.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. 79th Annual Report from the Tacoma Fire Dept.
- b. Monthly report of Citizens Information and Service Bureau.

Mr. Finnigan moved that the meeting be adjourned. Seconded by Mr. Murtland. Voice vote taken. Motion carried. The meeting adjourned at 10:45 P.M.

MAYOR

Attest: Josephine Melton
City Clerk