

CITY COUNCIL MINUTES

City Council Chambers, 4:00 P. M.
Tuesday, January 10, 1967

Council met in regular session. Present on roll call 9: Bott, Cvitanich, Finnigan, Haley, Herrmann, Johnson, Murtland, Price and Mayor Tollefson.

Mayor Tollefson asked for approval of the minutes of December 27, 1966.

Mr. Cvitanich asked that the minutes be corrected to delete his name from Mr. Haley's motion at the first part of the meeting, as he was not present when the motion to allow Mr. Landon the opportunity to speak was approved.

Mr. Haley moved that the clerical error be corrected. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

Dr. Herrmann moved that the minutes of the meeting of Dec. 27, 1966 be approved as corrected. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

HEARINGS & APPEALS:

a. This is the date set for hearing on the petition of the Tacoma City Planning Commission for the rezoning of property in the area bounded by Pearl St., No. 30th, Highland and No. 31st St. extended from an "R-4" to an "R-4-PRD" District.

No one appearing and no protests being made, Dr. Herrmann moved that the proper ordinance be drafted approving the rezone. Seconded by Mrs. Price. Voice vote taken. Motion carried.

b. The City Planning Commission recommending denial of the petition submitted by Ellsworth L. Milton for rezoning of property located on the north side of Westgate Blvd. between Defiance & Visscher St. from an "R-2" to an "R-3" District.

An appeal has been filed by the petitioner and the suggested date for hearing is February 21, 1967.

Mrs. Price moved that Tuesday, Feb. 21, 1967 be set as the date for hearing on Ellsworth L. Milton's appeal. Seconded by Dr. Herrmann. Voice vote taken. Motion carried.

c. The City Planning Commission recommending denial of the petition submitted by The Volunteers of America for rezoning of property located on the north side of So. 19th St. between Jackson Ave. & Geiger St. from an "R-1" & "R-2" to an "R-4-L" District.

The last day for filing an appeal was Dec. 30, 1966 and no appeal had been filed.

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

RESOLUTIONS:

Resolution No. 18992 (postponed from the meeting of Dec. 27, 1966)

Accepting certain offers to sell real property situated within the new Tacoma Urban Renewal Project No. Wash. R-14.

Mrs. Price moved that the resolution be adopted. Seconded by Mr. Haley.

Mr. Corey Richmond, Urban Renewal Director, informed the Council that the legal problems involving the sale of this real property have been resolved.

The Resolution was passed by voice vote.
Ayes 8; Nays 1, Cvitanich, Absent 1.

Resolution No. 19008

Fixing Monday, February 27, 1967 at 4:00 P. M. as the date for hearing on L I D 6882 for street lighting on So. 86th from So. Thompson to So. M St. and nearby streets.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19009

Fixing Wednesday, February 15, 1967 at 4:00 P. M. as the date for hearing on L I D 3569 for sanitary sewers in Union Ave. from So. 23rd to So. 29th St.; So. 30th from Puget Sound Ave. to Center St. and in Center from So. 30th to Cedar Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 9; Nays 0; Absent 0.

Resolution No. 19010

Fixing Wednesday, Feb. 15, 1967 at 4:00 P. M. as the date for hearing on L I D 4800 for paving and widening of Union Ave. from So. 12th to 300 feet north of So. 28th Street.

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

The Resolution was passed unanimously by voice vote.
Ayes 8; Nays 0; Absent 1, Cvitanich (temporarily).

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FIRST READING OF ORDINANCES:

Ordinance No. 18205

Amending Chapter 13.06 of the official code of the City by adding a new section 13.06.062 to include property on the east side of Orchard St. between So. 35th and So. 37th Streets extended in an "R-4-PRD" District. (petition of Jack Baty)

The ordinance was placed in order of final reading.

FINAL READING OF ORDINANCES:

Ordinance No. 18121 (postponed from the meeting of January 3, 1967)

Amending Chapter 12.06 of the official code of the City by repealing and re-enacting a new section 12.06.190 relative to "Electric Energy, Regulation and Rates".

Mayor Tollefson explained he received a letter from Mr. Erdahl, Director of Utilities, setting forth the proposed language to be used in the ordinance. In addition a letter from Mr. Robert F. Lynch, Resident Manager of the St. Regis Paper Co., dated Jan. 10th, was received. Copies of these letters have been submitted to the Council members. He added, the language clarifying the ordinance has been approved by both parties as well as some new language in the contract between the Utility Dept. and St. Regis.

Mr. Erdahl, Director of Utilities, stated this was true, relative to this particular power rate ordinance. Mr. Robert F. Lynch, Resident Manager, of St. Regis, Tacoma Kraft Mill and Herbert Munson, their electrical engineer, both indicated their approval.

Mrs. Price moved to amend the ordinance by adding the following words to the second paragraph of Page 4, after the word 'cancellation', "Provided however, should the user in accordance with the terms and conditions of its contract with the City, elect to generate on its plant site within the City of Tacoma a part or all of its own electric power requirements, the Public Utility Board shall determine the effect thereof and shall reduce the minimum eleven-month period charges above provided for to the extent that the findings of the Board justify a reduction." Seconded by Mr. Haloy. Voice vote taken. Motion carried.

Mayor Tollefson said he wished to make it very clear that this is not to be considered by the Council or St. Regis as setting any precedent for any contract to be negotiated in the future. Secondly, with regard to the St. Regis contract, that their letter which was submitted, is not a conditional acceptance or consent to the passage of this ordinance. The letter was a matter of explanation by them, but it is not to be considered a condition.

Roll call was taken on the ordinance, as amended.

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Mr. Lynch remarked that he had submitted a letter which stated that St.

Regis is willing to sign a short-term contract based on the new rate ordinance in the spirit of compromise, since it is apparent that the Utilities Dept. considered it urgent that our company's load be covered by contract without further delay, further, "it should be understood, however, that in accepting the terms of the proposed short-term contract based on Ordinance No. 18121, St. Regis is not indicating any willingness to sign a similar, but longer term contract in January of 1968." He added, they expressly point out that they cannot agree at this time to sign a contract in January of 1968 with the "ratchet clause" in the ordinance as now contemplated. In previous discussions the St. Regis officials had contended the "ratchet provision" would cost the company \$286,000 in penalties should it elect to generate its own power from the steam it produces.

Mr. Erdahl explained that the members of the Utility Board approved the proposed modifications to the ordinance. The St. Regis company officials had objected to the wording of "Act of God" item in the proposed contract, stating that it implied that the company would have to pay its full power bill, in the event it was unable, for reasons beyond its control, to use the power. He explained the Utility Board had suggested modifications which would not consider "strikes" as an "Act of God" and include "electric and/or water service interruption" as cause for pro-rated charges to the company.

Mr. Finnigan stated, he understood that the "11-month ratchet" provision presently exists in the other five industrial customer's contracts.

Mr. Erdahl stated it did not. He added, their contracts will be opened on January 15, 1968. However, the "11-month ratchet" clause extends beyond the end of the contract with St. Regis. This provision was not included in the other five contracts. This applies more to the "Act of God" portion of that contract.

Ordinance No. 18201

Amending sections 2 & 3 of Ordinance No. 14386 as last amended by Ordinance No. 17770 relating to additions and betterments to the existing electric generating plant and systems of the City of Tacoma and the authorization of light and power revenue bonds.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18202

Authorizing the issuance and sale of \$5,000,000.00 of additional bonds for the completion of the Cowlitz Power Development Project.

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

Ordinance No. 18204

Amending Title 13 of the official code by adding a new section A, 34 to Section 13.06.280 to modify use regulations for Business colleges, trade schools, etc. in an "R-4-T" and "R-5-T" and permitting Studio, music, art, voice, etc. in a "C-1" District. (Text ordinance change)

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

Ayes 9; Nays 0; Absent 0.

The Ordinance was declared passed by the Chairman.

UNFINISHED BUSINESS:

The Director of Public Works & Utilities presents the following assessments rolls for hearing:

- a. L I D 3626 for sanitary sewers in alleys between East 60th & 61st Sts. from East N to East Q Sts.
- b. L I D 4776 for paving on No. 33rd from Huson to Orchard & other nearby streets.
- c. L I D 5413 for water mains in So. 12th from Pearl to Hawthorne and from Oxford to Meyers St.
- d. L I D 6855 for street lighting on Huson Drive from Moorlands Dr. to So. 18th; and on Moorlands Dr. from So. 12th to So. 16th Street.
- e. L I D 6858 for street lighting on No. 28th; Pearl to Vassault and other streets.

Mr. Finnigan moved that Monday, Feb. 27, 1967 at 4:00 P. M. be set as the date for hearing. Seconded by Mr. Cvitanich. Voice vote taken. Motion carried.

REPORTS:

Report of the Tacoma Municipal Transit System from the State Auditor for the period covering January 1, 1965 to December 31, 1965. Place on file.

Mr. Rowlands asked that this report be reproduced for the Council and distributed in their agendas next Friday, Jan. 13, 1966.

ITEMS FILED IN THE OFFICE OF THE CITY CLERK:

- a. Report from the City Planning Dept. for the month of December 1966.
- b. Report from the Tacoma Employees Retirement System for the month of December 1966.
- c. Report from the Light and Water Division for the month of Nov. 1966.

COMMENTS:

Mr. Rowlands reminded the Council of the meeting on Wed., Jan. 11th, 1967 at 4:00 P. M. in the Council Chambers regarding the transit proposal. Mr. Landon and members of the Citizens Committee for Tacoma's Future Development will be present. 124

Mr. Rowlands submitted to the Council members suggested revisions to

the 1967 Budget and the 1967 General Fund proposed expenditures over and above the amount budgeted for 1966. These reports show the suggested revisions that would have to be made in the event the 75¢ monthly surcharge to support the Transit System is defeated by the voters on Jan. 24, 1967.

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Mayor Tollefson stated if the Transit tax does not pass, the City will have to make adjustments. In what areas adjustments are to be made, it is not known. If the cities are fortunate to obtain funds from the Legislature, it would be for only a two year period, however, this would be merely a stop-gap measure. He felt the Council could not make a decision at this time as to what they would do if the Transit tax does not pass.

Mrs. Price felt the public should be given some idea where the City would have to make cuts, if the Transit tax does not pass. She felt this should be done now.

Mr. Mustland agreed with Mrs. Price. He felt that otherwise the public will assume that the City will find the money elsewhere.

Mr. Cvitanich felt the Council could not decide now what would have to be eliminated. He asked that another list of projects be submitted, indicating that the airport's proposed instrument landing system should be included.

Mr. Johnson stated there have been lists submitted to cut down expenditures, but discussions have not been held on means of increasing the City's revenue. He did feel that both programs should be made public.

Mr. Rowlands mentioned Item 13, "Unexpended appropriations and additional revenues should produce \$101,000." He added, this would mean that the staff will not be able to replace personnel. He felt the budget had been drastically reduced already, and the City is still short of personnel and project potential in different areas. There is a considerable amount of Federal-aid applications in the mill but, perhaps, the City Council would have to recommend that they be abandoned due to lack of funds, if they are approved. Any catastrophe that might occur such as the snow storm of 7 years ago, would be a calamity, since the budget at present is extremely tight.

Mr. Rowlands mentioned that the City this year subsidized the Metropolitan Park Board in the amount of approximately \$600,000.

Mayor Tollefson felt the proposed cuts could be listed, but probably the areas that would be most affected would be the Parks and Libraries along with an increase in School fares. He added, he would not be in favor of eliminating the meter maids, whereby the meters would be checked by Police officers.

Mayor Tollefson mentioned possible cuts in street maintenance as an alternative to the list submitted.

Mr. Finnigan felt it should be emphasized that the transit service would have to be cut.

Dr. Herrmann felt if there is to be a Transit system, it has to be an adequate system. He felt in eliminating Sunday and Holiday bus service and discontinuing bus service after 9:15 P. M. on Monday through Sunday, would defeat the basic premise for operating. The Transit system is a vital part of our community and some how the Council will have to find a way to subsidize it.

Mr. Finnigan felt the bus service would have to suffer along with other City services.

Mrs. Price felt the Council should accept for consideration the list of suggestions submitted by Mr. Rowlands.

Mayor Tollefson felt that this would mean a \$600,000 reduction in services in a number of areas with the exception of a few nuisance taxes. It is hoped that this will not have to come to pass.

Mr. Rowlands felt this problem should be locked at in a positive manner as the Transit tax does have a good deal of support, and there is no reason why it should not pass.

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Mr. Haley felt that a policy should be adopted relative to transferring overhead to underground wiring, since he had been asked by a property owner for a petition in this respect. He asked if an L I D petition would take care of this matter.

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Mr. Erdahl, stated that he felt there is an L I D procedure to take care of this matter, however, he would be glad to contact this property owner as the Department is prepared to act. He stated that each conversion problem is different, but they were prepared to give them an estimated cost.

Mr. Bott asked that Mr. Rowlands in the future advise the City Council of anyone retiring from City Service.

Mr. Haley noted that the Council had received copies of letters from the Civic Arts Commission of Tacoma-Pierce County, Tacoma Art Museum as well as from Col. and Mrs. Edward V. Bosse regarding the Old City Hall and the Fire Station at 9th and A Streets. He wondered what policy would be followed by the Council.

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Mr. Rowlands stated there seems to be an indication of progress in regard to the 'Recommended use Plan' for the Old City Hall as indicated by a letter dated Jan. 6, 1967 from Paul Herlinger, Pres. of the Civic Arts Commission of Tacoma-Pierce County, stating a report would soon be forthcoming.

He added, that Mrs. Charles L. Morcy, Pres. of the Tacoma Art Museum, in a letter dated Dec. 19, 1966 has indicated their interest in the soon to be vacated fire station at 9th and A Streets.

Mr. Rowlands stated this would have to be checked very carefully as a roadway, the Tacoma spur, might be constructed along that bluff. It is a rather critical location. He felt that, perhaps, this could be a subject of a study session in about three weeks.

Mayor Tollefson reported on the meeting he attended in Washington, D. C. with other Mayors from all over the United States. He said every city in the United States is bogged down with old laws and poor taxing authority, while most of the States and the Federal Government have tremendously increased their taxes. It was the feeling of the group that, perhaps, they should have a corporation that could encourage business men, Industry, Labor and Education to join with the cities, once they point out the lead.

The other purpose of the meeting was to organize this work so that the President would not decrease the amount allotted for city programs, and to be sure it was mentioned in his budget message. They were reasonably assured that he would not reduce the program drastically.

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The third part of the meeting was with a member of the Housing and Urban Development Dept. and he was very anxious to see that the cities would engage in such heights of an Urban redevelopment and rehabilitation program so that all the buildings would not have to be demolished. This also was pointed out here in Tacoma, in the 'Demonstration City' program of a year ago.

Mr. Rowlands felt this program was to be commended.

There being no further business to come before the Council, upon motion duly seconded and passed, the meeting adjourned at 6:00 P. M.